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HOUSE OF COMMONS
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PARLIAMENTARY DEBATES

(HANSARD)

Tuesday 5 September 2023

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The House met at half-past Eleven o'clock

PRAYERS

[Mr Speaker *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

HS2: Cost

1. **Philip Davies** (Shipley) (Con): What discussions he has had with the Secretary of State for Transport on the cost of HS2. [R] [906193]

The Chief Secretary to the Treasury (John Glen): The Chancellor launched the efficiency and savings review in the autumn statement to focus on the Government's priorities and identify ways in which to work more efficiently and help to manage budgetary pressures from higher inflation. The Secretary of State for Transport and I discussed the costs of HS2 during the review, which helped to inform the decision to rephase certain parts of the project as part of balancing the nation's books.

Philip Davies: The travel between north and south is the bit of transport infrastructure that works; it is the travel across the north that does not work. What would the cost of HS2 have to reach for the Government to conclude that it no longer represents value for money for the taxpayer, or are the Government pursuing the essentially socialist policy that they will keep paying for this ridiculous white elephant irrespective of the final bill?

John Glen: I took the precaution of researching my hon. Friend's interest in this subject, and I note that he was issuing challenges on it 14 years ago. The Government remain—as they were then—fully committed to delivering HS2 and the integrated rail plan. This is a long-term investment that will bring our biggest cities closer to each other. It will boost productivity, and will provide a low-carbon alternative to cars and planes for many decades to come. As my hon. Friend knows, we are also working, through the IRP, on a £96 billion package to improve inter-regional rail connections, which obviously affects his constituents.

Graham Stringer (Blackley and Broughton) (Lab): Does the Minister agree that this country's performance on productivity has been pitiful over the last 10 years? There has been virtually no improvement in productivity, and one reason for that is our lack of investment in national infrastructure. Slowing down HS2 is a bad move when it comes to improving our infrastructure, and it is years since we agreed to a third runway at Heathrow. Does the Minister agree that if we are to improve our productivity, we have to invest in infrastructure?

John Glen: I can agree with the hon. Gentleman that the investment of £600 billion in infrastructure in all parts of the country to which the Government are committed is critical to easing the productivity challenge that has faced successive Governments, and the Chancellor will introduce measures in the autumn statement to address it further.

Greg Smith (Buckingham) (Con): HS2's costs have ballooned since it was first conceived under the last Labour Government. As my right hon. Friend has said, owing to pressure from the Treasury the project has had to be rephased, and trains will now go from west London—not central London—to a station not in central Birmingham, which negates the benefits that the scheme's proponents said it would bring. With costs ballooning still further, we just cannot afford it, can we?

John Glen: I am sorry, but I do not agree with my hon. Friend. I certainly recognise that infrastructure investments of this scale and with this level of ambition are never easy to deliver. I have set out the changes to the profile of the investment, but all the key elements are still on track, and we will continue to work with the Department for Transport to ensure that that remains the case.

John Spellar (Warley) (Lab): Is the Minister not also concerned about cost-benefit analysis? Have not assumptions behind the pattern of business travel demand been changed dramatically by the pandemic, working from home and video conferencing? Is the Minister satisfied that the Department for Transport has properly re-evaluated HS2 to take account of such changes?

John Glen: Yes, I am content with that. I recognise those changes in patterns of behaviour when it comes to the use of public transport, but we also face cost of living challenges. That is why we are working so closely with the Department for Transport to, for example, continue investment in buses over the next two years, and continue to spend £200 million on capping fares to £2 outside London. We must bear in mind, however, that continued investment in transport infrastructure is key to greater connectivity across the United Kingdom and dealing with the economic growth imperative.

Esther McVey (Tatton) (Con): It has been reported over the last couple of days that accommodating HS2 will mean fewer trains between the north and London. One station affected is Wilmslow in my constituency. Does the Minister agree that were that to happen, HS2 would no longer be value for money or good for the north? It would certainly take longer and cost my constituents more.

John Glen: HS2 is going to happen. The question is what additional investments across other parts of the rail infrastructure might benefit my right hon. Friend's constituents additionally and more directly. I set out with the integrated rail plan the £96 billion package to improve rail connections, and many elements of that will have a direct impact on her constituents in Cheshire.

Andrew Bridgen (North West Leicestershire) (Reclaim): As the Minister is well aware, North West Leicestershire has suffered under the blight of HS2 for more than a

decade, and the whole project has recently been declared to be undeliverable. It has been unaffordable for some considerable time. Will he urge his colleagues in Government to cancel the remainder of the eastern leg and reallocate just a small portion of that budget so that we can reopen the Ivanhoe line?

John Glen: I recognise that the hon. Gentleman has strong views on this, and I know that he has been personally affected by it in the past. The project, although it has been rephased, will continue. There are a number of issues involved in ensuring tight management of that budget, and I am working closely with the Department for Transport to see that that happens.

Climate Change: Economic Impact

2. **Nadia Whittome** (Nottingham East) (Lab): What assessment he has made with Cabinet colleagues of the potential impact of climate change on the economy. [906194]

16. **Wera Hobhouse** (Bath) (LD): What assessment he has made of the potential impact of climate change on the economy. [906208]

The Exchequer Secretary to the Treasury (Gareth Davies): The Treasury's 2021 net zero review noted that unmitigated climate change damage has been estimated to be the equivalent of losing between 5% and 20% of global GDP each year. The costs of global inaction significantly outweigh the costs of action, and McKinsey estimates that there is a global market opportunity for British businesses worth £1 trillion.

Nadia Whittome: A recent report from Carbon Tracker found a huge disconnect between what scientists expect from climate change and what our financial system is prepared for, with flawed economic modelling leading pension funds and others to seriously underestimate the risks. Meanwhile, Energy UK warns that we are lagging behind on green energy investments. Surely the Minister agrees that to revive our economy and avert climate catastrophe we must rapidly phase out fossil fuels and invest in a green new deal to reach net zero.

Gareth Davies: It is important to point out that we are the fastest decarbonising economy in the G7. Since 1990, we have decarbonised by 48% while growing our economy by 65%, but the hon. Lady is right: this will take a balanced approach involving both public spending and private investment, including pension fund investment. The recent pension fund reforms, for example, should unlock some new assets for green infrastructure.

Wera Hobhouse: I agree with the question about the Carbon Tracker report. It has found that policy decisions are being based on 1990s literature. That is 30 years old. Will the Chancellor review the data and the thinking that the Government are using to make sure that all strands are in line with the climate science of the 21st century?

Gareth Davies: The data that I look at shows that last year 40% of our electricity was generated from renewables. That is an amazing achievement, but we are alive and present when it comes to decarbonising our economy. We have great plans and we are building on our great track record. We will continue to do that.

Mr Speaker: I now welcome our new Member, Steve Tuckwell.

Steve Tuckwell (Uxbridge and South Ruislip) (Con): Thank you, Mr Speaker. Does my hon. Friend agree with my Uxbridge and South Ruislip constituents that Mayor Khan's ultra low emission zone expansion hits families and businesses without any significant environmental benefit?

Gareth Davies: Let me welcome my hon. Friend to his place. He has wasted no time whatsoever in advocating for his constituents against a Labour tax that is hitting households and businesses in his constituency and throughout the south-east. It is a massive tax bombshell at a time when families just do not need it. It is simply not right, and we would urge the Leader of the Opposition to tell his Mayor of London to stop it.

Richard Fuller (North East Bedfordshire) (Con): The shadow Chancellor has said that she will not rule out mandating the use of pension fund money for the pet schemes that the Labour party thinks will achieve net zero, putting at risk the savings of many pensioners in this country. What does my hon. Friend think the impact of that will be on the British economy?

Gareth Davies: Pension funds have a fiduciary responsibility to deliver a financial return but also to be mindful of the values of their pensioners. I have every confidence that pension funds will continue to invest in line with the risk that is presented by climate.

Mr Speaker: I call the shadow Minister.

Abena Oppong-Asare (Erith and Thamesmead) (Lab): This Tory Government effectively banned new onshore wind, which is vital for net zero, energy security and getting bills down. We now learn this could change because one fine group of Tory rebels is shouting louder than another group of Tory rebels. There is no leadership, just a Government led by their Back Benchers. Can we finally get an answer from the Government on whether they will dither and delay or join Labour in leading the way and acting on onshore wind?

Gareth Davies: Onshore wind has an important part to play, and we are already deploying 14 GW of energy from onshore wind. The cost of onshore wind has come down significantly. It is one of our cheapest energy sources. The hon. Lady does not have long to wait for the Energy Bill, which we are considering later today.

Growth Plan: Mortgage Interest Rates

3. **Fleur Anderson** (Putney) (Lab): What recent assessment he has made of the potential impact of the growth plan of 23 September 2022 on mortgage interest rates. [906195]

The Economic Secretary to the Treasury (Andrew Griffith): Over the course of 2022, high inflation from Putin's illegal invasion of Ukraine saw interest rates increase across most western economies. The path to lower rates is through low inflation, which is why the Prime Minister made halving inflation one of our five priorities for this year. I am pleased that the latest Bank of England forecast shows that we are on track.

Fleur Anderson: Mortgage and associated rental costs are soaring in Putney, Roehampton and Southfields, and the Government like to claim it is all due to global shocks or the war in Ukraine, but the latest Bank of England data from July shows that the cost of lending to buy a home remains higher in the UK than in Germany, Italy or France. Will the Minister finally concede that this difference is because those countries did not have the devastating growth plan or mini-Budget last year, and that it is because of this Government's wider economic failure that my constituents face these costs?

Andrew Griffith: I am glad that the hon. Lady's constituents, among many others, will benefit both from our mortgage interest support and from there being almost double the number of mortgage products on the market now than in October 2022. I repeat the comment of my colleague, the Exchequer Secretary to the Treasury: if the hon. Lady is so worried about her constituents, what better way of helping them with the cost of living than to do away with the Mayor's ULEZ tax?

Anthony Browne (South Cambridgeshire) (Con): In the UK, homebuyers are overwhelmingly dependent on short-term fixed rate mortgages of just two, three or five years, which means that in times of rising interest rates, as we have at the moment, they are hard hit by massively increasing mortgage bills. In most other countries, homebuyers have long-term fixed rate mortgages of 10 or 20 years, or of the entire length of the mortgage. Does my hon. Friend agree that the regulators should ensure a level playing field between short-term and long-term mortgages to give homebuyers a free choice of the sort of mortgage they want, so they can choose to have greater protection against rate rises if they want?

Andrew Griffith: My hon. Friend has great knowledge of these matters. It was a privilege to work with him and the sector on how we can offer consumers and homebuyers more choice. That choice includes the opportunity of long-term fixed-rate mortgages, and my officials and I continue to work on how we can reduce frictions and barriers to those mortgages.

Mr Speaker: I welcome Darren Jones, the new shadow Minister.

Darren Jones (Bristol North West) (Lab): It is estimated that 140,000 households will face a rise in their mortgage bills this month. If someone in a random constituency, say Mid Bedfordshire, were to remortgage their house in the next six months, they could pay an average of £300 more per month compared with before the disastrous Tory mini-Budget this time last year. What can the Chancellor and his team do to reassure the country that, if the Conservatives were to win the next election, they would not just mess up the economy all over again?

Andrew Griffith: I am sure the constituents of Mid Bedfordshire will be very pleased to know that more than 90% of mortgage providers have signed up to our mortgage charter, which offers the opportunity for relief, to term-out mortgages and to have interest-free periods, if they face adversity at this time when interest rates are high across the world. What will not help the constituents of Mid Bedfordshire is unfunded spending promises that we know will push up the cost of borrowing and defer the point at which inflation falls.

Darren Jones: That is a bit rich from the Government, and it is no answer whatsoever to the people of Mid Bedfordshire who will not be able to afford to pay their bills over the coming months. It is one year ago today that the former Tory Prime Minister took a huge ideological gamble and sabotaged Britain's economy. They crashed the pound, put pensions in peril and exploded a Tory mortgage bombshell under the homes of millions of working people. Will the Minister take this opportunity to apologise to the British people, on behalf of the Conservative party, for wrecking their hopes and aspirations?

Andrew Griffith: I welcome the hon. Gentleman to his position. He has had a feisty morning reading his Walworth Road brief. Let me offer him the opportunity to correct the record, because Labour has spent the past 12 months talking down our economy but it is now larger than it was when we entered covid and it has recovered and grown faster than the economies of both France and Germany.

Brexit: Economic Impact

4. **Dr Philippa Whitford** (Central Ayrshire) (SNP): What recent assessment he has made of the potential impact of withdrawal from the EU on the economy. [906196]

5. **Alison Thewliss** (Glasgow Central) (SNP): What recent assessment he has made of the potential impact of withdrawal from the EU on the economy. [906197]

12. **Deidre Brock** (Edinburgh North and Leith) (SNP): What recent assessment he has made of the potential impact of withdrawal from the EU on the economy. [906204]

The Chancellor of the Exchequer (Jeremy Hunt): Good morning, Mr Speaker. Brexit was a choice made by the British people and it remains a big opportunity for the economy. Rather than relitigating that debate, this Government are committed to embracing those opportunities.

Dr Whitford: Prior to the EU referendum, the Bank of England warned that Brexit would seriously damage the UK economy, weakening the pound and causing inflation. The Government have now delayed import checks on animal and food products for the fifth time, because the costs would add to inflation. Does that mean the Chancellor finally accepts that Brexit is contributing to the UK's cost of living crisis?

Jeremy Hunt: No, but of course we are sensitive about the timing of introducing those changes because of cost of living pressures. I am sad to have seen, since we last met in the House, the hon. Lady announce that she is stepping down; we have much in common on patient safety. On the NHS, she will know that because of Brexit an extra £14.6 billion is being directed to public services every year, including the NHS and including in Scotland.

Alison Thewliss: Adam Posen, a former member of the Monetary Policy Committee, has described Brexit as a

"trade war by the UK on itself".

This unnecessary trade war has had a real impact on small businesses in my constituency such as Guild Antiques & Restoration, which has found that its orders from the EU have fallen off a cliff edge and its costs have increased. Scotland did not choose Brexit and we are all worse off as a result. What can the Chancellor do to fill the economic gaps his hard Brexit has caused?

Jeremy Hunt: There is a certain irony in the Scottish National party opposing Brexit at the same time as advocating a far more draconian separation for Scotland, including a new currency and border checks. On businesses in Scotland, as part of the UK, Scotland is now an independent coastal state for the first time in nearly half a century; the 21,000 people in Scotland who work in financial services are benefiting from the Brexit freedoms in the Edinburgh reforms; and there is extra support for Scottish pubs, because, for the first time, we have a lower beer duty relative to supermarkets.

Deidre Brock: It is not just Brexit trade barriers having a devastating impact on Scotland's economy, because the loss of freedom of movement has hugely damaged our businesses' ability to recruit staff. Many businesses have had to reduce their offer, cut their opening hours or close altogether. It is estimated that over the bank holiday UK pubs alone lost out on £22 million because of staff shortages. Does the Chancellor accept that small businesses such as those cannot keep picking up the tab for his Government's disastrous Brexit? What is he doing to solve these staff recruitment problems?

Jeremy Hunt: May I gently say to the hon. Lady that this country has actually grown faster than France or Germany since we left the single market? This is a bit of a smokescreen for the SNP's economic policies, which have led to more people out of work and fewer people in work in Scotland than in England.

Theresa Villiers (Chipping Barnet) (Con): Leaving the EU gives us the opportunity to modernise our regulations and adapt them to local and national domestic interests, but we will seize the benefits of doing that only if we deliver on regulatory reform. So will my right hon. Friend drive that across Departments so that we can increase prosperity and raise living standards as a result?

Jeremy Hunt: No one knows more about regulatory reform than my right hon. Friend, who wrote an excellent booklet on it. We look at that booklet ahead of every fiscal event, be it autumn statement or Budget. I hope that she noticed in the Budget big reforms to our medicines regulation. We will continue to learn from the things she advocates.

Vicky Ford (Chelmsford) (Con): For generations, Britain's world leadership on financial services and financial markets has been a key part of our economy. I agree that the post-Brexit initiatives such as the Edinburgh review have made excellent strides on making sure that we keep that world leadership. May I encourage my right hon. Friend to look at the report from UK Finance on the tokenisation of markets, as being the world leader in that innovative area would reduce costs for investors, enable money to flow into less liquid assets and fundamentally unlock future growth?

Jeremy Hunt: I thank my right hon. Friend for her question. Thanks to the excellent work of the Economic Secretary to the Treasury, we have repealed 100 EU rules and regulations in the financial services sector, and we will look very closely at the opportunities when it comes to tokenisation.

Mr Speaker: I call the shadow Economic Secretary to the Treasury.

Tulip Siddiq (Hampstead and Kilburn) (Lab): Last week, the Government admitted that their planned introduction of food import checks from the EU would lead to an increase in inflation, hitting the pockets of ordinary people during the worst cost of living crisis in our lifetimes. In the Labour party, we believe that a bespoke veterinary agreement would cut red tape from business and avoid pushing costs on to ordinary people. Are the Government planning to negotiate a veterinary agreement, and if not, why not?

Jeremy Hunt: I gently say to the hon. Lady, who I have a lot of time for, that the last thing business wants is the upheaval of a huge renegotiation of our trading arrangement with the EU, which is the largest tariff-free free trade deal by volume in the world.

Mr Speaker: I welcome the Scottish National party spokesperson to his place.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Thank you, Mr Speaker. The Chancellor claims that it is a success that inflation in the UK has risen higher and remains more stubbornly so than in the EU. Adam Posen, formerly of the Bank of England, has underlined that up to 80% of the UK's additional inflation woes can be laid at the door of Brexit—something the Tories and Labour are united on. All the while, food price inflation is crushing household budgets. So why have this Government done nothing? Why have this Government learned nothing from countries such as France, which has worked with food suppliers to keep food prices capped to help those most in need?

Jeremy Hunt: I welcome the hon. Gentleman to his position. His constituency predecessor served as a Minister in the Treasury—whatever greatness the hon. Gentleman goes on to, I am sure he will not sully himself with that role. When it comes to inflation, we have a high level of imported food, like Germany; a high level of imported gas, like Italy; and low unemployment, like the United States. These factors have come together to give us the inflation rate we have. When it comes to growth, the hon. Gentleman will have noted last week's numbers, which show that we have recovered better from the pandemic than France, Italy or Germany, and we are doing extremely well, despite all the pressures we face.

Drew Hendry: I notice that the Chancellor did not say anything about food inflation hurting families. Well, Tory and Labour "little Britain" attitudes do not stop at food price inaction. Energy costs are a key driver of

inflation and costs for families. Energy bills are too high. The Spanish have taken bold steps by cutting VAT and introducing a social tariff to help their people. This Government plan to do nothing for this winter, which is particularly galling for people in Scotland who will continue to pay more for their energy than elsewhere in the UK. Will the Chancellor act on our demands for a £400 energy price grant to be introduced this winter?

Jeremy Hunt: Let me tell the hon. Gentleman what we are doing for his constituents, and indeed all the people of Scotland: around £3,000 of support for the average family up and down the country, including in Scotland; paying half people's energy bills, on average; and a huge amount of support through the benefits system. Nearly £100 billion of support shows that we are stronger together.

Inflation: Public Health and Wellbeing

6. **Mary Kelly Foy** (City of Durham) (Lab): What recent discussions he has had with the Secretary of State for Health and Social Care on the potential impact of inflation on public health and wellbeing. [906198]

The Chief Secretary to the Treasury (John Glen): The Government are committed to supporting individuals to live healthier lives. High inflation is the greatest immediate economic challenge that we must address. The Government have made it a priority to halve inflation this year. We are on the path back to the target of 2% and consumer price index inflation fell to 6.8% in July. We will continue to work with all Departments to deal with the inflationary pressures they face.

Mary Kelly Foy: Being unable to pay for essentials such as food, heating and rent has an impact on physical and mental health. It can lead to delayed diagnosis, malnutrition and serious mental health problems. As the former Health Secretary will know, prevention is better than cure, but austerity flies in the face of a preventative approach. What discussions has the Chancellor had with the Secretary of State for Health and Social Care to ensure that the NHS has prevention at its heart? Will we see a rise in funding in the autumn statement?

John Glen: Yes, I have frequent conversations with the Secretary of State and other Ministers about health budgets. We will be increasing the public health grant to £3.575 billion for the next financial year. That is to ensure that we have that real-term funding protection over the next two years, but there are a number of other interventions that we are making on delivering services more effectively, ensuring that we have the provision of additional staff with the long-term workforce plan for the NHS. None the less, I do recognise the challenges that a post-covid NHS faces in terms of the legacy of demand that is yet unmet. We are continuing to work to bring down waiting lists and we have seen significant progress recently, particularly with two-year and 18-month lists.

Mr Philip Hollobone (Kettering) (Con): A key part of improving the public health and wellbeing of my local residents in Kettering is the redevelopment of Kettering General Hospital. Can the Chief Secretary to the Treasury confirm that the £400 million-plus redevelopment of KGH remains on track for completion by 2030, and that the standardisation of the design of the 40 new hospitals will help to reduce costs and increase deliverability?

John Glen: Kettering General Hospital is always at the top of my mind when I come to Treasury questions, but the bigger challenge, as my hon. Friend rightly points out, is how we ensure the efficiency of the expenditure of every pound of taxpayers' investment in the health estate. I shall continue to work with the Secretary of State on that plan for the 40 hospitals to make sure that we achieve that.

Derek Twigg (Halton) (Lab): In the many discussions that the Minister says he has had with the Secretary of State for Health and Social Care, what figure did they discuss with him that he estimates inflation will be at in the next financial year?

John Glen: There are a range of forecasts, but we have to deal with the reality. I am trying to ensure that, across all of the decisions that Secretaries of State make, we reprioritise effectively and deliver frontline services, but I do not have a number for the hon. Gentleman this afternoon.

Jonathan Gullis (Stoke-on-Trent North) (Con): People in Stoke-on-Trent North, Kidsgrove and Talke find that mental health is a huge barrier to getting back into work and obviously helping to produce economic growth. That is something that the Chancellor is reported to have been considering carefully over the summer recess. My friend James Starkie and I have launched a No Time To Wait campaign to use some existing health and social care funding to get specialist mental health nurses into GP surgeries to help support people in a more preventive way—something the hon. Member for City of Durham (Mary Kelly Foy) asked about earlier. What support will the Treasury give to help the Department of Health and Social Care to enact those plans?

John Glen: My hon. Friend always has constructive suggestions in this difficult area. The Chancellor brought forward a number of interventions in the Budget to get people back into work after some of the behavioural shifts that we saw following the pandemic. We look forward to continuing to work with my hon. Friend on solutions for his community.

Investment Zones

7. **David Duguid** (Banff and Buchan) (Con): What progress he has made on the introduction of investment zones. [906199]

15. **Simon Baynes** (Clwyd South) (Con): What progress he has made on the introduction of investment zones. [906207]

The Chancellor of the Exchequer (Jeremy Hunt): Investment zones are part of our industrial strategy to make sure that the benefits of our national strengths in our five growth priority sectors are spread throughout the UK.

David Duguid: I thank my right hon. Friend for his response. The north-east of Scotland has long been an exemplar of innovation in the fields of food and drink and energy, to name a few. Can he confirm that the north-east Scotland investment zone will lead to more

innovation to promote these key industries not just in Aberdeen City, but in the wider north-east, including my constituency of Banff and Buchan?

Jeremy Hunt: I know that the Acorn carbon capture, usage and storage project is based at St Fergus in my hon. Friend's patch, and that Banff and Buchan is within the north-east of Scotland region, which is one of two eligible areas and has been a long-standing global centre for excellence in clean energy, so I wish him every success as those discussions with the Scottish Government continue.

Simon Baynes: Does the Chancellor agree that my constituency of Clwyd South, that of my hon. Friend the Member for Wrexham (Sarah Atherton) and the rest of north-east Wales represent one of the best candidates for a new investment zone? Will he also consider making this cross-border, given our very close economic, commercial and cultural ties with the north-west of England?

Jeremy Hunt: I know there are some great businesses in my hon. Friend's constituency—I much enjoyed meeting Robin and Helen Jones of Jones' Village Bakery at a recent reception in No. 10, and I know they are going from strength to strength. I holidayed in Clwyd last year, and from the top of Moel Famau I saw a very impressive offshore wind farm. I completely agree that there is enormous potential in Clwyd for clean energy and, as discussions continue about investment zones, I wish him every success as well.

Dan Jarvis (Barnsley Central) (Lab): The UK's first investment zone is in South Yorkshire, where the Mayor is working hard to develop our world-leading advanced manufacturing and innovation district. I am sure the Chancellor will agree that if we are going to create a growth area, we need to make sure people can access the jobs there via transport links, particularly by bus. Will he make sure that included within the financial package available is money to assist with local public transport?

Jeremy Hunt: I very much enjoyed my visit to South Yorkshire to open that investment zone. It is incredibly impressive what is happening there and it was wonderful to welcome new investment by Boeing as part of that. The hon. Gentleman is right to talk about transport; that is why we involve local authorities in all our investment zone decisions. It is also vital to have universities involved, which is why the University of Sheffield is playing such a key role.

Mr Clive Betts (Sheffield South East) (Lab): I was present on the day the Chancellor came to launch the investment zone in my constituency, and of course I too welcome the investment into Boeing there. Does he accept that one of the other areas for future development in the investment zone is small modular reactors? A consortium is being developed in Sheffield with Sheffield Forgemasters, Rolls-Royce and GE Hitachi Nuclear Energy to look at the future—not merely to develop the techniques for SMRs, but to start building SMRs in Sheffield. Would he be willing to look at that proposal and hopefully offer support for it?

Jeremy Hunt: I enjoyed meeting the hon. Gentleman when we opened that investment zone. Let me reassure him that I am a big supporter of nuclear and I am very excited about the potential of SMRs. There is a competition going on this year, which we hope will be completed by the end of the year, to assess the viability of the various SMR manufacturers, and we want to get going as quickly as we can.

Freedom of Speech: Financial Sector

8. **Marco Longhi** (Dudley North) (Con): What discussions he has had with representatives of the financial sector on freedom of speech. [906200]

The Economic Secretary to the Treasury (Andrew Griffith): The Government have been clear that debanking customers on the basis of political views is unacceptable. During recess I met banking executives to discuss debanking and lawful freedom of expression, and they have committed to comply with the changes I published on 21 July. In parallel, the Financial Conduct Authority is conducting an urgent review of debanking practices, which will report back to the Chancellor in the next couple of weeks.

Marco Longhi: Last week the Met Police chief finally seemed to confirm that the job of the police should be to police and not to seek to align themselves with entities or ideologies. Does the Minister agree with me that banks and the corporate world should follow that example and focus their efforts on their core business, rather than play the sinister cancelling agenda of the woke brigade that saw Nigel Farage have his account wrongfully closed?

Andrew Griffith: My hon. Friend represents the views of his constituents in this place clearly. He is quite right; although they are private entities, banks benefit from a privileged place in society and they should focus on doing their core functions brilliantly, treating customers fairly and making a sustainable return for shareholders, rather than taking sides on politically contentious matters.

Jim Shannon (Strangford) (DUP): Today it is because some people may have a different political view; tomorrow it could be the fact that someone has a different religious viewpoint. I am a Christian, and as chair of the all-party parliamentary group for international freedom of religion or belief, I stand up for those with Christian beliefs, those with other beliefs and those with no beliefs, because I believe sincerely that they have a right to have that belief. If ever the day came when banks censured anybody because they had a different religious belief, I would stand up against that. Does the Minister agree?

Andrew Griffith: Let me be clear: yes, the Government agree with that. No one should be debarred from access to banking facilities in our society because of a lawfully expressed view. If he and other hon. Members wish to make representations, the Financial Conduct Authority is currently conducting a review of this matter.

Plastic Packaging Tax

9. **Caroline Ansell** (Eastbourne) (Con): What assessment he has made of the effectiveness of the plastic packaging tax. [906201]

The Exchequer Secretary to the Treasury (Gareth Davies): In April this year the Government announced that we would conduct a formal review of the plastic packaging tax through analysis of environmental and tax data and customer research to assess the impact of the measure. More information about the evaluation will be published later this year.

Caroline Ansell: I am pleased to share that a business in my Eastbourne constituency has made many important changes in the way it operates in order to meet its own environmental ambitions, but when it comes to the transportation of food and pharmaceutical products, industry standards linked to public health regulations require such products to be transported in sterile packaging, which necessitates the use of virgin plastics and brings the containers that the business produces into scope for the plastic packaging tax. Is there a new direction I can share with that business, or will ongoing policy reviews look at such cases?

Gareth Davies: The aim of the plastic packaging tax is to provide a clear incentive for businesses to use more recycled plastic in packaging. Following extensive consultation, we looked at a range of possible exemptions and decided to limit those exemptions because we want to encourage innovation in the industry. Put simply, the more exemptions, the less innovation. However, all taxes remain, of course, under review.

Kerry McCarthy (Bristol East) (Lab): A proactive approach to a circular economy could create hundreds of thousands of jobs and cut our consumption emissions. What circular taxation measures is the Treasury looking at to help us achieve those outcomes?

Gareth Davies: We are clear that we want all taxes relating to the environment to have an impact. The plastic packaging tax, for example, will clearly have an impact on the amount of recycling that takes place and on the amounts put into landfill. Those are all things that we assess as part of evaluations, and the plastic packaging tax will be evaluated this year.

Pension Schemes: UK Investment Incentives

10. **Nigel Mills** (Amber Valley) (Con): What steps his Department is taking to incentivise pension schemes to invest in the UK. [906202]

The Economic Secretary to the Treasury (Andrew Griffith): At Mansion House, the Government presented a series of pension reforms that will increase returns for savers and enable the financial sector to unlock capital for some of the UK's most promising industries. The Department continues work to build on the initial package of measures and will set out further details in the autumn.

Nigel Mills: I thank the Minister for his answer and welcome those measures. Have the Government considered what more can be done to unlock surpluses in defined-benefit schemes to allow employers to use that money more effectively, rather than having it end up going into insurance companies on buy-outs? There is a huge tax penalty on unlocking surpluses. Is there a way of relieving that to encourage the money to be invested more efficiently?

Andrew Griffith: My hon. Friend makes an important point. With the right precautions, it is right that we look at that to incentivise employers to deliver the highest returns for pension savers.

Stephanie Peacock (Barnsley East) (Lab): The Government have to date taken £4.4 billion from the mineworkers' pension scheme. The then cross-party Business, Energy and Industrial Strategy Committee concluded that the Government should not be "profiting from mineworkers' pensions." How does the Secretary of State justify their continued profiteering?

Andrew Griffith: I am not familiar with the issue that the hon. Lady speaks about. I would be very happy to meet her to understand it in more detail.

Pubs: Tax System

11. **Katherine Fletcher** (South Ribble) (Con): What steps his Department is taking to help support pubs through the tax system. [906203]

The Financial Secretary to the Treasury (Victoria Atkins): We are ensuring that pubs remain a key part of our local communities by providing support through the alcohol duty and business rates systems. That includes a new draught relief that provides a significant duty discount on alcohol sold on draught in a pub, and the expanded retail, hospitality and leisure relief means more than £10,000 in relief for the average independent pub.

Katherine Fletcher: After a busy summer knocking around South Ribble and speaking to people, I have often popped in for a pint, including in Croston's famous Wheatsheaf pub. From housing MP surgeries—as many pubs do—to being our community living rooms, pubs are absolutely vital. I have spoken to landlords, including those at the Black Bull and the fabulous Fleece Inn in Penwortham—

Anthony Browne (South Cambridgeshire) (Con): Get them all in!

Katherine Fletcher: There is a pub crawl there for us all. They need our support, so may I invite the Minister to South Ribble—I will even offer to buy her a pint—to speak to Chris, the landlord at Longton's fabulous Golden Ball, to hear about his business?

Victoria Atkins: As you know, Mr Speaker, I regard Lancashire as my home, and it would be a delight to return to South Ribble. My hon. Friend has named just a few of the roughly 37,000 pubs in England and Wales—perhaps if we had given her longer she would have been able to name them all. All those pubs will benefit from the Brexit pubs guarantee, which means that the duty on a pint sold in a pub will always be lower than in a supermarket.

Mr Speaker: Let us see if the Minister is going to get another pint—I call Tim Farron.

Tim Farron (Westmorland and Lonsdale) (LD): Following the question from my dad's MP, I confess that I have been to all the pubs that the hon. Member for South Ribble (Katherine Fletcher) mentioned. The biggest burden on pubs in the lakes and the dales is the fact that they cannot find any staff or sufficient staff. It

is a crisis that affects the entire hospitality sector, 86% of which say that the recruitment of staff is a major problem for them. The solution will include more affordable homes for workers, more intelligent visa rules and funding new training and skills initiatives. Will the Minister meet me and representatives of the hospitality industry to look at a bespoke package to solve the workforce crisis in the lakes and the dales?

Victoria Atkins: I would go further and give as an example the truly transformational programme that the Chancellor set out at the spring Budget to transform childcare policy in this country. We know that childcare responsibilities hold back many people from entering the workforce, and it is through policies such as this, as well as the work being led by the Secretary of State for Work and Pensions to help people back into the workforce, that will help pubs in the hon. Gentleman's constituency and across the country.

Topical Questions

T1. [906218] **Elliot Colburn** (Carshalton and Wallington) (Con): If he will make a statement on his departmental responsibilities.

The Chancellor of the Exchequer (Jeremy Hunt): On Friday, the Office for National Statistics published an update to the UK's GDP growth figures, which shows that the UK economy was 0.6% larger than pre-pandemic levels by the fourth quarter of 2021. It means that our economy had the fastest recovery from the pandemic of any large European economy, thanks to decisions such as furlough that protected millions of jobs. For that growth to continue, we need to halve inflation, which I am pleased to report is now nearly 40% below its 11% peak. I can also tell the House that I will deliver the autumn statement on 22 November.

Elliot Colburn: Staying on the subject of pubs, Carshalton and Wallington is also lucky to be home to some excellent pubs, including the Hope, which is this year's Campaign for Real Ale Greater London pub of the year recipient. Will the Chancellor expand a bit more on the work that the Treasury is doing to support pubs not just in the tax system but further afield, and will he join me in wishing Carshalton and Wallington's pubs good luck in the local pub of the year competition later on?

Jeremy Hunt: I very much wish my hon. Friend's local pubs the best of luck in that competition, second only to my desire to encourage South West Surrey pubs to do well. I want to reassure him that we believe that pubs are central to our national life. That is why we have provided relief on business rates of up to 75% for pubs, and as we heard earlier, the Brexit pubs guarantee helps on their duty pricing.

Mr Speaker: I call the shadow Chancellor.

Rachel Reeves (Leeds West) (Lab): Last week, thousands of parents were told that their children's schools were unsafe and at risk of collapse. The defining image of 13 years of Conservative government: classrooms propped up to stop the ceilings from falling in. Capital budgets have halved in real terms since 2010, with warnings ignored and repair programmes slashed. Do this Conservative Government take any responsibility for any of this?

Jeremy Hunt: Let me start by reassuring the right hon. Lady that the vast majority of pupils in the 156 schools affected are at school normally, and we are acting fast to minimise the impact on the rest.

Let me answer the more general question that the right hon. Lady raised. Yes, we made cuts in spending in 2010 because, as she knows well, the last Labour Government left this country with an economic crisis. Despite that crisis, the Department for Education budget has gone up by 15% in real terms, and overall capital spend—

Mr Speaker: Order. This is topicals. All your colleagues on both sides of the House want to get in. Topicals are meant to be very short, not a full debate between both sides. I say to everybody: think about others. I think we can move on. I call Rachel Reeves.

Rachel Reeves: I will repeat: capital budgets have halved in real terms since 2010. I understand—indeed, I know—that in the lead-up to the 2021 spending review, the Department for Education made a submission to the Treasury about the dangers of the deteriorating school estate, including from reinforced autoclaved aerated concrete. Those warnings were ignored by the then Chancellor—the current Prime Minister—and we have seen the consequences, so will today's Chancellor do the right thing and publish the Department for Education's submission to the last spending review?

Jeremy Hunt: Capital spending at the Department for Education went up 16% in real terms in that review. Is the difference not that, with the fastest recovery in Europe, the Conservatives build an economy that can pay for our schools and hospitals, and Labour runs out of money?

T2. [906219] **Richard Fuller** (North East Bedfordshire) (Con): For months, we have had the Labour economics team running down British businesses, berating them for not growing fast enough and ignoring the fact that the OECD shows that the British economy has grown faster since 2010 than Germany, Italy, Spain or France. With the recently announced Office for National Statistics upgrade that the Chancellor just referred to, what is his more hopeful message to British businesses?

Jeremy Hunt: It is very simply this: since 2010, we have become the strongest economy in Europe in film and television, life sciences and technology, and the opportunities are great with a Conservative Government.

T3. [906220] **Ian Lavery** (Wansbeck) (Lab): This week, schools have failed to reopen due to the threat of collapse. Worryingly, the danger does not end there, because 95% of schools and public buildings are estimated to contain asbestos, which is described by Mesothelioma UK as a "silent killer". Will the Chancellor stop ignoring his own Department and commit to providing the necessary funding so that our children can be prevented from being taught in crumbling, asbestos-ridden deathtraps?

The Chief Secretary to the Treasury (John Glen): I do not accept that characterisation at all. I do understand the impact of mesothelioma, as my father died of it, but

this Government have invested £15 billion to keep schools safe since 2015, and the Chancellor has set out other figures as well.

T4. [906221] **Mr Philip Hollobone** (Kettering) (Con): Some 10 million calls went unanswered at His Majesty's Revenue and Customs last year. Of those who did get through, two thirds had to wait more than 10 minutes; meanwhile, four out of five HMRC staff are working from home. What is being done to improve the appalling level of customer service at HMRC?

The Financial Secretary to the Treasury (Victoria Atkins): I thank my hon. Friend for his question, which I take very seriously. Just to put it in context, last year HMRC received 38 million telephone calls; around 3 million of those were to do the simplest of tasks, which can be done digitally if at all possible. If we are able to move people on to digital channels, that will free up at least 500 people to help with more complex tax affairs and help the most vulnerable. This is a period of transition for the organisation, and one that we take very seriously.

T5. [906223] **Alison Thewliss** (Glasgow Central) (SNP): I recently conducted an energy survey in Dalmarnock, which brought heartbreaking stories of pensioners going to bed early to save money on their energy and many households struggling to pay the bills, even in summer. Does the Minister not agree that Dalmarnock residents and people right across Scotland would benefit from a £400 energy rebate this winter, as the SNP proposes?

The Exchequer Secretary to the Treasury (Gareth Davies): We stepped in during the energy crisis with £94 billion of support, including the energy price guarantee, which effectively paid for half of people's energy bills. That was important while energy prices were high; wholesale gas prices have now come down.

T6. [906224] **Craig Tracey** (North Warwickshire) (Con): As the Minister knows, free access to cash is a vital lifeline for many people, including some of the most vulnerable in all our constituencies. Can he confirm what steps he is taking to ensure that free access is protected and continues to be available across the country, particularly in North Warwickshire and Bedworth?

The Economic Secretary to the Treasury (Andrew Griffith): During the summer, we announced that we have given directions to the Financial Conduct Authority in respect of access to cash: it should be no more than 1 mile in an urban area, and no more than 3 miles in my hon. Friend's rural constituency of North Warwickshire. That is the first time that the statutory right of access to cash has existed in law.

T8. [906227] **Mary Glindon** (North Tyneside) (Lab): Prison officers tell me that they are at breaking point. A key source of despair and anger is their pension age of 68, which we should all agree is far too late. As the Treasury leads on public sector pension scheme policy, will the Chancellor allow the Ministry of Justice to restart negotiations to resolve this grossly unfair and dangerous situation?

John Glen: I have not heard that matter raised before, but I am very happy to take it back and correspond with the hon. Lady on it. Obviously, we have taken advice on the state pension age and have made clear our policies previously, but I am happy to look at any specific cases she raises.

T7. [906225] **David Duguid** (Banff and Buchan) (Con): Can I ask my right hon. Friend when a fiscal review of all offshore energy activity will be carried out to ensure that we are maximising investment opportunities in critical energy infrastructure such as offshore wind, carbon capture and storage and hydrogen, as well as—while we still need it—domestic oil and gas?

Jeremy Hunt: My hon. Friend is absolutely right to raise that issue. I actually had a breakfast with clean energy industry representatives this morning to discuss their concerns. There is a huge amount of potential investment, and he is right to say that maximising the use of our own oil and gas reserves during transition is a vital part of our energy security policy.

Caroline Lucas (Brighton, Pavilion) (Green): Will the Chancellor consider introducing a windfall tax on banks' excess profits? The profits of the big four banks for the first half of this year were up 700% compared with 2020, yet the Bank of England is forecast to pay out as much as £42 billion in interest on reserves to banks in 2023, at the same time as the Government have cut the level of surcharge on banks' profits by 60%.

Andrew Griffith: With millions of British jobs dependent on financial services, including an estimated 20,000 jobs in Brighton and Hove, I hope the hon. Lady will join me in celebrating a sustainably profitable financial sector. It is only that that gives us the ability to invest in skills and technology.

Mr Speaker: I call the Chair of the Treasury Committee.

Harriett Baldwin (West Worcestershire) (Con): Will the Economic Secretary update the House on the progress he is making to enable our constituents to access personalised financial guidance if they are among the 93% of our constituents who cannot afford regulated financial advice?

Andrew Griffith: My hon. Friend, the Chair of the Treasury Committee, makes a really important point about what is called the advice gap. Treasury officials, the FCA and I are consulting on that, and I will publish an update this autumn.

Richard Thomson (Gordon) (SNP): It has been revealed that Integrated Debt Services, a company set up by the UK Government to recover personal debt, saw its profits increase by a staggering 132% last year. Do Ministers think it is right that this company should be able to profit to that extent out of the misery of the cost of living crisis?

Victoria Atkins: The hon. Gentleman is referring to a company that works with the Government's Crown Commercial Service and that works on debt across central Government. It has to operate within a very specific framework and, indeed, it is regulated by the Financial Conduct Authority. I very much understand the point he has raised, and I will be making inquiries on that point myself.

Priti Patel (Witham) (Con): Research and development tax credits are vital to help businesses grow and invest, but I have received a large number of complaints from businesses across Essex saying that they are facing complexities and delays in processing claims with HMRC. May I please ask the Minister to meet me and some of these businesses to work through the delays and ensure that these businesses can continue to thrive and grow, because they are vital to our economic growth?

Victoria Atkins: I would be delighted to meet my right hon. Friend and those businesses. In fact, the UK is leading world economies with our focus on life sciences and on tech. In that little golden triangle between Oxford, Cambridge and London, we have more tech businesses than anywhere else on the planet other than New York and silicon valley. I hear the cheers opposite, so keen are Labour Members to support British business, but I would be delighted to meet her and to underline the support that this Government give to such important businesses.

Sir Stephen Timms (East Ham) (Lab): I welcome the new focus on engaging pension funds with productive investment, after many years when regulation has pushed the funds into Government gilts instead, but does the Minister have proposals specifically to secure those investments for UK businesses rather than their going overseas?

Andrew Griffith: The right hon. Member makes a significant contribution to the debate about the nation's pension funds. Our objective to increase investment—to drive increased returns for pension savers, but also to benefit the wider economy—stops short of mandating. There is a philosophical difference between this side of the House and the Opposition. We do not believe it is right for the Chancellor to tell pension funds where to invest, but it is our job to knock down barriers, frictions and impedances to pension funds investing in brilliant British companies.

Mr David Davis (Haltemprice and Howden) (Con): The Economic Secretary told my hon. Friend the Member for North Warwickshire (Craig Tracey) that he is going to underwrite the statutory right of access to cash, but 6,000 bank branches will have closed by the end of the year, leaving only 4,000 in place, and 15,000 ATMs have closed in the last five years. How is he going to make sure that this actually happens, rather than it just being an empty promise?

Andrew Griffith: The FCA has significant sanctions in respect of the closure of ATMs that would leave communities without the right of free access to cash. On the closure of bank branches, we are seeing a significant change, and I hope my right hon. Friend would respect the fact that technology is changing and consumer patterns are changing. During the recess, I had the privilege of visiting the excellent community banking hub in Brixham, which I think is a brilliant opportunity. There should be more than 100 on their way, and that is my objective.

Mr Gregory Campbell (East Londonderry) (DUP): Does the Chancellor accept that many people see income tax rates at the moment as exceptionally punitive, and does he also accept that there is a need to move as quickly as possible into a growth-based economy and to supercharge our economy in the United Kingdom?

Jeremy Hunt: As a Conservative, I want to bring taxes down as soon as we can afford to do so, and I am very proud that for the first time ever people can earn £1,000 a month without paying a penny of tax or national insurance.

Bob Blackman (Harrow East) (Con): As we want to expand our financial services industry not only in this country but abroad, we need to build confidence among consumers that the right thing to do is invest. Does my hon. Friend therefore agree that it is vital that regulators respond to and deal with complaints to them and actually impose sanctions against those who breach the regulations?

Andrew Griffith: Yes, I agree with my hon. Friend on this matter. It is one reason why we have beefed up the role of the financial regulators review commissioner, and we will also be requiring the regulators to publish regular operating metrics on their performance, to give consumers the trust they need.

Nick Smith (Blaenau Gwent) (Lab): Back in 2017, both the Treasury and the Financial Conduct Authority knew there were problems with the prepaid funeral plan market. Since then, my constituent Gary Godwin of Nantyglo lost over £6,000 to the collapse of a company called Safe Hands. Across the UK, thousands more have lost millions of pounds altogether. Will the Minister please meet me to discuss this scandal and Mr Godwin's case?

Andrew Griffith: Yes, I will be very happy to meet the hon. Gentleman. What happened with Safe Hands is a scandal, and that is why we have enlarged the regulatory perimeter to bring those who seek to sell funeral plans within the regulatory conduct.

Stephen Crabb (Preseli Pembrokeshire) (Con): Over the summer ports have been bidding to the Government's infrastructure fund to help them get ready for the delivery of the new floating offshore wind industry. May I encourage Ministers to look favourably on the bids from the Celtic sea ports of Milford Haven and Port Talbot, because those two ports are key to unlocking the enormous economic benefits of this new clean energy industry?

Jeremy Hunt: I am absolutely happy to do that, and I agree with my right hon. Friend about the enormous potential of those areas.

Daisy Cooper (St Albans) (LD): Some GP practices are at risk of being priced out of city centres, including in places like St Albans, because of outdated Treasury rules that prevent integrated care boards from spending the money they want to on a GP practice location. Health Ministers have confirmed to me that their officials are happy to work with Treasury officials. May I ask for a personal assurance from Treasury Ministers that they will encourage their officials to look at this and resolve it by the end of this year at the absolute latest?

John Glen: Dialogue is ongoing on this matter and I can confirm that we will continue to work on this in the coming weeks.

Saqib Bhatti (Meriden) (Con): Andy Haldane, the former Bank of England chief economist, recently said in a Sky News interview that the Bank of England kept on printing money for longer than it needed to. It is clear that central banks across the world have been addicted to cheap money and that this has contributed to inflation across the world. Does the Chancellor agree that printing cheap and easy money has not been without consequence, and instead our monetary policy must focus on important growth factors such as productivity?

Jeremy Hunt: I agree with what my hon. Friend says. The Bank of England itself has said there were problems with its inflation forecasting. It is learning the lessons from that and we must support it every step of the way as it brings down inflation.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Sorry I was late today, Mr Speaker: British Airways cancelled my flight.

When the Chancellor's predecessor, now the Prime Minister, was Chancellor there was huge fraud in the bounce back loans. Has he got any of that money back yet?

Jeremy Hunt: We are always ferociously determined to recover money obtained through fraud, but because of those bounce back loans we have the fastest recovery of any major European country.

James Sunderland (Bracknell) (Con): I have recently been contacted by several self-employed constituents expressing concern about heavy fines being imposed for filing tax returns late even though no moneys are owed. Will the Treasury meet me with a view, perhaps, to reviewing this policy?

Victoria Atkins: I will of course be happy to meet my hon. Friend. I hope he understands that I cannot intervene personally in any case, but I will of course look at the general principle he sets out and see whether there are systemic issues here.

Nutrient Neutrality: Levelling-up and Regeneration Bill

12.34 pm

Caroline Lucas (Brighton, Pavilion) (Green) *(Urgent Question):* To ask the Secretary of State for Levelling Up, Housing and Communities if they will make a statement on the Government's decision to use the Levelling-up and Regeneration Bill to scrap environmental protections on nutrient neutrality.

The Minister of State, Department for Levelling Up, Housing and Communities (Rachel Maclean): The Secretary of State for Levelling Up tabled a written ministerial statement yesterday on the Government's plans, but I am happy to provide an update to the House. In proposing these amendments, we are responding to calls from local—

Mr Speaker: Order. May I just say that it is very good of you to offer to give that update? I decided that it was an urgent question—I expect Ministers to come to the House, as I did not think a written ministerial statement was the way to inform the House.

Rachel Maclean: I am delighted to be here to answer this urgent question.

In proposing the amendments, we were responding to calls from local councils, which want the Government to take action to allow them to deliver the homes their communities need. At present, legacy EU laws on nutrient neutrality are blocking the delivery of new homes, including in cases where planning permission has already been granted. This has affected home building of all types, whether that is the redevelopment of empty spaces above high street shops, affordable housing schemes, new care homes or families building their own home. The block on building is hampering local economies and threatening to put small and medium-sized local builders out of business. Nutrients entering our rivers are a real problem, but the contribution made by new homes is very small compared with that of other sources such as agriculture, industry and our existing housing stock, and the judgment is that nutrient neutrality has so far done little to improve water quality.

We are already taking action across Government to mandate water companies to improve their waste water treatment works to the highest technically achievable limits. Those provisions alone will more than offset the nutrients expected from new housing developments, but we need to go further, faster. That is why, as well as proposing targeted amendments to the habitats regulations, the Government are committing to a package of environmental measures. Central to that is £280 million of funding to Natural England to deliver strategic mitigation sufficient to offset the very small amount of additional nutrient discharge attributable to up to 100,000 homes between now and 2030. We have also announced more than £200 million for slurry management and agricultural innovation in nutrient management and a commitment to accelerate protected site strategies in the most affected catchments.

In our overall approach, there will be no loss of environmental outcomes, and we are confident that our package of measures will improve the environment. Nutrient neutrality was only ever an interim solution. With funding in place, and by putting these sites on a trajectory to recovery, we feel confident in making this legislative intervention.

Caroline Lucas: I find it extraordinary that the Minister can stand there and make that statement with a straight face. Over the past eight years, Ministers have stood at that Dispatch Box and promised time and again that leaving the European Union would not lead to a weakening of environmental standards. Those of us who raised our concerns have repeatedly been told that we were scaremongering. As recently as 12 June, the Solicitor General said in relation to the Retained EU Law (Revocation and Reform) Bill that

"we will not lower environmental protections."—[*Official Report*, 21 June 2023; Vol. 734, c. 828.]

Yet here we have it: proposals to unpick the habitats directive and to disapply the nutrient neutrality rules that protect our precious rivers and sensitive ecosystems.

The Office for Environmental Protection has itself made clear that the proposals

"would demonstrably reduce the level of environmental protection provided for in existing environmental law. They are a regression."

I underline that point to the hon. Member for Redcar (Jacob Young), who is chuntering from his seat on the Front Bench. The proposals go directly against the "polluter pays" principle by forcing the taxpayer, rather than house builders, to foot the bill for mitigating increased water pollution from house building in environmentally sensitive areas. What is particularly infuriating is that, as the name suggests, the nutrient neutrality rules were not even about improving our environment, but simply about trying to prevent pollution from getting worse.

Let me ask the Minister some important questions. On transparency, will the Government follow the OEP's call for them to make a statement, as required by section 20(4) of the Environment Act 2021, admitting that they can no longer say that the Levelling-up and Regeneration Bill would not reduce environmental protections in law? Will the Minister explain how the Government will meet their objectives for water quality and protected site condition when they are at the same time weakening environmental law? What advice did Ministers receive from Natural England before the amendments were tabled? Will she explain why there has there been a complete lack of consultation with environment groups? Will she also explain what consultation there was with house builders, whom Members will have noticed are cock-a-hoop about the announcement and the subsequent boost to their share prices?

Will the Minister admit that it is a false choice to pit house building against environmental protection when there are successful projects under way to address nutrient pollution? Will the Government provide evidence for their unsubstantiated claim that 100,000 homes are being delayed as a consequence of these rules? Will she recognise that money, which can easily be taken away at a later stage, is not the same as a legal requirement to stop pollution getting into our rivers?

Rachel Maclean: I thank the hon. Lady for her long list of questions; I am happy to respond to all of them in detail. On our approach, I stand by what I and the Government have said: we stand by our pledges to the

environment, and we do not accept that, as she stated, we will weaken our commitment to the environment at all. It is important to consider what we are talking about here, which is unblocking 100,000 homes that add very little in terms of pollution. To be clear, our approach means that there will be no overall loss in environmental outcomes. Not only do the measures that we are taking address the very small amount of nutrient run-off from new housing, but at the same time, we are investing in the improvement of environmental outcomes. We do not agree that this is regression on environmental standards. We are taking direct action to continue to protect the environment and ensure that housing can be brought forward in areas where people need it.

The hon. Lady asked about engagement. Ministers across Government, the Secretary of State and I have had numerous meetings with all parties involved, and we have had meetings with environment groups as part of Government business. It is worth the House noting the significant enforcement steps taken on the water companies by colleagues at the Department for Environment, Food and Rural Affairs. Since 2015, the Environment Agency has concluded 59 prosecutions against water and sewerage companies, securing £150 million in fines. The regulators have recently launched the largest criminal and civil investigations into water company sewage. We are taking action against water companies to protect our rivers, leave the environment in a better state than we found it, and build the affordable houses that the country so desperately needs, including in her constituency.

Philip Dunne (Ludlow) (Con): The Minister will recognise that I and many other colleagues on the Government side of the House share the admirable objectives of the hon. Member for Brighton, Pavilion (Caroline Lucas) in ensuring that the water quality of our rivers improves year by year under the Government and their successors. The Minister's proposals to amend the Levelling-up and Regeneration Bill are not about damaging the status of our rivers; as I understand it, they are about dealing with a particular and specific interpretation of the EU habitats directive by the European Court of Justice in connection with a case in Holland prior to the time we left the EU. If that is the case—she has referred to the litigation and measures she has undertaken—does she agree that in special areas of conservation such as the River Clun catchment in my constituency, where no planning consent has been granted for nine years, these measures will help to unlock that while preserving the quality of the river in the catchment?

Mr Speaker: You have taken longer than the person who asked the question.

Rachel Maclean: I thank my right hon. Friend very much. He is right in his observation that this has been a judgment imposed on the United Kingdom after we left the European Union. This is not a long-standing convention in any shape or form. He is also right to highlight the measures we are putting in place to protect our rivers and the environment more broadly. We are also putting in place a substantial package to help farmers to farm more sustainability, manage their slurry infrastructure more effectively and be able to drive the circular economy in farming that we all want. He mentioned specific catchments in his area. We have committed to bring forward a Wye catchment plan shortly, which I hope will address the issues he is referring to.

Mr Speaker: I call Clive Betts. *[Interruption.]*

Mr Clive Betts (Sheffield South East) (Lab): I am happy to go, but the shadow Minister—

Mr Speaker: Oh, sorry. It has taken so long, I thought we must have moved on to Back Benchers. I call the shadow Minister.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Thank you, Mr Speaker. As a result of the Government's failure over many years to make decisive progress in tackling the main sources of problem nutrients, namely farming and waste water treatment works, the requirements for nutrient neutrality in sensitive river catchments present a challenge to securing planning permission for new housing development. It is therefore right in Labour's view that the operation of the rules around nutrient neutrality is reviewed with a view to addressing problematic delays and increasing the pace at which homes can be delivered in these areas.

However, we have serious concerns about the approach that the Government have decided on. Not only does it involve disapplying the Conservation of Habitats and Species Regulations 2017, but it does not legally secure the additional funding pledges to deliver nutrient management programmes and does not provide for a legal mechanism to ensure that housing developers contribute towards mitigation.

I put the following questions to the Minister: what advice did the Government receive from Natural England about potential reform of the laws around nutrient neutrality? Did it offer a view on the Government's proposed approach? Given the amount of mitigation currently available in the pipeline, which is estimated at allowing for approximately 72,000 homes, did the Government consider an approach based on the habitat regulations assessment derogation and a revised credit mitigation system to front-load permissions and provide for future compensatory schemes? If so, why did they dismiss that option? What assessment have the Government made of the impact of their proposed approach on the nascent market in mitigation credits, and investor confidence in nature markets more generally? Why on earth do Ministers believe developers will voluntarily contribute to mitigation under the proposed approach?

Finally, the Government claim their approach will see 100,000 planning permissions expedited between now and 2030. Given that house building activity is falling sharply and the pipeline for future development is being squeezed—not least as a result of housing and planning policy decisions made by this Conservative Government—what assessment has the Department made of the number of permissions that its disruptive approach will unlock within the first 12 months of its operation?

Rachel Maclean: I thank the hon. Gentleman for his questions and remarks. I take them to mean that he will support the measures when they come before the House. I am delighted to hear his support for our sensible, practical and pragmatic approach to unblock much needed housing across the country. He asked about our engagement with Natural England; we have had detailed discussions. He asked about the current legal framework;

[Rachel Maclean]

we have looked at and discussed a number of options to make the changes, and we are taking what we believe is the right approach to unblock planning permissions more quickly than the current situation allows.

The hon. Gentleman referred to nature markets; he is right to highlight the groundbreaking work we are doing across that piece. We are continuing with our commitment to those nature markets, which are a very important part of the Government's plan to keep our environment, protect it and leave it in a better state than we found it. That is what the Conservative Government have always been committed to and continue to be.

The hon. Gentleman is right to say that we have spoken to developers, who, of course, support our objectives. We have very constructive dialogue with the developers, who are happy to contribute. We will have those discussions with industry, as I am sure he has heard from developers, because I know he has spoken to them all. We are on the side of those builders. It is important to say that the developers most affected by the disproportionate ruling from the European Court of Justice are not the big developers but the small and medium-sized enterprises—the small builders—some of which have gone bust. It is right that we stand behind them.

Sir Simon Clarke (Middlesbrough South and East Cleveland) (Con): I warmly congratulate the Government on taking action on this very serious issue. I welcome sincerely the remarks from the Opposition spokesperson offering qualified support for what is being done. We have an issue whereby 100,000 homes, spanning 74 council areas, are being blocked. Those homes have planning permission already granted, but cannot be built because of the perverse legacy ruling. More to the point, could my hon. Friend confirm that there is no environmental impact, because we are doubling investment in the nutrient mitigation scheme? That is as well as developing protected site strategies for those catchment areas affected most severely by the nutrients issue, which overwhelmingly is not caused by new housing. Does she agree that the real challenge should be laid down to the hon. Member for Brighton, Pavilion (Caroline Lucas) on what she would say to all the hundreds of thousands of young families out there who cannot buy a home in the places they need and want, at a price they can afford?

Rachel Maclean: My right hon. Friend has considerable expertise in this matter. He is right to focus on the mechanisms we need to bring forward to enable the much needed planning permission to take effect. His region in particular is affected by this issue, and I know his constituents and people across the region will be desperate to see those homes built, to allow people a step on the property ladder. We are about building a property-owning democracy.

My right hon. Friend is also right to say that we can do that at the same time as protecting the environment, which is why we have doubled the funding for Natural England's nutrient mitigation scheme. We are investing £200 million in slurry management infrastructure and we are helping farmers with a £25 million sustainable package to help them invest in innovative farming techniques to manage their nutrients more sustainably, which can be of benefit to their farms and agricultural processes. We are going much further on those protected sites, so that we deal with the problem at source. That is what we need to focus on.

Mr Speaker: I call the Chair of the Levelling Up, Housing and Communities Committee.

Mr Clive Betts (Sheffield South East) (Lab): This is hardly a new problem, is it? The Court decision was in 2018, yet last year we had the levelling-up Bill, which was really a planning Bill with a bit of levelling up added on—no mention of the issue there. In December we had major consultations on changes to the national planning policy framework—no mention of the issue there. The Committee wrote to the Minister and asked how many more consultations on planning issues there would be this year. We were given nine of them—no mention of the issue there. If it is such a serious issue, why has it taken the Government so long to act? It looks like the Government are making it up as they go along. This is a panicked response from the Government to the collapsing numbers of housing starts which the Minister simply wants to do something—anything—about.

Rachel Maclean: I very much value the hon. Gentleman's scrutiny of the Government's record and I very much enjoy coming before his Committee. We have discussed this issue, and many others, with his Committee in the past. It is right that we are taking this action. It is a serious and complex issue, and we needed time to consider all the legal aspects of it. However, what I come back to time and time again is that we need to unblock planning permissions. We need housing all over the country. We are doing that at the same time as protecting the environment and I very much hope to have further dialogue with him about this in the future.

Chris Grayling (Epsom and Ewell) (Con): It is always baffling to hear those who believe in environmental improvement saying that only the EU way works. Does the Minister agree with me that outside the EU we have been able to adapt our laws to what works for this country, and also make improvements such as marine protected areas and provide support to agriculture outside the common agricultural policy? To say that leaving the EU has meant a degradation in our approach to the environment is simply nonsense.

Rachel Maclean: My right hon. Friend speaks from vast experience on this issue. I can do no more than agree strongly with every word. Leaving the EU allows us to make the laws that are right for our country, most specifically in the area of building the homes we need across his area and across the whole country. The point here is also that the EU legacy judgment has not improved the quality of the water. That is why we are taking further steps to mitigate the problem at source. Everybody who cares about the quality of water should welcome that.

Fleur Anderson (Putney) (Lab): The UK is one of the most nature-depleted countries in the world. The Government have just set up the Office for Environmental Protection—I was on the Environment Bill Committee when we did that—which says that this planning change is a regression in environmental protections. We should

not just throw out the rules when they are a bit difficult. What advice did the Government receive from Natural England—the Minister said she spoke with it—on its approach to problem nutrients? Did Natural England green-light the proposals or is it being ignored, along with the Office for Environmental Protection?

Rachel Maclean: Natural England is a Government partner. We work very closely with it, as well as with local planning authorities. We rely on Natural England to carry out some of the mitigation schemes, the nutrient credit schemes, and many others. In response to the Office for Environmental Protection, we have a different view. The Secretary of State for Environment, Food and Rural Affairs, my right hon. Friend the Member for Suffolk Coastal (Dr Coffey) set out very clearly her response to the Office for Environmental Protection. We do not agree with it. Fundamentally, we do not agree that this is a regression in environmental outcomes overall.

Mrs Flick Drummond (Meon Valley) (Con): It is perfectly possible to make housing development nitrate neutral in the first place. Bearwood development in my constituency contains over 2,000 new houses and is nitrate neutral through sustainable drainage and building techniques, so we can have new homes without compromising our environment and without taking good-quality farm land out for mitigation. Will my hon. Friend ensure that planning law matches that ambition?

Rachel Maclean: I thank my hon. Friend very much. She is right to focus on some of the very good work that is already taking place through some individual projects I am aware are being brought forward. She is also right to highlight the role that sustainable drainage can take and we have committed to looking at that more broadly to see what more can be done with that particular policy. Planning law is very clear. It has to leave the environment in a better state than it finds it, not only in her area but across the country.

Jon Trickett (Hemsworth) (Lab): Of course we need more housing, but in my constituency the sewers are over capacity, Victorian and clapped out. I invite the Minister to meet some of the households where in times of heavy rain raw sewage not only pollutes the environment but floats around the streets, the gardens and even the kitchens. It is simply not acceptable to imagine we can somehow wave a wand to solve the housing problem. Finally, may I draw the attention of the House to an excellent website called "Top of the Poops", which states that in my constituency there were 4,468 hours of sewage last year alone? That is completely unacceptable.

Rachel Maclean: DEFRA Ministers have been at this Dispatch Box multiple times to update colleagues on the work that the Government are proud to do as part of the plan for water. This is the most ambitious and stringent package that has been brought forward to tackle this abhorrent issue. We agree with the hon. Gentleman that storm overflows and sewage overflows are wrong. That is why the £2.2 billion of new accelerated investment will be directed into vital infrastructure. We are clear that the volume of sewage discharge into our waters is unacceptable and that is why we have taken action in terms of stronger regulation, more fines and tougher enforcement across the board to tackle every source of river and sea pollution.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): As the Minister knows, the levels of Somerset are some of the most environmentally enhanced areas in the UK. Natural England has destroyed chances for development. We are about to start building the Tata factory, the largest factory that this country has seen for a long time. That needs to be sorted and I would like the Minister's thoughts. Conversely, the reality also slips. South West Water, which is an abomination, has just announced it will stop pollutants from 120,000 hectares by 2025. Can we please have a grip on the reality of both sides of this issue? If we do not, nothing will be developed in parts that are environmentally sensitive.

Rachel Maclean: I am aware that my hon. Friend represents an area with acute environmental sensitivities and he is right to raise those concerns on the Floor of the House. We work across Government not only to tackle the storm overflow issue to which he refers, but to find a way to allow house building and other types of building that is much needed to drive jobs and investment, and to support businesses in his constituency, without that having a weakening effect on our environment.

Tim Farron (Westmorland and Lonsdale) (LD): I wonder if I could pick up on something the Minister said a moment ago. Natural England is not a Government partner; it is a Government agency. So far as this issue is concerned, it is literally the Government. This rule has existed since 2019 and the Government's guidance on it has indeed got in the way of genuinely affordable, environmentally sustainable housing schemes in the Lake District and, I am sure, elsewhere. The answer was not to scrap it but to change the guidance to make it more intelligent, so that we protect our waterways and our landscapes from pollution without preventing vital development. Why did the Government spend four years dithering before panicking, overreacting and then acting in line with their own nature by damaging British nature?

Rachel Maclean: The hon. Gentleman makes his points in his usual way, but without confronting the reality of the situation that affects his constituents. Of course Natural England is a Government partner and a Government body. We work in partnership with Natural England. We work constructively with it to tackle these complex legal issues. I am sure he would be the first to jump up and complain if we took action too quickly without considering the consequences. As it is, what we are doing is a sensible, proportionate measure to allow much needed development in the Lake District: homes for his constituents that have the planning permission to be built—finally.

Jason McCartney (Colne Valley) (Con): Labour-run Kirklees Council is sitting on millions of pounds of unspent section 106 developer contributions for local infrastructure. Much of that unspent cash is for environmental projects. What confidence should we in my area have that our shambolic Labour-run Kirklees Council will be able to deliver these mitigation environmental projects when it is actually not delivering for our local environment as it is?

Rachel Maclean: My hon. Friend is completely right to raise the record—in his words, the shambolic record—of his local Labour-run council. What I can say to reassure him and other colleagues is that I have engaged with local authority leaders to explain to them exactly what this change means for them, what we expect them to do, and what they should be doing on behalf of their residents to make sure the money is spent properly to protect the rivers, seas and lakes, and get houses built.

Mike Amesbury (Weaver Vale) (Lab): Is it not the case that the only ones blocking the development of the houses that we need, including genuinely affordable social housing—a pitiful number were built last year; I think it was just over 7,000—are those on the Government Benches? It is the Tory Government who are the blockers of housing development to meet housing need. That is the case, is it not, Minister?

Rachel Maclean: It might sound very nice on the hon. Gentleman's Facebook clip, but if he actually looks at the facts he will find it is Conservative-run councils that have, on the whole, delivered more houses over the last few years in responding to the needs of their constituents, and Labour-run councils that are experiencing significant failures in delivering the houses that their residents need.

Sir Desmond Swayne (New Forest West) (Con): The Minister has lifted a blight from my constituency, but as a result of these measures we are all going to be swimming in cleaner water as well, aren't we?

Rachel Maclean: We are, and I look forward to joining my right hon. Friend in swimming in some cleaner water very soon.

Rachel Hopkins (Luton South) (Lab): The Minister rightly said that too many house building companies were going bust, but may I gently suggest that that is a consequence of the Government's crashing the economy last year, inflation pushing up the cost of materials, and a skills shortage? The Government claim that their approach will see 100,000 permissions expedited between now and 2030, but given this context, what is that assessment actually based on, and has the Minister consulted local authorities?

Rachel Maclean: Yes, we have consulted local authorities, and I make no apologies for standing up and taking action when it is needed to help small builders in particular. The diversity of the sector in this country, unlike that in other countries, is disproportionately skewed towards larger developers, and it is therefore right for us, as a Conservative Government, to back small businesses. We understand what people go through to start a business, which is why we are taking action to help them.

Damian Green (Ashford) (Con): I welcome the Government's balanced approach, which will improve the long-term quality of the River Stour in my constituency while allowing much-needed planning permissions for new homes to start again. Thousands of people, very sensibly, want to live in Ashford, and they want to see new homes built, not least in accordance with the local plan rather than being built opportunistically around the place, which is what the delays in permissions have led to. Can the Minister give us some indication of a timescale and when councils such as Ashford can start granting planning permissions again?

Rachel Maclean: My right hon. Friend is entirely correct and I thank him for his support. We need to wait for the Levelling-up and Regeneration Bill to achieve Royal Assent—it must, of course, undergo parliamentary scrutiny in both Houses—but we are working apace. We have already started that engagement with local authorities and partners, Natural England and others, to ensure that they have all the operational detail that they need. What we need to see are spades in the ground as soon as possible.

Mr Ben Bradshaw (Exeter) (Lab): It is clear from the Minister's replies that her statutory adviser, Natural England, opposed this move, so will she please publish its advice? Instead of letting developers and water companies off the hook and pouring even more sewage into our waterways, why does she not take the advice of her right hon. Friend the Member for Middlesbrough South and East Cleveland (Sir Simon Clarke) and reverse the Prime Minister's disastrous decision to scrap local housing targets, which has given nimby councils carte blanche to do nothing?

Rachel Maclean: What I take issue with in the right hon. Gentleman's questions—plural—is his comment that we scrapped housing targets. We have done no such thing. We are committed to building 1 million homes during this Parliament, and we have the target of building 300,000 homes every year. That is a very important target that we stand by. What we are doing, unlike the Labour party, is taking account of local communities. What Labour would do is build all over the green belt, and I can tell the House that its own MPs are not in favour of that: they are blocking developments in their constituencies. What we have is a sensible, proportionate approach—to build the right houses in the right places.

Siobhan Baillie (Stroud) (Con): What the negative social media debate about all this has masked is the fact that a significant amount of work is being done to create, conserve and improve wetlands around the country. The all-party parliamentary group for wetlands, which I chair, is supporting the drive by the Wildfowl & Wetlands Trust to create 100,000 additional hectares of wetlands in this country, and we would also like to see a dedicated domestic wetlands team in DEFRA to repeat its successes in peat productivity. Will my hon. Friend give us more information about how expert organisations such as the WWT in Slimbridge, in my patch, can apply for the £280 million to continue positive progress on environmental matters, and will she assist my efforts to get the wetlands team up and running?

Rachel Maclean: I know that my hon. Friend does extremely good work on behalf of Slimbridge and other wetlands in her area. I should be delighted to meet her, and to read any of the reports produced by her APPG. I think it important to stress again that the packages to be delivered through the work of Natural England and the credit scheme must continue, and we will be boosting them because we know of the benefit that they have for my hon. Friend's area and many others.

Kerry McCarthy (Bristol East) (Lab): Does the Minister accept that the proposed investment in the Natural England nutrient mitigation scheme covers only 15% of the total mitigation requirement to 2030? Where will the additional funds required to address the shortfall come from?

Rachel Maclean: I do not accept that figure, and I do not know where the hon. Lady got it. Those schemes are very much in progress at the moment, on an ongoing basis. We are working through some of the details. I should also mention that as well as the Natural England scheme we have the Government's own scheme, administered by my Department, which we will be able to deliver throughout the country.

Paul Maynard (Blackpool North and Cleveleys) (Con): Does the Minister agree that there is a flaw in the way in which the Office for Environmental Protection has reached its determination in this matter? It can take into account only what is in the Bill. It cannot take into account the other measures that the Minister has mentioned, the Natural England nutrient neutrality programme and the investment in slurry management. Surely, to form a more coherent view of the environmental impact of these measures, it is necessary to look at all measures in the round, not just legislative measures.

Rachel Maclean: My hon. Friend is of course extremely perceptive and he is absolutely correct. We presented an ambitious package overall, and that means we can meet head-on the challenge of delivering the much-needed planning permissions that my hon. Friend will no doubt welcome in his area—which I know needs more housing—and also protect and enhance our environment. In its recent comments, the Office for Environmental Protection has interpreted this in a very narrow fashion, and we do not necessarily agree with its assessments.

Stella Creasy (Walthamstow) (Lab/Co-op): I know that the Minister has struggled previously with what constitutes retained EU legislation, but what we are talking about today is an amendment to the Conservation of Habitats and Species Regulations 2017. The challenge before the Minister is that this Government pledged, on the record, not once but seven times during the debate on the Bill that became the Retained EU Law (Revocation and Reform) Act 2023, that they would not reduce those explicit environmental protections. Will she say now whether that pledge to match those environmental protections directly remains, or does she want to take this opportunity to correct the record and admit that the Government's word on the environment is not worth the paper it is written on?

Rachel Maclean: I think that what I am struggling with is the fact that the hon. Lady clearly did not listen to my previous comments on this matter. I have said a great many times that we do not agree that this is a regression in environmental outcomes, and we stand by that. We are the Conservative Government, and we are committed to leaving the environment in a better state than the one in which we found it. That is backed up by a strong package of action across numerous areas.

Duncan Baker (North Norfolk) (Con): My constituency was one of the worst-affected places in the entire country, with 2,000 planning applications held up and thousands of people at risk of losing their jobs. We are talking not about large construction companies, but about everyday jobbing builders—people with families to feed. This is a great step towards getting the country moving again and solving an intractable problem.

May I ask the Minister a very simple question? If I build a small house, or put a little extension on the side of my current house, am I really damaging the watercourses to the same degree as pig farming and chicken farming? Are these well-intended laws completely missing the mark of what they were intended to do in the first place?

Rachel Maclean: The simple answer to my hon. Friend's question is that he is right. The existing legal framework that has been hindering us has had a disproportionate effect on planning permissions and house building when the main source of the pollution lies elsewhere. Overall, this package will be able to deliver house building and extensions in my hon. Friend's constituency, help the smaller builders and, of course, protect our rivers.

Alex Cunningham (Stockton North) (Lab): In an industrial area such as Teesside, environmental standards are critical, including around water quality and our riverside. Will the new policy framework lead to increased funds for the Canal & River Trust, which has seen its budgets decimated in recent years, leading to huge cuts in its activities and the removal of every single litter bin on its land around the River Tees?

Rachel Maclean: I thank the hon. Gentleman for raising the concerns of the Canal & River Trust. I am sure that his comments will have been heard by DEFRA Ministers, but I will be happy to take those concerns back to them and ask them to provide an answer.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Following the question from the hon. Member for Stroud (Siobhan Baillie) on mitigation, the Government's focus seems to be on wetlands, but if we are honest it will take a long time to fully mitigate the possible additional pollution. What will be done in the interim to deal with this pollution before the wetlands become fully operational?

Rachel Maclean: The hon. Lady is right to highlight the fact that there is a focus on wetlands but other projects are in scope of the credit scheme. However, she has hit the nail on the head: the key point is that some of these things take a very long time to come on stream but we need to start unblocking those houses now, which is why we have taken this proportionate approach with the amendments.

Mohammad Yasin (Bedford) (Lab): Over the summer, I met members of the Bedfordshire Great Ouse Valley Environment Trust. They are concerned that our river is the fifth most polluted in England with forever toxins—the level is a shocking 10 times that considered safe—not to mention raw sewage and nitrate and phosphate contamination. Can the Minister explain to my constituents why the Government are decreasing protections for our beautiful river when what is needed is an urgent plan to clean up our dirty waterways?

Rachel Maclean: I can assure the hon. Gentleman and anyone else listening to this, including his constituents, that the package we are bringing forward will protect the river and enable it to be in a cleaner state. That is backed up by our plan for water and the further announcements we are putting in place today. What is more, I know from his correspondence that his constituents also want to see affordable housing being built, and that is what this will enable.

Cat Smith (Lancaster and Fleetwood) (Lab): My constituents, whether they live in urban Lancaster or in one of the rural Wyre villages, recognise the need for housing across north Lancashire, but they also recognise the ripping up of environmental protections when they see it, and they do not like that. The Minister seems to be very concerned about small house builders who are going bust, so will she take this opportunity to apologise on behalf of her Government, who crashed the economy, pushed up inflation and made materials more expensive and who have not dealt with the land banking that is really holding back house building?

Rachel Maclean: What I would like to see from Members on the other side of the House is an apology for talking this country down, which they have done repeatedly. I am not sure whether the hon. Lady was able to tune in to Treasury questions recently when the Chancellor set the record straight on how we now have one of the fastest-growing rates in the G7. It is this Conservative Government who will get every industry going, including the house building industry and small and large builders. We are on the side of the builders, not the blockers.

Richard Foord (Tiverton and Honiton) (LD): The Minister refers to the doubling of investment in a nutrient mitigation scheme, with £200 million put into slurry management, yet 80% of phosphates in the UK's rivers are from households and only 15% are from agriculture. Is this just another example of this Government passing the buck and blaming farmers for pollution in our rivers?

Rachel Maclean: I would be happy to sit down with the hon. Gentleman and explain to him what is meant by slurry management grants. We are helping farmers to build a circular economy. He will know that this is a valuable resource. Farmers will welcome this intervention because they know that it could help them to farm more sustainably. Most farmers I talk to want to work in harmony with nature. That is what we are doing. I do not know what the Liberal Democrats' policy is, though.

Anna McMorrin (Cardiff North) (Lab): This Tory Government are failing on housing and the environment pays the price. It is not an either/or. Our Welsh Labour Government are delivering on both in Wales. They have been working strategically with all stakeholders, with high-level nutrient management boards set up to tackle precisely this issue, sometimes chaired by the First Minister himself—they are always chaired by Ministers—as well as bringing through regulations to improve agricultural water quality and getting homes built as well. If the Welsh Labour Government can do both, why can't this Government?

Rachel Maclean: The Welsh Labour Government have a shocking record on house building, as they have on many issues. What is more, they are not tackling the issue at source, which is why we are bringing forward our catchment plans and our protected site strategies. A lot of the rivers that are draining from Wales are impacting negatively on constituencies in England. The only thing I agree with in the hon. Lady's rather stilted comments is that this is not an either/or. If she had listened to what I was saying, she would know that we are doing both. We are protecting the environment, protecting our rivers and bringing forward housing.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for answering the urgent question.

Work Capability Assessment Consultation

1.15 pm

The Secretary of State for Work and Pensions (Mel Stride): With your permission, Madam Deputy Speaker, I will make a statement on our proposed changes to the work capability assessment, which aim to ensure that no one who can work is permanently written out of this country's strong labour market story. It is a story that has seen nearly 4 million more people in work compared with 2010, 2 million more disabled people in work than in 2013 and record numbers of people on payrolls. But although the overall number of people who are economically inactive has fallen strongly from its pandemic peak, there remain over 2.5 million people who are inactive because of long-term sickness and disability. Yet we know that one in five people on incapacity benefits who are currently not expected to prepare for work want to work in the future if the right job and support were available, and the proportion of people going through a work capability assessment who are being given the highest level of award and deemed to have no work-related requirements at all has risen from 21% in 2011 to 65% last year.

This situation is excluding significant numbers of people from receiving employment support to help them to move closer to work opportunities. It is holding back the labour market and the economy, but perhaps most important of all, it is holding back human potential. I want to ensure that everybody who can do so benefits from all the opportunities that work brings—not just the financial security, but all the physical and mental health benefits too. No one who can work should be left behind. That is why, earlier this year, we announced an extra £2 billion-worth of investment to help disabled people and those with health conditions to move into work. That includes bringing in our new universal support employment programme, which will assist disabled people and those with health conditions to connect with vacancies and provide support and training to help them to start and stay in a role.

Through our individual placement and support in primary care programme, we are investing £58 million to help more than 25,000 people to start and stay in work. We are modernising mental health services in England, providing wellness and clinical apps, piloting cutting-edge digital therapies and digitising the NHS talking therapies programme. We have also published fundamental reforms to the health and disability benefits system through our health and disability White Paper. That will see the end of the work capability assessment and a new personalised tailored approach to employment support to help everyone to reach their full potential.

The scale of our reforms means that it will take time to implement them, but there are changes we can make more quickly that will also make a difference. So before the White Paper comes in, I want to make sure that the work capability assessment—the way we assess how someone's health limits their ability to work, and therefore the support they need—is delivering the right outcomes and supporting those most in need. Today my Department is launching a consultation on measures to ensure that those who can work are given the right support and opportunities to move off benefits and towards the job market. As I have said, we know that many people who are on out-of-work benefits due to a health condition want to work and, assisted by modern working practices, could do so while managing their condition effectively.

We have seen a huge shift in the world of work over the last few years, a huge change that has accelerated since the pandemic. This has opened up more opportunities for disabled people and those with health conditions to start, stay and succeed in work. The rise in flexible working and homeworking has brought new opportunities for disabled people to manage their conditions in a more familiar and accessible environment. More widely, there have been improvements in the approach many employers take to workplace accessibility and reasonable adjustments for staff. And a better understanding of mental health conditions and neurodiversity has helped employers to identify opportunities to adapt job roles and the way disabled people and people with health conditions work.

The consultation I am publishing is about updating the work capability assessment so that it keeps up with the way people work today. The activities and descriptors within the work capability assessment, which help to decide whether people have any work preparation requirements to improve their chances of getting work, have not been comprehensively reviewed since 2011, so it is right that we look afresh at how we can update them given the huge changes we have seen in the world of work.

For instance, the work capability assessment does not reflect how someone with a disability or health condition might be able to work from home, yet many disabled people do just that. Our plans include taking account of the fact that people with mobility problems, or who suffer anxiety within the workplace, have better access to employment opportunities due to the rise in flexible working and homeworking.

We are consulting on whether changes should be made to four of the activities and descriptors that determine whether someone can work, or prepare to work, to reflect changes in working practices and better employment support. This includes looking at changing, removing or reducing the points for descriptors relating to mobilising, continence, social engagement and getting about. We are not consulting on changes to the remaining descriptors, which will remain unaltered. These changes will not affect people who are nearing the end of life or receiving cancer treatment, nor will they affect the majority of activities for those with severe disablement, such as if a person has severe learning disabilities or is unable to transfer from one seat to another.

We are also consulting on changes to the provision for claimants who would otherwise be capable of work preparation activity but are excluded from work preparation requirements on the basis of substantial risk, most commonly on mental health grounds. The original intention for substantial risk was for it to be advised only in exceptional circumstances. It was intended to provide a safety net for the most vulnerable, but the application of risk has gone beyond the original intent. We are therefore consulting on how we might change how substantial risk applies, so that people can access the support they need to move closer to work and a more fulfilling life. We are also considering the tailored and appropriate support that will be needed for this group, safely helping them move closer to work.

[Mel Stride]

These proposals will help people to move into, or closer to, the labour market and fulfil their potential. We are consulting over the next eight weeks to seek the views of disabled people, employers, charities and others on our proposed changes. If the proposals were taken forward following consultation, the earliest we could implement any change would be from 2025, given the need to make changes to regulations and to ensure appropriate training for health assessors.

These plans are part of our wider approach to ensuring that we have a welfare system that encourages and supports people into work, while providing a vital safety net for those who need it most. A welfare system that focuses on what people can do, not on what they cannot do, and that reflects the modern changes to the world of work. It is time to share the opportunities of work far more fairly. It is time for work to be truly available to all those who can benefit from it. It is time to get Britain working.

I commend this statement to the House.

Madam Deputy Speaker (Dame Rosie Winterton): I call the shadow Secretary of State.

1.24 pm

Liz Kendall (Leicester West) (Lab): I thank the Secretary of State for early sight of his statement.

I know from talking to disabled people in my constituency and across the country that work can bring dignity and self-respect through the choice, control and autonomy from having money in their pocket and making the contribution they want to make in life. Work is the reason for my political party, and supporting working people is why Labour Members get up in the morning. That belief is shared by the British public, including hundreds of thousands of people who currently feel shut out of the workplace and trapped on benefits when they could work if they had the right help and support.

On this Government's watch, a staggering 2.6 million people are now out of work as a result of long-term sickness. That is the highest number ever, up almost half a million since the pandemic alone. This is a serious challenge for millions of our constituents and for the economy, and it deserves a serious response, but that is not what we have seen today.

Labour has been warning for years that benefit assessments are not fit for purpose and, crucially, that unless we have a proper plan to support sick and disabled people who can work, even more will end up trapped in a degrading benefit system, costing them and the taxpayer far more. Labour has already set out plans to transform the back-to-work help that is available by personalising employment support and tackling the huge backlogs in our NHS and social care. Our "into work guarantee" will let people try work without fear of losing their benefits. Our plan is backed by the Centre for Social Justice, the Social Security Advisory Committee and disabled people's organisations. Why not the Secretary of State?

We will ensure that employment support meets specific local needs through proper devolution to local areas and, when disabled people get a job, we will make sure they get the support they need to keep them there as soon as they need it, rather than having to wait for months on end.

We will study the consultation carefully, but I see nothing in the statement that matches Labour's vision or scale of ambition. It does not even deal with the glaring problems in the current system. Eighty per cent of personal independence payment decisions are overturned at tribunal, of which only 2% are because new evidence has become available. How will the proposals make any difference to the totally inadequate decision making that causes untold stress to disabled people and wastes millions of pounds of taxpayers' money?

The backlog of Access to Work assessments has trebled to 25,000 since the pandemic. How will the proposals help to bring that down? Where is the plan to help slash waiting lists for help with anxiety and depression, which we know is a major problem, or to get the carers that families need to look after sick and disabled relatives so that they themselves can work?

This is not a serious plan. It is tinkering at the edges of a failing system. If you run your NHS into the ground for 13 years and let waiting lists for physical and mental health soar, if you fail to reform social care to help people care for their loved ones and if your sole aim is to try to score political points rather than reforming the system to get sick and disabled people who can work the help they really need, you end up with the mess we have today: a system that is failing sick and disabled people, failing taxpayers and failing our country as a whole. Britain deserves far better than this.

Mel Stride: I thank the hon. Lady for her remarks. It is gratifying that she agrees with much of the premise I set out. She recognises the importance of work and that 2.5 million people, or thereabouts, are on long-term sick and disability benefits—we are all equally concerned that the number is growing. She also argues that the work capability assessment, in its current form, is not fit for its required purpose, which is exactly why we are coming forward with these reforms. She refers to the PIP assessment requirements, which are not relevant to the work capability assessments that we are discussing and that are subject to the current consultation.

We clearly have a plan. The hon. Lady has been in her position for a very short period, and I respect and understand that. I invite her to look closely at the announcements that were made—the £2 billion-worth of support at the last fiscal statement, including our White Paper reforms in exactly the area where she is seeking progress; the universal support; and the WorkWell programme. She mentioned working with local providers, and there is a huge drive on that. As for mental health, we are consulting on occupational health across businesses to make sure that we get in right at the start where people may otherwise end up on a long-term health journey. We are also working closely with the NHS on getting employment advisers involved, for example, in talking therapies, which we know are so effective in addressing mental health concerns.

John Redwood (Wokingham) (Con): I strongly support the initiative to help more people who are long-term sick and disabled into work where they wish to do that. My query is: why on earth is it going to take so long? We need to be doing this now, to ease our workplace shortages and to give those people earlier support and hope. Will my right hon. Friend please work with his officials to speed it all up?

Mel Stride: I share my right hon. Friend's keenness to see these proposals—whatever may or may not emerge—come forward as soon as possible. They will require a lot of work on IT systems and changes to systems. The providers will have to incorporate the changes that may or not come forward as a result of this consultation. Let me reassure him that, given the benefits there will be to many people who will otherwise not benefit from work, I am as anxious as he is to make sure that we move forward at speed.

Madam Deputy Speaker (Dame Rosie Winterton): I call the Scottish National party spokesman.

David Linden (Glasgow East) (SNP): The big difference between the SNP and the Conservative and Labour parties is that we do not approach this from the point of view that people are somehow on the make and on the take; we do not assume that when somebody comes for an assessment they are somehow trying to cheat the Government. That is why it is important that the Select Committee on Work and Pensions noted in its recent report the concerns that disabled people are still experiencing psychological distress as a result of undergoing these health assessments.

Let me show just how perverse some of those assessments are. One of the first constituency cases I dealt with as an MP involved someone literally being asked at an assessment whether they still had autism. That gives us an idea of how fundamentally flawed this whole process is. Has the Secretary of State read the Institute for Public Policy Research report that came out today? It makes a specific recommendation to:

"Limit conditionality to facilitate person-centred support on universal credit."

It says:

"People with health conditions, single parents and parents of young children on universal credit should be exempt from requirements or financial penalties under any circumstances."

Has he seen that?

Will the Secretary of State also agree to look again at the Access to Work scheme? Far too often, the Government's own Committee has received evidence that shows that Access to Work simply is not working. I come back to my fundamental point: will the Government change their philosophy—this deep suspicion that somehow claimants are on the make and on the take? All they actually need is support from their Government.

Mel Stride: I respect the hon. Gentleman; having appeared before the Select Committee, I know how seriously he takes the matters that he has raised. However, I cannot accept being described as bearing down on those who are

"on the make and on the take".

If he can find any example of myself or my Ministers making those assertions, I would like to see it. In the absence of that, I hope that he will be big enough to withdraw those comments.

The hon. Gentleman does not like the assessments, but we hear nothing about alternatives or what the SNP's plan is to replace assessments. If there are inherent problems with assessments, presumably the logic is that he is not going to assess anybody at all. So we do not know what his plan is. He refers to conditionality, so let me make a point about that. There are those whose health and disability situation is such that I passionately recognise that they should not be expected to undergo any work to look for work or to carry out work itself. As a compassionate society, we should be there to support those people, and we will continue to do so. But where somebody can work, there is a contract between the state and the individual: if people are to be supported and they can work, it is right that they should be expected to do so. In those circumstances, the conditionality should apply.

The hon. Gentleman made specific reference to Access to Work. That programme provides up to about £65,000 for each individual involved to bring forward adaptations to the workplace to accommodate that individual into employment. It is a huge commitment on the part of this Government, and I can inform him that the latest figure I have is that 88% of those applications are being processed within 10 days.

Nigel Mills (Amber Valley) (Con): It is greatly welcome that we are trying to get the assessment to give people the outcome they deserve, but it is intriguing to make what sounds like a fundamental change to an assessment that we are going to try to scrap in a few years' time. Will the Secretary of State set out how many of the 2.5 million people he cited as being in this situation he thinks would not be in the same group after these changes? How many of them will have a chance to be reassessed before we scrap the assessment entirely?

Mel Stride: I dealt in my statement with my hon. Friend's question about why we are doing this, given that we will be getting rid of the WCA in due course: I said that there is no reason why we cannot bring forward these benefits earlier, even though we are going to be removing the WCA altogether. As for the numbers impacted, we know that about one in five people on those benefits do want to work, given the right support. Until the consultation is concluded and we know the exact nature of the policy changes that we may or may not be making at that point, we will not be able to assess the numbers exactly.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): This will lead to a lot of fear among disabled people. I appreciate the tone that the Secretary of State has taken, but the record of the past 13 years has been one of excluding the most vulnerable disabled people from more support than they need. We know that disabled people are a group who are living in huge poverty. We also know that some of them have died, not just through suicide, but because of the lack of safeguarding in the Department and how it operates. So I urge him to ensure that the safeguarding system within the Department ensures that people are protected. I agree with the SNP spokesperson about Access to Work; we are talking about 4 million disabled people able to work and 35,000 being provided with it through Access to Work.

Mel Stride: I listen to the hon. Lady's remarks with great respect; having appeared before her at the Select Committee, I know how serious she is about the issues she raises and how strongly she promotes her ideas and concerns. She mentioned the lack of support available for the people in the situation we are describing, which is precisely why I want to start providing more support to them by making these reforms. Let me make an important point in an area where I am in agreement

[Mel Stride]

with her: we need to do this in the right way. We need to listen carefully to those who will be affected by any changes we may bring forward, which is why we have a full eight-week consultations. My Ministers and I will be engaging closely with the various stakeholders, disabled people and so on. We will of course welcome her comments as part of that process.

Justin Tomlinson (North Swindon) (Con): When I was a Minister, whenever I went on a visit I would ask young disabled people what they would do if they were the Minister. They said that they would always want to have the same career opportunities as their friends. I therefore welcome any moves to make more personalised and tailored support available, to build on our record disability employment. However, we lose more than 300,000 people a year from the workplace and the majority of long-term health conditions and disabilities develop during the working age. So during this consultation I urge the Secretary of State to work with employers to see what more support and advice they need to make sure that people do not ever have to even enter the WCA system.

Mel Stride: I thank my hon. Friend for that typically sensible and astute intervention. May I personally thank him for the advice and input he has given over the preceding months, particularly in this area? He is right that we should be proud of our record of assisting disabled people into work—2 million more in work since 2013. Equally, he is right about addressing the hundreds of thousands of people with these kinds of difficulties and challenges who are leaving businesses and the workforce every year. I recognise that it is essential to get help to those people as early as possible, before they progress too far along that health journey. That is why we are already consulting on occupational health, so that we can make sure that is rolled out more effectively across large and medium-sized businesses.

Wendy Chamberlain (North East Fife) (LD): In his statement, the Secretary of State mentioned that four descriptors would be reviewed, but there were no plans for any other changes. He certainly did not mention adding any descriptors. At yesterday's Westminster Hall petition debate on disability assessment, one of the key issues discussed was remitting and relapsing conditions, particularly fatigue. Will the Secretary of State commit to looking at fatigue, and either adding it as a descriptor or telling us what he is going to do about it instead?

Mel Stride: Nothing in the consultation excludes bringing forward exactly the point that the hon. Lady makes. I hope she will do just that, and encourage others to do so as well.

Richard Graham (Gloucester) (Con): The Secretary of State is quite right to refer to the 2 million additional people with disabilities who have come into work since 2010. He will recall that the first Disability Confident event, held in 2013, was in Gloucester. His Department worked closely with charities and employers to ensure that more opportunities happened. I have met many people who benefited from that programme, so I support him in the principle. Can he confirm that he will engage closely with charities and organisation such as Seetec Pluss, which has a lot of experience in helping to bring people with disabilities back into the workplace?

Mel Stride: I thank my hon. Friend for all the passion and intelligence he brings to these issues. I can confirm that our door will be open to Seetec Pluss. In fact, I will go further and make sure that our officials reach out to my hon. Friend to ensure that that happens.

Jon Trickett (Hemsworth) (Lab): In a key paragraph of his statement, the Secretary of State appears to envisage that he will either remove or reduce the descriptors giving access to benefits for people who have problems with mobility or are incontinent. Will he explain what he means by that? Will he also tackle problems on the other side of the world of work, including rogue employers exploiting people through low-paid part-time or temporary jobs? One in nine workers are in poverty as a result. Is it not time that he took on the employers rather than the poorest in our society?

Mel Stride: That sentiment of taking on the employers is probably not conducive to having an economy that is generating the jobs that have occurred under this Government. As to the descriptors—indeed, the activities—that the hon. Gentleman refers to, there is a plethora of information out there about exactly what those mean. If he has trouble finding that, I would be very happy to have my Department point him in the right direction.

Paul Maynard (Blackpool North and Cleveleys) (Con): The Secretary of State rightly points to the tripling of the number of people receiving the highest award after a work capability assessment. Does he share my concern that a false assumption is growing not only that those people cannot work, but that they should not work, which therefore writes them off? Do we not have a serious moral obligation to remove all sorts of barriers that come between those individuals and the workplace? His approach is exactly right in trying to target those obstacles that most get in the way of people enjoying the agency and autonomy that activity in the workplace brings.

Mel Stride: I thank my hon. Friend for the advice and support he has given me when we have discussed these issues over the last few months. I know he is extremely knowledgeable in this area. He is absolutely right that we do not want people to be trapped, to use that expression, on benefits. We want to help people to move into the labour market and work. That is better for the economy and the labour market, but most importantly it is better for the physical and mental health of the individual concerned, as shown by all the evidence.

Carol Monaghan (Glasgow North West) (SNP): I declare an interest as the chair of the all-party parliamentary group on myalgic encephalomyelitis. The Secretary of State has said that the work capability assessment is not fit for purpose, and many disabled people with invisible or fluctuating conditions would agree with him entirely. They report not being believed, their medical evidence being disregarded and leaving the assessment feeling as though they have been belittled by the assessors. The Department of Health and Social Care is undergoing a massive change in the way it deals with people with ME

and other conditions like ME. Can he provide an assurance that his Department will look at how people with ME and other invisible disabilities are being considered through work capability assessments?

Mel Stride: I can give the hon. Lady exactly that assurance when it comes to ME. I point her to the White Paper that we published in March, in which we made a clear commitment on fluctuating conditions and said that we would test and trial around those conditions, as part of the White Paper process.

Mr Philip Hollobone (Kettering) (Con): I welcome the Secretary of State's statement and thank him for his offer of more personal, tailored support for disabled people, who we must always do our best to help and support. Given that this is the 21st century and there have been huge advances in medical treatments, adaptations of buildings to help disabled people, improvements in mobility devices and a rapid rise in digital connectivity, it is staggering that the proportion of people going through a WCA who are deemed to have no work-related requirements at all has gone up from a fifth to almost two thirds in just over a decade. Why does the Secretary of State think it is like that?

Mel Stride: It is correct that we have gone from 21% to 65% in that short space of time and I recognise that that statistic is simply unacceptable. We know that one in five people in that group wants to work, given the right support, and we need to do something about that. Quite rightly, my hon. Friend also raises the fundamental change in the way that work is conducted in the modern world. The last time the work capability assessment was reviewed for reform was 10 years ago. That is inadequate and it is now time to make appropriate changes.

Hywel Williams (Arfon) (PC): There are 76,000 people in Wales with a severely limiting condition. New research this summer shows that four in 10 of them are having to skip or cut down on meals or have gone without heating. Is the Secretary of State confident that the proposed changes will remedy that?

Mel Stride: It is a fact that people are better off, on average, being in work than being on benefits. I pay tribute to my predecessor who introduced universal credit, which makes that the case. Bringing people into work who would not otherwise be in work means that they will, on average, be better off. This Government have increased the national living wage by over 9%—it has been £10.42 since April—and have introduced cost of living support for 8 million low-income households, 6 million disabled people, pensioners and so on. In response to the hon. Gentleman, the proposed changes are another step in exactly the right direction.

Aaron Bell (Newcastle-under-Lyme) (Con): In response to my hon. Friend the Member for Kettering (Mr Hollobone), the Secretary of State referred to the statistic of 65%. It strikes me that out of that 65% of people, a number of them could work, should work or want to work, because that is the best thing for them. Building on the 2 million people with disabilities who we have got back into work, is it not the case that there must be people who are trapped in that 65%? Is it not imperative for the Secretary of State and his officials to get those people into the world of work as soon as possible?

Mel Stride: My hon. Friend has used exactly the right word: it is imperative that we get those people into the world of work. If somebody is on benefits—and we know that one in five of those people would, with the right support, like to get into work—it is our duty as a Government and as a society to do whatever we can to support them.

Neil Coyle (Bermondsey and Old Southwark) (Lab): In 2011, this Government said that they would help 100,000 disabled people into employment through dedicated personalised support, such as Access to Work. In the 12 years since, the number of disabled people supported by Access to Work has risen from 37,000 to 38,000. Given the Department's failure and the wider context of cuts, would disabled people not be forgiven for thinking that this is just further cuts dressed up as modernisation?

Mel Stride: Not at all, Madam Deputy Speaker. I have set out very clearly the principled reason why we are bringing forward these measures. As the hon. Gentleman will know, when it comes to more disabled people moving into the workforce, we set a target for the 10-year period from 2017 to see a million more disabled people in employment. We broke that target in half that time, reaching 1.3 million in addition after just five years.

Patricia Gibson (North Ayrshire and Arran) (SNP): The number of people who are economically inactive due to long-term sickness has reached a record high of 2.55 million, which is very concerning. Given the Secretary of State's fanfare today, what level of reduction in those figures would he measure as a success in supporting disabled people into secure and sustainable employment? What specific improvements does he envisage to the sorely inadequate Access to Work scheme to prevent the disability employment gap widening even further?

Mel Stride: I have addressed the issue of Access to Work—what a significant programme it is and the recent improvements in the processing of those particular awards. On economic inactivity, I make two points. First, compared with the EU, the OECD and the G7, economic activity overall is below the average across those different groups. Secondly, it has declined by about 360,000 since the peak that occurred during the pandemic, and that in substantial part is due to the policies of this Government.

Mr Toby Perkins (Chesterfield) (Lab): It is very noticeable that the Secretary of State did not answer the question of the hon. Member for Wellingborough about why he believes that there has been a trebling of the number of people who are now getting the maximum verdict under the work capability assessment. I have helped many of my constituents who have had problems with their WCA, and not one of them has come to me and said that it is the WCA that is keeping them out of work. Many of them have said that it is not nuanced enough to understand the issues, and I welcome the fact that it is to be replaced. However, can the Secretary of State tell us what assessment he has made of how many people are likely to win their appeals after the changes that he has brought in, and what percentage are winning them now? At the moment, huge numbers are winning their appeals, which makes it clear that the work capability assessment is not working.

Mel Stride: I feel duty bound to correct the hon. Gentleman. It was my hon. Friend the Member for Kettering (Mr Hollobone) who asked the question to which he referred. Of all the Members in this House, he is probably the one who promotes his constituency the most, and he should be lauded for doing so.

The bottom line is that we know that one in five, or thereabouts, of those who are receiving these benefits at the moment actually want to do some work, if they are supported in doing so. That means that we have a duty to look at the way that the WCA operates and to look at reforming it to make sure that, in every case that somebody can do some work to the benefit of themselves and the economy, we facilitate that.

Patrick Grady (Glasgow North) (SNP): I have been supporting a disabled student who has not been able to access universal credit because their work capability assessment was not completed before they started their studies. They are now at risk of dropping out of university, because they cannot work to support themselves through their course because of their disability, and they cannot access social security either. That means that they cannot improve their skills and abilities, when that might lead to an opportunity of employment in the future. What resources or flexibilities, if any, are featured in this consultation and the Department's plans so that my constituent can carry on with their studies, and others will not face the same situation in future?

Mel Stride: The hon. Gentleman is able to feed into the consultation and I encourage him and his constituents, as appropriate, to do so. I cannot comment on the individual case that he raises, but if he would like to get in touch with me and my private office, I would be very happy to look at the circumstances that he has raised.

Christine Jardine (Edinburgh West) (LD): I think all of us in this place would welcome an improvement to the work capability assessment. Like many others here, I have had a number of constituents who currently receive PIP payments coming through my door. They have contacted the DWP to advise officials that their situation has significantly deteriorated. They now face lengthy delays of several months before their payments are taken over by Social Security Scotland and their change in circumstances is considered. Can the Minister assure us that, in the work being undertaken and in the consultation, there will be discussion between the DWP and the Scottish Government to make sure that payment recipients in Scotland are not put at a significant disadvantage, and that the upheaval that they are currently undergoing is taken into account?

Mel Stride: I thank the hon. Lady for her question. Just to clarify, there are no plans on the part of the Government to make any changes to the way in which PIP operates—and she did refer specifically to PIP. On the broader point, which is an important point about the interaction between my Department and the Scottish Government, I assure her that I have written today to my Scottish counterpart to open my door to whatever discussions they wish to have. The Minister for Disabled People will also be having his regular engagement with the Scottish Government next week.

Marion Fellows (Motherwell and Wishaw) (SNP): I am almost tempted to say another week, another consultation. Disabled charities come to me regularly with real doubts and worries about the way disabled people are being treated. I visited Project Search in my constituency last week. It was wonderful and inspiring—they practically had to throw me out the door. It is a programme that takes in young people, often from college, with severe disabilities and learning issues and gets them into work and then continues to support them. The support that is offered once people get into work is crucial to the success of any programme the Government undertake, and how they treat these people is vital. What is the Government going to change? How are they going to change these work capability assessments to benefit the recipients, and how will they treat the people that they force into them?

Mel Stride: I believe that my hon. Friend the Minister for Disabled People will be meeting the hon. Lady very shortly. That is in the diary, so those matters can be discussed in greater detail then. Specifically, she asks what support we will be providing. It will be exactly the kind of support to which she has just alluded. There will be universal support to help train and place individuals in work, and it will stay with those individuals for up to 12 months to make sure that they get the support to hold down that job.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Secretary of State for his statement.

Illegal Migration Update

1.58 pm

The Minister for Immigration (Robert Jenrick): With permission, Madam Deputy Speaker, I wish to make a statement about illegal migration.

Tackling illegal migration is one of the Government's central priorities because it is the British public's priority. People can see that illegal migration is one of the great injustices of our time. It harms communities in the UK, it denies the most vulnerable refugees a chance of resettlement, and it leaves behind a trail of human misery. Indeed, the perilous nature of the small boat crossings was underscored once again last month when six fatalities occurred in a tragic incident off the French coast. My thoughts are with all those affected, and I pay tribute to the first responders in both the UK and France who worked in difficult circumstances to save as many lives as possible.

That reminds us all why we need to do whatever it takes to stop the boats, which is exactly what the Government have been doing throughout the summer. We started by redoubling our efforts to smash the criminal gangs upstream, well before those gangs are in striking distance of the United Kingdom. We have agreed a new partnership with Turkey to target the supply chain of small boats, which establishes the UK as Turkey's partner of choice in tackling the shared challenge of illegal migration. Two weeks ago I visited my counterparts in Egypt, as the Security Minister visited Iraq, to deepen our law enforcement co-operation with two more strategically important countries in that regard.

In the UK, we have been ratcheting up our activity to break the business model of the gangs. Unscrupulous employers and landlords who offer illegal migrants the ability to live and work in the UK are an integral part of the business model of the evil people-smuggling gangs. We are clamping down on them; we announced over the summer the biggest overhaul of our civil penalty regime in a decade, trebling illegal working fines and initiating a tenfold increase in right to rent fines for repeat offenders.

As we do so, more rogue employers and landlords are getting knocks on the door. Illegal working visits in the first half of this year increased by more than 50% compared with the same period last year. So far in 2023 we have more than trebled the number of right to rent civil penalties issued compared with last year, resulting in a sixfold increase in the number of penalties levied. Following the resumption of the immigration banking measures in April, banks and building societies are now closing the accounts of more than 6,000 illegal migrants.

As we surge our enforcement activity, we are driving up the returns of those with no right to remain in the United Kingdom. Last month we announced the professional enablers taskforce, which will increase enforcement action against lawyers and legal representatives who help migrants to abuse the immigration system. Lawyers found to be coaching migrants on how to remain in the country by fraudulent means will face a sentence of up to life imprisonment.

Since our deal with Albania in December last year, we have returned more than 3,500 immigration offenders, on weekly flights. As we have done so, we have seen a more than 90% reduction in the number of Albanians arriving illegally. So far there have been more than 12,600 returns this year, with returns in the first half of this year 75% higher than in the same period last year. Of course, those changes follow the landmark Illegal Migration Act 2023, which, coupled with our partnership with Rwanda, will deliver the truly decisive changes necessary to take away all the incentives for people to make illegal crossings from the safety of France.

As we adopt a zero-tolerance approach to illegal migration, the Government have extended a generous offer to those most in need of settlement. The latest statistics published over the summer show that, between 2015 and June 2023, 533,000 people were offered a safe and legal route into the United Kingdom. Last month the Home Office resettled the thousandth refugee through the community sponsorship scheme.

While this Government's focus is on tackling the source of the problem, we have none the less worked to manage the symptoms of illegal migration as best as is practicable. We have made significant improvements at Manston since last year, and it continues to operate as an effective site for security, health and initial asylum checks, despite the pressure of the summer months.

We have worked to ensure that when migrants depart Manston they are now heading to cheaper and more appropriate accommodation, by rolling out room sharing and delivering our large accommodation sites. Those sites are undoubtedly in the national interest, but the Government continue to listen to the concerns of local communities and Members of this House, and throughout the summer further engagement has taken place to ensure that those sites are delivered in the most orderly way possible. We have successfully ended the use of Afghan bridging hotels, with Afghan families now able to move on with the next stage of their lives in settled accommodation, and the hotels are now returning to use by the public.

Reducing the backlog in asylum cases and establishing a more efficient and robust decision-making system is not in and of itself a strategy to stop illegal migration, but it is important for taxpayer value and we have prioritised it. We have transformed the productivity of asylum decision making by streamlining processes, creating focused interviews and instilling true accountability for performance. As of 1 September, we have met our commitment to have 2,500 decision makers, an increase of 174% from the same point last year. As a result, I am pleased to report to the House that we are on track to clear the legacy backlog by the end of the year, and that recently published provisional figures for July show that the overall backlog fell.

Tackling illegal migration is not easy; more people are on the move, and more are mobile, than ever before. Countries around the world are struggling to control it. But our 10-point plan is one of the most comprehensive strategies to tackle this problem in Europe, and that is showing. As of today, arrivals are down by 20% compared with last year, and for the month of August the reduction was more than a third. That is against the reasonable worst-case scenario of 85,000 arrivals that we were presented with when taking office last year.

In contrast, irregular migration into the EU has significantly increased, with Italy alone seeing a doubling in small boat arrivals. In Italy, a 100% increase; in the UK,

[Robert Jenrick]

a 20% decrease. Our plan is working. There is of course much more to do, but it is clear that we are making progress. I commend this statement to the House.

2.6 pm

Stephen Kinnock (Aberavon) (Lab): I thank the Minister for advance sight of his statement, thin though it is, and I echo his sentiments in sending condolences to the families of those six people who died tragically in the accident in the channel earlier this summer. We simply must stop these dangerous crossings.

I am absolutely bewildered that, after the summer we have had, yesterday the Prime Minister claimed victory in his broken pledge to stop the boats. This Saturday we saw the year's record number of channel crossings, with more than 870 people making that dangerous journey in a single day, and the total number has now soared to a whopping 21,000 for the year. The only reason the number is not breaking last year's record is the poor weather in July and August—and a strategy that depends on the weather is probably not a very sustainable strategy at all.

What has that left us with? A Government flailing around, chasing headlines with gimmicks and stunts rather than doing the hard graft of actually stopping the boats, clearing the backlog and getting people out of the hotels. Take their much celebrated small boats week last month, which turned out to be an absolute omnishambles, with taxpayers paying the price. No wonder the Home Secretary did not want to do a single interview, and no wonder she is not in the Chamber today.

Do not take my word for it: that well-known pro-Labour publication the *Daily Mail* did a day-by-day review. On the Monday, just 39 migrants were brought into the 500-capacity Bibby Stockholm barge. On the Tuesday, the Conservative deputy chairman admitted that his party has "failed" on immigration. On the Wednesday, the Immigration Minister sparked fresh Tory infighting over whether Britain should leave the European convention on human rights. On the Thursday, channel crossings hit their highest daily number for the year. Then, to cap it all, on the Friday, all the asylum seekers were removed from the Bibby Stockholm because of the presence of legionella in the water supply. You could not make it up.

The Bibby Stockholm was supposed to be a symbol of the Conservatives' cutting asylum costs, but the Minister has not even mentioned those costs today. Instead, it stands alongside the boats and the hotels as a floating symbol of Conservative failure and incompetence that is costing the taxpayer half a million pounds a month. On top of that, new Home Office data in August showed us that the asylum seeker backlog has grown ninefold to an enormous 175,000 under the Conservatives at a cost of £4 billion a year to the taxpayer—incredibly, eight times higher than it was when Labour left office in 2010. That waste is the cost of 13 years of Conservative neglect.

Today, we debate the cost of the spiralling asylum backlog, driven by cutting the costs of asylum decision making in 2013. Yesterday, the Chancellor was promising to spend "whatever it takes" to fix crumbling classrooms caused by the Prime Minister's cuts to the schools budget as Chancellor. Tomorrow, we will no doubt be back to the economy and the financial costs of low growth and spiralling mortgages. Everywhere we look, we see the costs of Conservative incompetence.

The Minister speaks now of this new deal with Turkey. Well, I am glad that the Government have started to listen to Labour—we have been calling for tough action to disrupt the gangs upstream for well over a year—but this looks pitifully weak. This announcement comes with no new funding or staff, meaning that officers could be taken off existing functions. That stands in contrast to Labour's fully funded plan to hire hundreds of specialists specifically to work on that challenge. Meanwhile, Turkish nationals have become one of the largest groups crossing the channel this year.

The Minister boasts about returns of failed asylum seekers going up, but they are actually down 70% compared with when Labour left office in 2010. Forty thousand are awaiting removal, and, at the current rate, it will take the Government more than 10 years to achieve their target. Two thousand fewer foreign national offenders are being removed per year compared with when Labour left office in 2010.

The Minister brags about the legacy backlog—a figment of the Prime Minister's imagination—going down, but he knows full well that the only backlog that matters is that of the 175,000 people, and that number is still going up. We know that the Government are cooking the books in that regard, marking large numbers of asylum seekers as "withdrawn" because they have missed a single appointment or failed to fill in a form correctly. A Conservative Back-Bench MP described that as an amnesty in all but name.

The Minister has decided to make illegal working even more illegal. The problem is that there has been a lack of Government enforcement. Employers who are exploiting and illegally employing migrant workers should face the full force of the law, but in reality, the number of penalties issued to firms has fallen by two thirds since 2016.

There are so many questions that it is difficult to know where to start, but let us start with these: when did the Minister know about legionella on Bibby Stockholm? How much is the barge currently costing? How many people are currently in hotels? Does he actually intend to implement the much-vaunted Illegal Migration Act 2023? The Prime Minister keeps declaring victory, but the reality is that nothing is working and everything the Government do just makes everything worse, so when will they get out of the way so that we on the Labour Benches can take over, implement our plan and retake control of our broken asylum system?

Robert Jenrick: That was a desperately thin response. We can deduce from it that the Labour party has absolutely no plan to tackle this issue. Of course the hon. Gentleman has had a quieter summer than me, but that is because the Labour party is completely uninterested in tackling illegal migration.

The hon. Gentleman talks about small boats week. Well, let us see how it went for the Labour party. On Monday, the Government announced the biggest increase in fines for illegal working and renting for a decade, while Labour MPs called for illegal migrants to have the right to work immediately, which would act as a massive magnet for even more crossings. On Tuesday, we announced

our professional enablers taskforce to clamp down on lawyers who abuse the system, while Labour MPs were awfully quiet, weren't they? They did nothing to distance themselves from the litany of councillors and advisers exposed as being implicated in efforts to stop the removal of criminals and failed asylum seekers. On Wednesday, we announced a partnership with Turkey to smash the gangs, while the shadow Home Secretary claimed that morning that what we really needed was a return to the Dublin convention—something that even the EU described as "prehistoric".

The truth is that the Labour party has no plan to tackle this issue, and does not even want to tackle it. We on the Conservative Benches are getting on with the job, and we are making progress: while the rest of Europe sees significant increases in migrants, we are seeing significant falls. Our plan is the most comprehensive of any country in Europe and it is starting to work.

Priti Patel (Witham) (Con): I thank the Minister for his statement. Of course, he is more than aware of the various reports over the summer regarding the Wethersfield site in Braintree district in my area. Could he explain how long the Government will be using that site? Is the five-year period that has been publicly reported correct? What planning processes will be used beyond the 12 months permitted under the class Q regulations? Are the Government considering increasing the £3,500 per bed space given to councils if the site remains open for more than a year?

Robert Jenrick: I am grateful to my right hon. Friend for the co-operation that we have had in respect of that site. I know that she supports the use of large sites, such as disused military bases, for that purpose—it was her policy when she was Home Secretary. We want to use that site for the shortest possible period. We have not put an end date on our use. We have taken advantage of the emergency planning powers that are available in these circumstances; she knows that that has a limited timeframe, after which further action needs to be taken. It is important that we provide the local community with the resources necessary to manage such sites appropriately. That is why we have provided the £3,500 payment. If the site is used for a sustained period, it is correct that we should look again at that and see whether a further payment is appropriate. We have also provided funding for Essex police and for her local NHS services so that the pressure on her constituents, and those of her neighbouring MPs, is as minimal as possible while we deliver this service in their area.

Madam Deputy Speaker (Dame Rosie Winterton): I call the SNP spokesperson.

Alison Thewliss (Glasgow Central) (SNP): The Minister comes here again with another statement, but the problem is not the boats; it is the backlogs. He comes here fiddling figures with legacy backlogs, but the flow backlog of people coming into the country continues to increase, and the hidden backlog—those granted asylum by the courts but left waiting for his party to complete the paperwork—grows and grows. In reality, we have a backlog of 175,000 people waiting for a decision from his Department—the highest number since records began—and we local MPs get only boilerplate replies that give no reassurance to our constituents left in limbo by his incompetent Department.

We all want to see an end to the small boats and to people risking and losing their lives in the channel, but that requires safe and legal routes, which do not exist. They certainly do not exist for Iraqis, Iranians, Eritreans or Sudanese people. For Afghans, the Afghan relocations and assistance policy and the Afghan citizens resettlement scheme, which they should be able to access, are not fit for purpose, either. Fewer than 50 people have been settled through pathway 3 this year, but just shy of 2,000 have come on small boats in the past two quarters because the system is broken and the Government are not interested in fixing it.

Has the Minister met the Fire Brigades Union regarding his expensive plague ship moored off Dorset? Has he given any thought to how his Illegal Migration Act will actually work? Many in the sector do not understand and have not had any guidance from the Minister on what will happen to the people left in immigration limbo by his Department.

Finally, Scotland has sought an alternative to this broken system, and in the summer we launched our "Citizenship in an independent Scotland" paper. The Government are more interested in pulling up the drawbridge and courting the *Daily Mail*, so will the Minister devolve immigration to Scotland and let us get on with the job of being a welcoming country and playing a role in the world?

Robert Jenrick: When I last called out the hon. Lady's humanitarian nimbyism, the statistics were stark—in fact, they have continued to be so. The SNP Government still accommodate only 4.5% of the total asylum population in the UK, while Scotland makes up 8.1% of the overall UK population. In Scottish local authorities where the SNP are the largest party, including in Clackmannanshire, Dundee, East Ayrshire, East Dunbartonshire, Midlothian, North Ayrshire and Falkirk—I could go on—no asylum seekers are being accommodated. In fact, there were only 59 more asylum seekers in SNP-controlled councils in the two months that have passed since we last debated this issue.

The reason I say that is that I do not believe that Members should come to this place and write cheques for which other people have to pay. The costs of SNP Members' fake humanitarianism are borne by everyone but themselves. If they do not want illegal migrants in their own constituencies, then they should support our effort to stop the boats.

Several hon. Members *rose—*

Madam Deputy Speaker (Dame Rosie Winterton): Order. This is a very important statement, but we have the remaining stages of the Energy Bill later, which is not protected time. Many people wish to speak, so I urge colleagues to ask one short question of the Minister on matters for which he has responsibility, as opposed to matters for which he might not, so that he is able to give quick answers. Leading the way will be Sir Edward Leigh.

Sir Edward Leigh (Gainsborough) (Con): When the Prime Minister announced that he was imperilling £300 million-worth of levelling-up investment on RAF Scampton, he

[Sir Edward Leigh]

said he was going to lead by example by accepting migrants into Catterick camp in his constituency. Home Office officials have now informed us that that is not happening, so where is the leadership in that?

It gets worse. I was informed by West Lindsey District Council that, despite being told that the scheme was value for money and will have to be available for three years not two, the value for money is infinitesimal compared with hotels—it will not even save money for a few days on hotels. Will the Minister now drop this ridiculous scheme, which is derisory and will do nothing for deterrence, and sit down with me and West Lindsey District Council to work out a discreet location for illegal migrants in West Lindsey?

Robert Jenrick: I am grateful to my right hon. Friend for his question and our continued co-operation. We believe that this policy is in the national interest. It is right that those coming to this country are accommodated in decent but never luxurious accommodation, so that we do not create a pull factor to the UK. It is through delivering sites such as Scampton—which I appreciate have a serious impact on his constituents—that later this year I hope we will begin to close hotels in earnest and return those facilities to the general public for tourism, business and leisure, which I know is supported by Members across the House.

Madam Deputy Speaker (Dame Rosie Winterton): I call the Chair of the Home Affairs Committee.

Dame Diana Johnson (Kingston upon Hull North) (Lab): On behalf of the Home Affairs Committee, may I send our thoughts and prayers to all those affected by the loss of life in the channel last month?

The Home Affairs Committee has long urged the Government to clear the asylum backlog, and I am pleased that the legacy backlog is starting to shrink. However, there are important questions about the quality and quantity of decisions. On quality, it was reported in *The Sunday Times* last week that interviews have been slashed from seven hours to 45 minutes. Could the Minister explain how the Home Office is evaluating and guaranteeing the quality of those decisions?

On quantity, the Home Office has reportedly doubled the rate of decision making on the legacy backlog since the end of June. What resources and support will be offered to local authorities when they start having to deal with the dramatic increase in the number of positive asylum claim decisions?

Robert Jenrick: On the first of those two important questions, the right hon. Lady is right to say that the work we have done to transform the decision-making process is bearing fruit. There will be an increase in the number of decisions—a very sharp one—in the weeks ahead. That will mean some more people being granted but also some more people being refused who then need to be removed swiftly from the country. In respect of those people being granted, I am working with the Secretary of State for Levelling Up, Housing and Communities to provide the support and guidance to local authorities that they will need. However, those people who have been granted—particularly young adult males—need to get on with their lives, get a job and contribute to British society, which is what I think they want to do.

We have achieved this transformation through better management, performance targets, working overtime and having shorter, more focused interviews. I do not believe that we need to have a seven-hour interview to identify the salient points and decide a case, and that has been borne out by the good work we have done in recent months. I think Members will see, as data is published in the weeks and months ahead, an absolute transformation in the service.

Vicky Ford (Chelmsford) (Con): The Minister is absolutely right to be doing everything to tackle the small boats issue and illegal migration. Over the summer months, nearly 500 asylum seekers have arrived in destinations in Chelmsford, and I am grateful for the time he has spent speaking to me about it. Local people are really worried about extra pressure on local health services, local housing lists and other local services. Will he work with me to ensure that areas that take larger numbers of asylum seekers get financial support, so that this cost is shared fairly across the whole country?

Robert Jenrick: Yes, I would be happy to continue to work with my right hon. Friend, as we have done in recent months. We have provided £3,500 per bed space to local authorities that house dispersal accommodation, which goes to meet the costs to them of looking after these individuals, but she is right to say that the wider costs of housing asylum seekers are very high—there is no escaping that. That is one of the reasons we need to reduce the number of people coming into the country in the first place.

Dame Nia Griffith (Llanelli) (Lab): Over the past few years, the Government have allowed the backlog of asylum claims to rise and rise to over 170,000. For all the Minister's warm words, progress in tackling it has been disgracefully slow. What additional measures will the Minister now implement to get that backlog down and reduce the need for his Department to scrabble around for additional accommodation, which often proves to be unsuitable and impractical, such as the Stradey Park Hotel in my constituency?

Robert Jenrick: I hope I have already described in previous answers the work that we have done. I can assure the hon. Lady that it is bearing fruit and that the backlog of legacy decisions will be cleared by the end of the year, and we will swiftly move thereafter to other decisions. Order and efficiency have been restored to the asylum decision-making process, but just waving more people in and processing their claims faster is not a strategy to stop the boats in and of itself. That is why we need the full deterrent and the comprehensive plan that we have.

One of the issues that is putting pressure on asylum accommodation is the very poor performance in Labour-run Wales, which has taken only 2.9% of the total asylum population, yet Wales accounts for 5.2% of the UK's population. In some areas of Wales—such as the constituency of the shadow Minister, the hon. Member for Aberavon (Stephen Kinnock)—there are no asylum seekers whatsoever. I would strongly encourage the hon. Lady to speak with the Welsh Government and get them to step up and help us provide more accommodation.

Sir Simon Clarke (Middlesbrough South and East Cleveland) (Con): I very much agree with what my right hon. Friend said about the importance of effective processing, but he is right about the underlying importance of having a clear plan to deter people from coming to this country illegally, which leads us to Rwanda and the upcoming Supreme Court judgment anticipated later this year. Does he recognise the very strong sentiment among many of us in the House—and, indeed, among many of my constituents—that if the Supreme Court rules against the Government's policy on this vital question, we should withdraw from the European convention on human rights?

Robert Jenrick: Parliament's support for our Rwanda plan was made clear with the passage of the Illegal Migration Act 2023. That is a statutory scheme to underpin the Rwanda partnership, so the will of Parliament to get on and deliver the policy is clear for all to see. I am confident that we will secure the result that we seek in the Supreme Court when it hears the case in October, and that is the Government's focus right now, but like my right hon. Friend I do not think we should take anything off the table. If we are truly committed to stopping the boats, we will have to consider all options, including with regard to the European convention on human rights.

Mr Alistair Carmichael (Orkney and Shetland) (LD): If the Government's attention is so strongly focused on crossings in the channel, can the Minister explain to me why one of the four Border Force cutters spent so much time this summer tied up at a pier in Orkney? We have a history of people coming in small boats to Orkney, but the Vikings have been quiet for quite a while now. Is that not a curious use of that scarce resource?

Robert Jenrick: I am happy to look into that issue, and I am delighted to see the right hon. Gentleman's Damascene conversion to stopping the boats. I can assure him that the UK has a very robust and efficient operation in the channel. We have been commended by international organisations—including when I spoke to the director general of the United Nations High Commissioner For Refugees—for the work that we do to save lives at sea in the channel. I commend the Border Force officers who are part of that. At the end of the day, though, we have to put in place a deterrent if we want to stop people crossing the channel, and that is why we need policies such as Rwanda, which the right hon. Gentleman and his party have vigorously opposed.

Tim Loughton (East Worthing and Shoreham) (Con): I echo the comments of the Chair of the Home Affairs Committee, the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), about the tragedies in the channel. It is a miracle that more lives have not been lost.

The Minister has committed to subsidising the French police force to the tune of £480 million, and yet, as at the end of August, the number of successful interceptions on French beaches was 45.2%, which was down from 45.8% in the previous corresponding period. Over the same time, the Belgians have managed to increase the number of successful interceptions by 90%. Will the Minister have a word with his French counterparts to suggest that they have a word with their Belgian counterparts, to see what they are doing differently? Are we paying the wrong country?

Robert Jenrick: First, I would say that the number of small boat arrivals coming to the UK has fallen by 20%. That is a very significant achievement, bearing in mind the context of a 100% increase in Italy and corresponding amounts in other border states of the European Union.

However, my hon. Friend is right to say that, despite elevating relations with France to their highest level for many years and doing a great deal of work, there is clearly more that we need the French to do for us. He is particularly right to focus on Belgium: I visited there recently and met with the Belgian Interior Minister, and the approach that that country has taken has been extremely helpful. It has worked very closely with the National Crime Agency, Border Force and policing in the UK, and has been willing to intercept in the water small boats leaving its shores. That has proven decisive: small boats from Belgian waters are now extremely rare, so that is an approach that we encourage the French to follow.

John McDonnell (Hayes and Harlington) (Lab): The Minister will be aware that the cases in my constituency are being processed. From what I have seen, the vast majority are being given leave to remain. The Minister advised me that those people would then be given 28 days' notice to leave the hotel but, last week, I sent him examples of cases where they have been given five, seven or nine days' notice. That is creating a homelessness problem in my constituency, because the time is not available to set up the arrangements to house them. The local Christian centre workers have been housing them in their own homes as well, which is wonderful, but we cannot go on like this. I was to meet the Minister next week, but that meeting has been postponed. I would be very happy to meet with his officials, Hillingdon Council and the local Christian centre to talk through how we can resolve this problem, but it is a matter of urgency.

Robert Jenrick: I was not aware that our meeting had been postponed—I will look into that immediately after the statement. In one sense, the issue that the right hon. Gentleman has brought to the House is a sign of progress: it means that the work we have done to clear the backlog and create an efficient service is now bearing fruit, and more decisions are being granted. In fact, in the last week in August, over 2,000 decisions were granted in a single week, which is the highest for several years. That will mean that there will be increased pressure on some local authorities, such as the right hon. Gentleman's, which houses a very large number of asylum seekers. Particularly with respect to families, local authorities will have duties and responsibilities that will be challenging for them. I am very keen to work with him and other Members across the House who are affected by that.

Sir William Cash (Stone) (Con): I greatly commend the Minister for the progress he has made with respect to procedure and to the disreputable lawyers who have been exploiting the system, and for the procedures that he has announced today, but could I say something on the question of the Supreme Court? The Supreme Court

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is going to make a judgment. Could it possibly be encouraged to go more quickly? It really is important: the perception in the country is that nothing is being done, which is not true. The Government have behaved extremely well in relation to the Act of Parliament that has just been passed.

On the question of the ECHR, it is not necessary to abolish the entire convention in these circumstances regarding the issue of illegal immigration. If the Supreme Court case were to go the wrong way, we can tailor legislation: we can use the "notwithstanding" formula and tailor it to the specific requirements that are needed, which would be limited but extremely effective. Will the Minister please bear that in mind?

Robert Jenrick: I have always taken and valued the advice of my hon. Friend in this regard. We will, of course, consider what action we need to take if there is a negative judgment from the Supreme Court, but that is not our expectation: we are going to vigorously contest that case and expect a positive outcome. The Supreme Court is going to hear the case in the middle of October and I hope that those justices will come forward with their decision expeditiously because—as my hon. Friend has rightly said—the country is waiting for action and the good work we have done thus far is not enough. We have to go further and, at the end of the day, that will only happen by putting a decisive intervention such as the Rwanda policy in place.

Patrick Grady (Glasgow North) (SNP): All this just confirms that the hostile environment is still alive and well. The Minister talks about reducing the backlog; how are cases within that backlog being prioritised? I have a constituent who was caught up in the tragedy at the Park Inn hotel in Glasgow in 2020—a city, incidentally, that takes more of its share of asylum seekers than any other local authority area in the country. He was the roommate of one of the attackers. He was told that he would have a decision by 25 October 2022, so nearly a year later, what is his place in the backlog queue?

Robert Jenrick: I am happy to look into the case that the hon. Gentleman raises but, as I have said in answer to numerous questions, we are now making very strong progress with the backlog. We are making decisions at a rate that has not been seen for several years and that is escalating rapidly, but the fundamental difference of opinion between him and his party and ourselves is that we do not see clearing the backlog as a strategy for stopping the boats. It is an important thing that we need to do as a country, in order to operate an efficient system in the interests of British taxpayers, but it is not enough. We have to put in place a deterrent that fundamentally breaks the business model of the people smugglers so that people will not want to come here in the first place.

Jackie Doyle-Price (Thurrock) (Con): I welcome my right hon. Friend's announcement regarding the Professional Enablers Taskforce, and encourage him to make sure that that taskforce looks at the entirety of lawyers' interventions in the immigration system. I for one am sick and tired of having people come to my surgeries who have spent years in the immigration system, with application after application that have no chance of ever succeeding, but are making lots of money for the solicitors advising them.

Robert Jenrick: My hon. Friend is absolutely right—I speak as a former solicitor, so I mean no harm to the profession, but the abuse that I have seen in my role over the past nine months is truly shocking and has to end. I am pleased that the Solicitors Regulation Authority has taken swift action against the lawyers and legal representatives who were identified by the *Daily Mail* over the summer, but that is the tip of the iceberg. There is much more work to be done by the profession and I hope this taskforce will root out that abuse as quickly as possible.

Mr Toby Perkins (Chesterfield) (Lab): I envy the Minister's apparently limitless capacity for self-congratulation, but it does not bear much relationship to what people are experiencing on the ground. I went to visit migrants in a hotel in Chesterfield; there were 81 people there, not a single one of whom had had their case heard. The Minister is apparently congratulating himself on the most basic improvements that any competent Home Office should have been making over the past 18 months. How does he explain the fact that, under this Government, more migrants are arriving, yet 70% fewer are being returned than in 2010?

Robert Jenrick: I can tell the House what would happen if the Labour party was in charge of returns. *[Interruption.]* No, this is an important point to make. The right hon. and learned Member for Holborn and St Pancras (Keir Starmer), during his campaign to be leader of the Labour party, campaigned to close detention centres. Dozens of Labour MPs have campaigned against immigration removal centres, and numerous Labour MPs have sided with dangerous foreign criminals versus the British public, opposing their removal from this country. The Labour party, including the hon. Member for Chesterfield (Mr Perkins), opposed our reforms to modern slavery legislation—reforms that were essential in order to remove people from this country expeditiously. While we are getting returns up—as I said in my statement, they have already risen substantially—I worry what would happen under the Labour party, because it has absolutely no strategy to tackle that issue.

Madam Deputy Speaker (Dame Rosie Winterton): Order. I re-emphasise the importance of answering on responsibilities that the Minister has.

Richard Drax (South Dorset) (Con): I thank my right hon. Friend for the very helpful telephone calls I have had during the summer concerning the Bibby Stockholm barge, which is in Portland port in my constituency—something that the majority of us oppose, as he knows. We do not have any migrants on board due to the legionella problem, and I understand that the Government are facing various legal actions, not least from the Fire Brigades Union. Could he kindly update me and my constituents on the situation concerning that barge, and when and if the migrants will return?

Robert Jenrick: I am grateful to my hon. Friend for the co-operation that we have had over the summer. I appreciate his position with respect to the barge,

although we believe it is important that we move away from expensive hotels to more rudimentary forms of accommodation such as barges. It was very unfortunate that migrants had to be moved off the barge over the summer. We deeply regret that. We did take a very precautionary approach. Tests have subsequently been carried out and the definitive answers to those tests will be received very shortly. Assuming that they show no signs of legionella, or indeed any other bacteria or cause of concern, we will move people back on to the boat as soon as possible and I think we can expect that within weeks.

Mr David Jones (Clwyd West) (Con): Further to the point made by my hon. Friend the Member for Stone (Sir William Cash), the European convention on human rights was negotiated some 70 years ago, long before international criminal gangs engaged in trafficking people across Europe and, indeed, more widely. Does not my right hon. Friend agree that now is the time for the Government to make an approach to the Council of Europe with a view to renegotiating the terms of the European convention, because clearly it is not protecting our borders or those of many other countries across Europe?

Robert Jenrick: My right hon. Friend is correct to say that the framework of international treaties, many of which were forged in the years after the second world war, now appear out of date given the challenges that we face today, and that is a sentiment shared by other European countries we have been working closely with. We have sought to put illegal migration and reform of the international framework on the table for all of the international fora that the Prime Minister, the Home Secretary or I are represented at, and we will seek to make the UK a leading force in reform on that issue. Other countries are looking intently at the work we are doing, particularly the Rwanda partnership and, once we are able to establish it, I think it is very likely that other countries will follow suit.

Maggie Throup (Erewash) (Con): It is nearly a year now since the Home Office first requisitioned two hotels on Bostock Lane in my constituency and, despite numerous commitments from the Dispatch Box, hundreds of migrants are still housed at that location. I appreciate my right hon. Friend's good intentions and the hard work he has put in, but my constituents really want to know when the sites will be closed and when the hotels will be returned to their originally intended purpose.

Robert Jenrick: Three things have changed decisively over the summer. First, it is increasingly clear that the numbers coming over are lower than last year as a result of the plan that the Government have put in place, particularly the deal we struck with Albania that has been so successful. Secondly, the backlog clearance work that we have done is bearing fruit, as we have already heard today. Thirdly, we have doubled the number of asylum seekers living in each room, whether that be in hotels or in dispersal accommodation, saving the taxpayer hundreds of millions of pounds. Those three things lead to the ability to exit hotels in the near future and we are working very closely on plans to do so. I know how strongly my hon. Friend feels, so when we are able to do so, her hotels should rightly, because of some of the issues that have been experienced by her community, be top of the list.

Craig Mackinlay (South Thanet) (Con): My right hon. Friend will be aware of an unwritten deal, but a deal based on trust, that east Kent would not be facing any accommodation because of the pressure that Dover is obviously facing and the pressure we have in Manston as a primary dispersal centre. So he can imagine my displeasure that a hotel in Cliftonville, the Glenwood Hotel—a small facility of just 21 rooms—is being readied to be set up on 20 September. I am unhappy about this because of, as I say, the deal based on trust because of the pressure that east Kent is bearing. I would certainly hope my right hon. Friend will intervene to make sure that this pretty insignificantly sized facility will be withdrawn.

Madam Deputy Speaker (Dame Rosie Winterton): Order. Just a quick reminder that we must have succinct questions because we have a lot to get through later.

Robert Jenrick: I would be very happy to take a look at that, and I completely understand and appreciate the unique pressures that Kent faces.

Nick Fletcher (Don Valley) (Con): In my last communication with Doncaster Council, there were 6,710 people on the housing waiting list and we have hotels that are full, too. So will my right hon. Friend continue his great work, and make sure that we stop these illegal boats and reduce immigration to a sizeable level?

Robert Jenrick: I strongly support the view of my hon. Friend. He is right to say that illegal migration places immense pressures on public services, housing supply and community cohesion. That is what we on this side of the House understand and that is why we are taking the action that we are to stop the boats.

Andrew Selous (South West Bedfordshire) (Con): When will the Old Palace Lodge in Dunstable be available for the people of Dunstable again, given its particular role in providing a social community for marking life events for the whole town?

Robert Jenrick: I have had numerous conversations with my hon. Friend about that hotel. I hope that we will be in a position to exit hotels shortly, as a result of the work we have done to restore order to the asylum decision-making system and the reduced numbers of illegal migrants crossing the channel.

Jonathan Gullis (Stoke-on-Trent North) (Con): I was pleased to see the reduction by 20% in the year to date and, of course, the work that has been happening with Albania, but residents in Stoke-on-Trent North, Kidsgrove and Talke are concerned about the increased numbers coming from Turkey and India. What assurances from the Prime Minister has my right hon. Friend and the Home Secretary had about a returns agreement being included in any free trade deal that we sign with India?

Robert Jenrick: My hon. Friend is right to point out that there have been significant numbers of illegal migrants from both those countries. I visited Turkey earlier in the summer, and one of my objectives is to create an enhanced arrangement for returns with Turkey, with which we are working very closely in that regard. For India, the Prime Minister, the Home Secretary and

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I have been meeting Indian counterparts regularly to increase the return of illegal migrants there. That is absolutely essential, because the number is very substantial.

Jack Brereton (Stoke-on-Trent South) (Con): I very much agree with the Minister that we must increase deterrence if we are to reduce the numbers of people coming here illegally. A key part of that is increased deportation, so what is the Minister doing to ensure that we increase the number of deportation facilities and increase the speed of those deportations?

Robert Jenrick: We have one of the largest detained estates of any major European country, and we are increasing it. We are investing in two new ones that will come on line next year, and we are looking for further opportunities as well. That is quite right, because under the Illegal Migration Act individuals who come to this country illegally will be detained and then swiftly removed.

James Wild (North West Norfolk) (Con): I welcome the progress in processing applications. Will my right hon. Friend commit that the extra resources will be maintained and the focus on productivity improved to deal with the legacy events and then other cases, while doing the important work of stopping the flow?

Robert Jenrick: Yes, I was very pleased that we met our pledge to increase the number of decision makers to 2,500 from 1 September. That is coupled with management changes so that there are financial incentives and proper accountability for the civil servants involved. We are seeing now the fruits of that labour, with a much more productive service than we have seen for many years.

Tom Hunt (Ipswich) (Con): The one-year anniversary of the Novotel in Ipswich being taken over by the Home Office is about to be met. My right hon. Friend knows how strongly I feel about this. Anger in Ipswich has not abated. Looking at that hotel—a blaze of light—and knowing that those people, who broke our immigration rules, are getting three meals a day during a cost of living squeeze has caused immense anger. Will my right hon. Friend outline a timescale to get the Novotel back to its proper use, which would be good for the economy. It would also be good for fairness, and a sense of fairness is vitally important.

Robert Jenrick: I hope that I have given my hon. Friend some reassurance that we are now at a point where we can move forward with exiting hotels—we will come back to the House in due course to set out those arrangements—but he is right that this is a fundamental question of fairness. It is not appropriate for people who have broken our laws and come into our country illegally to be accessing luxurious accommodation that is way beyond the means of millions of our fellow citizens.

Mr Philip Hollobone (Kettering) (Con): The Royal Hotel in Kettering and the Rothwell House Hotel in Rothwell are unsuitable as asylum hotel locations, not least because of their heart-of-town-centre sites. The Minister already knows the strength of local feeling about those two hotels. Local people want them back as normal hotels. I believe they are on 12-month contracts. Will he ensure that those contracts are not renewed when they come to an end?

Robert Jenrick: My hon. Friend has made very strong representations on behalf of his community, and he and I met earlier in the year to discuss that further. When we are in a position to close hotels, it will be ones like his—small hotels in market towns that take away very important community assets—that will be top of the list.

Scott Benton (Blackpool South) (Ind): Reducing the asylum backlog is important, but we absolutely must not fall into the trap of having a de facto amnesty to try to achieve that. In the past year we approved the claims of 73% of applicants, including many from undisputed safe countries, while France approved just 25%. Why are we approving nearly three times the proportion of claims approved by France, given that this is clearly one of the pull factors that draws people across the channel?

Robert Jenrick: That is a very important question. We have not done an amnesty—that is what the last Labour Government did when they had a backlog of asylum decisions. We have chosen to do good, old-fashioned management reforms to make this service more productive and deliver for the taxpayer. We have also taken on this issue in respect both of countries with high grant rates, such as Afghanistan, and of those with low grant rates, such as Albania, and we have rapidly got through those cases. There are a number of nationalities—Egypt, Turkey, India—where grant rates should be very low indeed because there are very few circumstances in which somebody should be successfully claiming asylum in this country. We want to ensure that our asylum grant rates are no higher than those of comparable European countries.

Richard Graham (Gloucester) (Con): I welcome the near end to illegal Albanian immigration, the crackdown on immigration lawyer abuses, and UK Visas and Immigration caseworkers helping MPs. However, as more asylum seekers become refugees, has my right hon. Friend considered creating a homes for refugees programme, building on the successful Homes for Ukraine scheme?

Robert Jenrick: It is worth remembering that those individuals granted asylum are predominantly young men of working age, and I would hope that they will integrate into society, get a job and start contributing to the UK—that is certainly our intention. I do understand that there will be some pressures on local authorities, and we are working through those with the Department for Levelling Up, Housing and Communities. That Department is considering the possibility of a homes for Afghans scheme, but that is in respect of the Afghan relocations and assistance policy and the Afghan citizens resettlement scheme, which cover a different cohort of individuals where that kind of intervention is more appropriate.

Aaron Bell (Newcastle-under-Lyme) (Con): Although I am pleased to see the 20% fall in channel arrivals this year, I do not believe we will see a more meaningful fall until we get the Illegal Migration Act 2023 operational. I know that we are waiting for the Supreme Court and I urge it to hurry up, but given that the Government lost

only on a very narrow point that was specific to Rwanda, can my right hon. Friend reassure the House that, should they lose in the Supreme Court, the Government have alternatives planned so we can get removals going as soon as possible?

Robert Jenrick: Of course, we consider all eventualities, but my hon. Friend is right to make the point that we won in the High Court and the Court of Appeal on the fundamental question: can a country such as ours enter into a partnership with another whereby asylum claims are heard there? Despite the many individuals who offered contrary opinions, that was deemed to be legal and in compliance with our obligations under the refugee convention. That was a huge step forward. There is a narrow point to resolve and we hope we will be successful in that regard in the Supreme Court in October, but my hon. Friend knows of our determination to tackle this issue one way or another.

Points of Order

2.53 pm

Sir Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Madam Deputy Speaker. I know that raising this takes up time in itself, but I am concerned that we now have just about three hours, including for the ten-minute rule motion, for the final stages of a Bill that runs to 328 pages, plus 145 pages of amendments, which include 68 new clauses and at least 240 amendments. This House has not been overrun with business lately—we had many days before the recess when we were going home early—and it seems to me that it is not respectful to this House to try to shoehorn such a large piece of legislation into such a short period of time.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the right hon. Gentleman for his point of order and for giving notice of it. I know that he, as a former Leader of the House, will be very aware of the procedures for organising business in the House. He also knows that it is not a matter for me. I would remind him that I said on three occasions during the previous statement that there was a lot of business to get through, that it does not have protected time, and that therefore short questions and answers were required. I have tried my best to reflect the fact that there is pressure on business, because he is quite right that many colleagues want to contribute to the next debate. The Leader of the House is present and may wish to respond, so I will allow her to do so.

The Leader of the House of Commons (Penny Mordaunt): Further to that point of order, Madam Deputy Speaker. I would like to place on the record that we are always keen to ensure that this House has time to debate matters. Contrary to what some might be saying, this is not a zombie Parliament and we are putting through a lot of legislation as well as private Bills. I also remind the House that the programme motion for the Energy Bill was agreed on 9 May.

Madam Deputy Speaker: I was about to say that the programme motion was agreed to by the House. I thank the Leader of the House for her response, and I am sure the right hon. Gentleman, a previous Leader of the House, will remember that sometimes it is not possible to please everybody.

Electronic Cigarettes (Branding, Promotion and Advertising)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.56 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I beg to move,

That leave be given to bring in a Bill to make provision about the branding, promotion and advertising of electronic cigarettes, for the purpose of preventing electronic cigarettes from being marketed in a way which appeals to children; and for connected purposes.

We are seeing a rapid and very concerning increase in underage vaping. A recent study by Action on Smoking and Health found that in the past three years the number of children taking part in experimental vaping has increased by 50%. One in five 11 to 15-year-olds in England used vapes in 2021, a figure that is likely to be significantly higher now. Alongside this has come significant growth in the awareness of e-cigarette promotions, with 85% of children now conscious of e-cigarette marketing either in shops or online.

We can see how this has happened. In every single one of the constituencies we represent, on high streets and in town centres up and down the country, there are vaping shops where the shelves and window displays are filled with brightly coloured packaging and products. The packaging mimics popular brands, with flavours of sweets like gummy bears, Skittles and tutti-frutti, or soft drinks like cherry cola, or emblazoned with images of cartoon characters. The problem is just as widespread online, with vapes being openly promoted to children on social media sites, drawing them into experimental vaping so that they become addicted to nicotine. The marketing strategy is clear to see: the products are designed to be attractive to children, to draw them in when they are very young so that they will become addicted to vaping and then become long-term customers.

Vaping has shifted from a smoking cessation tool to a recreational activity in its own right. It is driven by the rapacious desire of tobacco companies—which fund many of the largest e-cigarette suppliers—to keep making a profit from the highly addictive substance of nicotine.

There is evidence that the approach is working for the companies profiting from vapes, with new data from the Office for National Statistics this week showing that the increase in children and young people vaping is already feeding through into a dramatic increase in young adults vaping, with a particularly sharp increase in the number of young women using vapes.

The important role of vaping in smoking cessation has led to a widespread perception that it is a harmless activity, rather than a less harmful activity than smoking. It is not harmless. Last year, 40 children were admitted to hospital for suspected vaping-related disorders. Young people using e-cigarettes are twice as likely to suffer from a chronic cough than non-users. There are reports that nicotine dependency contributes to cognitive and attention deficit conditions and worsens mood disorders.

Concerns about vaping are being widely raised by teachers and parents in a way that was not the case just a couple of years ago. Schools are installing heat sensors in addition to smoke detectors in school toilets, taking steps to stop children constantly leaving the classroom to vape, and managing the impacts of addiction to nicotine on the mood and concentration levels of their students.

The sale of e-cigarettes to under-18s is already illegal, but the dramatic increase in the number of young people vaping shows that the current legislation is completely ineffective, so we must learn from the substantive evidence on what worked in reducing smoking rates among children. In 1982, when smoking rates among children first started being monitored in England, one in five children were current smokers—the same as the proportion of 11 to 15-year-olds now vaping. Eighteen years later, despite substantial advertising campaigns to educate young people on the dangers of smoking, the proportion was exactly the same. That was not because children were not educated about the dangers, but because some adolescents are more susceptible to taking risks.

Between 2000 and 2021, smoking rates among children fell from 19% to just 3%—not because of better education or enforcement of the existing prohibition on the sale of cigarettes to children, but because the regulatory framework during that time ratcheted up year by year. Under the last Labour Government, all point-of-sale advertising and display of tobacco was prohibited. A comprehensive anti-smuggling strategy was implemented by HMRC and UK Border Force, which reduced sales of illicit tobacco, and cigarettes were put in standardised packaging with all the brightly coloured glamourised imagery removed.

What is true for the strategy to tackle smoking is true for the challenge of vaping. Without much tougher regulation, we will not succeed in driving down vaping among children and young people. Regulations on packaging, advertising and labelling are essential. It is disappointing that the Government refused to support the amendment to the Health and Care Bill tabled by my hon. Friend the Member for City of Durham (Mary Kelly Foy) in November 2021, which would have prohibited branding that appeals to children on packaging. The cross-party Health and Social Care Committee wrote to the Secretary of State in July stating:

"Decisive action is needed from both Government and industry to protect children from the harmful effects of vaping."

An Opposition day debate in July also served to demonstrate the high level of cross-party consensus on this issue, yet the Government have still not announced any action to address it.

A series of important and complex issues relating to e-cigarettes, in addition to their impacts on children, also require Government attention. They include the harmful impact of disposable vapes as a source of plastic pollution and the fire hazard caused by the presence of batteries within the vape casing. There is also the alarming rise in the number of 18 to 25-year-olds who have never been smokers using e-cigarettes as a recreational activity in their own right. That also requires urgent attention. I hope the Government will come forward with a wider strategy to address these issues and that we will be able to scrutinise them in this House, but there can be no disagreement that urgent action is needed right now to stop the sale of vapes to children and to halt the number of children who are becoming addicted to nicotine.

No one wants to undermine the vital role of e-cigarettes in smoking cessation—smoking remains far more harmful than vaping and a major threat to health—but brightly coloured branding, advertising, names and imagery specifically designed to make vaping products attractive to children are not remotely necessary for vapes to be readily available to those who can benefit from vaping as a smoking cessation tool. My Bill is designed to deliver rapid action on an issue on which there is broad consensus and that is presenting itself with increasing urgency in families, schools and communities right across the country.

My Bill would ban e-cigarettes from being advertised, branded and packaged to appeal directly to children, including online. We know this will work, because the same approach was so effective in reducing smoking in children. We can act now to stop the harms of nicotine addiction to the physical and mental health of children and young people. I hope that the Government will choose to support this Bill and take the action needed to protect children's health. I commend it to the House.

Question put and agreed to.

Ordered, That Helen Hayes, Andrew Gwynne, Rachael Maskell, Alex Cunningham, Mary Kelly Foy, Mrs Paulette Hamilton, Kirsten Oswald, Maggie Throup, Caroline Nokes, Dr Caroline Johnson, Daisy Cooper and Peter Gibson present the Bill.

Helen Hayes accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 24 November, and to be printed (Bill 358).

THE SPEAKER'S ABSENCE

Ordered,

That the Speaker have leave of absence on Thursday 7 September to attend the G7 Speakers' Conference.—*(Penny Mordaunt.)*

Energy Bill [*Lords*]

Consideration of Bill, as amended in the Public Bill Committee

Madam Deputy Speaker (Dame Rosie Winterton): I will call the Minister in a second to move the new clause, but I take this opportunity to remind colleagues that many Members have put down to speak in this debate, and it will last until 7 o'clock, including Third Reading. There is quite a lot of pressure, and I hope colleagues will bear that in mind when putting together their speeches.

New Clause 52

REVENUE CERTAINTY SCHEME FOR SUSTAINABLE AVIATION FUEL PRODUCERS: CONSULTATION AND REPORT

"(1) The Secretary of State must carry out a public consultation on the options for designing and implementing a sustainable aviation fuel revenue certainty scheme.

(2) A "sustainable aviation fuel revenue certainty scheme" is a scheme whose purpose is to give producers of sustainable aviation fuel greater certainty than they otherwise would have about the revenue that they will earn from sustainable aviation fuel that they produce.

(3) The Secretary of State must open the consultation within the period of 6 months beginning with the day on which this Act is passed.

(4) The Secretary of State must bring the consultation to the attention of, in particular, such of each of the following as the Secretary of State considers appropriate—

(a) producers of sustainable aviation fuel;

(b) suppliers of sustainable aviation fuel;

(c) airlines.

(5) The Secretary of State must, within the period of 18 months beginning with the day on which this Act is passed, lay before Parliament a report on progress made towards the development of a sustainable aviation fuel revenue certainty scheme.

(6) In this section, "sustainable aviation fuel" means aviation turbine fuel whose use (as compared with the use of other aviation turbine fuel) will, in the opinion of the Secretary of State, contribute to a reduction in emissions of greenhouse gases; and for this purpose—

"aviation turbine fuel" has the meaning given by article 3(1B) of the Renewable Transport Fuel Obligations Order 2007 (S.I. 2007/3072);

"greenhouse gas" has the meaning given by section 92(1) of the Climate Change Act 2008."—*(Andrew Bowie.)*

This new clause, intended to be inserted after clause 156, requires the government to consult on options for setting up a revenue certainty scheme for sustainable aviation fuel producers, and to publish a report about progress towards developing such a scheme.

Brought up, and read the First time.

3.5 pm

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Andrew Bowie): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government new clause 63—*Renewable liquid heating fuel obligations.*

Government new clause 64—*Regulations under section 92(1): procedure with devolved authorities.*

Government new clause 65—*Regulations made by Secretary of State: consultation with devolved authorities.*

Government new clause 66—*Regulations under section 292 and 293: procedure with devolved authorities.*

New clause 1—*Community benefits relating to onshore wind farms—*

"(1) Within six months of the date on which this Act is passed, the Secretary of State must prepare and lay before Parliament a report setting out proposals for ensuring that local communities benefit from onshore wind farms.

(2) The report under subsection (1) must set out, but is not limited to, proposals for—

(a) 5% of the gross revenue of new wind farm, solar, hydro and other renewable developments generating over 1MW to be paid into community benefit funds;

(b) widening the distance of communities around new renewable developments which receive shares of community benefit funds, with the aim of limiting the wealth disparity amongst rural communities; and

(c) ensuring that communities surrounding wind farms have a statutory right to benefit from local renewable energy development."

New clause 2—*Prohibition of new coal mines—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must by regulations prohibit the opening of new coal mines and the licensing of new coal mines by the Coal Authority or its successors.

(2) Regulations under this section are subject to the affirmative procedure."

New clause 3—*Prohibition of energy production from coal—*

"(1) The Secretary of State must by regulations provide for the UK to cease energy production from coal from 1 January 2025.

(2) Regulations under this section may amend primary legislation (including this Act)."

New clause 4—*Flaring and venting—*

"(1) The Energy Act 1976 is amended as follows.

(2) In section 12, after subsection (5), insert—

"(6) The Secretary of State may not grant consent under this section after 1 January 2025; and any consent granted under this section ceases to have effect from 1 January 2025.

(7) Paragraph (3)(a) of this section ceases to have effect from 1 January 2025."

(3) In section 12A, after subsection (5), insert—

"(6) The OGA may not grant consent under this section after 1 January 2025; and any consent granted under this section ceases to have effect from 1 January 2025.""

This new clause is intended to ban flaring and venting of natural gas after 1 January 2025.

New clause 5—*Date of cessation of issuing of oil and gas exploration and production licences—*

"(1) Within three months of the day on which this Act is passed, the Secretary of State must establish an independent body to advise on the date after which no new licences for oil and gas exploration and production should be issued.

(2) The body must make its recommendation to the Secretary of State not later than three months after the day on which it is established.

(3) Not less than three months after the date on which the Secretary of State receives the body's recommendation, the Secretary of State must present to Parliament legislative proposals to give effect to the recommendation."

New clause 6—*Net zero power supply—*

"(1) It is the duty of the Secretary of State to ensure that the aggregate amount of net emissions of carbon dioxide and net emissions of each of the other targeted greenhouse gases associated with the supply of power in the UK in 2035 is zero.

(2) The Secretary of State must by regulations provide for the means of calculation of net emissions of carbon dioxide and of each of the other targeted greenhouse gases for the purposes of subsection (1).

(3) The means of calculation provided for in regulations under subsection (2) must be consistent with the means of calculation of the net UK carbon account for the purposes of section 1 of the Climate Change Act 2008.

(4) For the purposes of this section a "targeted greenhouse gas" has the same meaning as given in section 24 of the Climate Change Act 2008."

This new clause is intended to provide for the UK's power supply to be net zero by 2035.

New clause 7—*Energy Charter Treaty—*

"Within six months of the day on which this Act is passed, the Secretary of State must initiate procedures for the United Kingdom to withdraw from the Energy Charter Treaty."

New clause 8—*Community and Smaller-scale Electricity Export Guarantee Scheme—*

"(1) Within six months of the passing of this Act, the Secretary of State must by regulations require licensed energy suppliers with more than 150,000 customers ("eligible licensed suppliers") to purchase electricity exports from sites including those operated by community groups, that generate low carbon electricity with a capacity below 5MW.

(2) Fossil fuelled local power plants with a capacity of less than 5MW are not eligible for participation in the Community and Smaller-scale Electricity Export Guarantee Scheme, with the exception of a local combined heat and power plant that generates electricity ancillary to its purpose of providing heat for local heat networks.

(3) "Fossil fuel" has the meaning given in section 104(4).

(4) Licensed energy suppliers with fewer than 150,000 customers may also purchase electricity exports from the sites defined above provided that they do so on the terms set out by the regulations.

(5) The regulations must require that eligible licensed suppliers—

(a) offer to those sites a minimum export price set annually by the Gas and Electricity Markets Authority ("GEMA"),

(b) offer to those sites a minimum contract period of five years, and

(c) allow the exporting site to end the contract after no more than one year.

(6) Within six months of the passing of this Act, GEMA must—

(a) set an annual minimum export price for those sites that has regard to current wholesale energy prices and inflation in energy prices and the wider economy,

(b) introduce a registration system for exporting sites meeting the requirements set out in subsection (1) and wanting to access these export purchases,

(c) define specifications for the smart export meters required by such sites,

(d) define "low carbon electricity" in such a way that it includes renewable generation technology and may include other technology with extremely low carbon dioxide emissions,

(e) define requirements for an exporting site generating low carbon electricity with a capacity of less than 5MW to be registered as a Community or Smaller-scale Energy site, and maintain a register of such sites.

(7) To access the export purchase agreements defined in this section exporters must—

(a) register their site with GEMA,

(b) install a smart export meter that meets specifications defined by GEMA, and

(c) notify GEMA if their ownership structure meets the definition of a Community or Smaller-scale Energy site.

(8) All licensed suppliers providing such purchase agreements must report annually to GEMA—

(a) the number and capacity of Community or Smaller-scale Energy sites that have been offered contracts to purchase electricity and the number of these that agreed those contracts,

(b) the total amount of electricity purchased under these agreements, and

(c) the price paid for that electricity.

(9) OFGEM must make and publish a report annually on the operation of the export purchase agreements, setting out—

(a) the number of Community or Smaller-scale Energy sites contracted with licensed energy suppliers under this section and the total amount of electricity purchased,

(b) the licensed suppliers contracting with Community or Smaller-scale Energy sites and the amount of electricity each has purchased,

(c) an assessment of how the mechanism is performing and the contribution it is making to delivering secure and low carbon electricity supplies, and

(d) recommendations on how the mechanism could be improved.

(10) Regulations under this section are subject to the affirmative procedure."

New clause 9—*Community and Smaller-scale Electricity Supplier Services Scheme—*

"(1) Within six months of the passing of this Act, the Secretary of State must by regulations require licensed energy suppliers with more than 150,000 customers ("eligible licensed suppliers") to offer a Community and Smaller-scale Electricity Supplier Service agreement to any registered Community or Smaller-scale Energy site under section (Community and Smaller-scale Electricity Export Guarantee Scheme) for the purposes of allowing that site to sell electricity to local consumers.

(2) The Community and Smaller-scale Electricity Supplier Service agreement will require licensed suppliers to make a community or smaller-scale energy tariff available to consumers local to the exporting site that has regard to the export price paid or that would be paid to that site under section (Community and Smaller-scale Electricity Export Guarantee Scheme).

(3) The eligible licensed supplier may limit the total number of consumers the community or smaller-scale energy tariff is available to such that the total annual energy sold under the tariff is broadly equivalent to the total annual energy generated by the site.

(4) The eligible licensed supplier will be the registrant for the meters of any local consumer purchasing energy under the community or smaller-scale energy tariff.

(5) The eligible licensed supplier may charge a reasonable fee for the provision of services under this section provided that it has regard to distribution, licensing and regulatory costs and any guidance provided by GEMA.

(6) The eligible licensed supplier must return any money raised through the sale of energy under a tariff set up under this section to the Community or Smaller-scale Energy site, save for the fee allowed under subsection (5).

(7) Eligible licensed suppliers must report annually to GEMA on—

(a) the number and capacity of community energy groups or smaller-scale sites offered Community and Smaller-scale Electricity Supplier Service agreements and the number who have contracted to use them,

(b) the total amount of electricity purchased under these agreements, and

(c) the tariffs for each agreement.

(8) GEMA must—

(a) produce guidance on the level of community or smaller-scale energy tariffs and on the reasonable charges that eligible suppliers may charge for Community and Smaller-scale Electricity Supplier Service Agreements,

(b) make and publish a report annually on the operation of the export purchase agreements, setting out—

(i) the number of community energy projects or smaller-scale sites contracted with licensed energy suppliers under this section and the total amount of electricity purchased,

(ii) the licensed suppliers contracting with community energy groups or smaller-scale sites and the amount of electricity each has purchased,

(iii) an assessment of how the mechanism is performing and the contribution it is making to delivering secure and low carbon electricity supplies, and

(iv) recommendations for how Community and Smaller-scale Electricity Supplier Service agreements could be improved.

(9) Regulations under this section are subject to the affirmative procedure."

New clause 11—*Enhancing rewards for solar panels—*

"Within six months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a report on enhancing the reward under the Smart Export Guarantee for customers who install solar panels."

This new clause seeks to enhance the reward under the Smart Export Guarantee for energy customers who install solar panels.

New clause 12—*Prohibition on flaring and venting and enhanced measures to reduce fugitive methane emissions—*

"(1) The Secretary of State must by regulations—

(a) prohibit the practice of flaring and venting by oil and gas installations other than in an emergency within the jurisdiction of the United Kingdom,

(b) require monthly leak detection and repair inspections to reduce fugitive methane emissions,

(c) require a measurement, reporting and verification process to quantify methane emissions, and

(d) require the upgrade of all equipment to alternative zero- or low-emission and low-maintenance equipment, such as electric, mechanical, or compressed air equipment.

(2) In this section—

"flaring" means the burning of methane gas and other hydrocarbons produced during oil and gas extraction;

"venting" means the release of methane gas and other hydrocarbons directly into the atmosphere, without combustion.

(3) Regulations under this section must be made so as to come into force by 31 December 2025."

This new clause would prohibit "flaring" and "venting".

New clause 13—*Introduction of a social tariff for vulnerable energy customers—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a plan to bring forward a social tariff for vulnerable energy customers.

(2) The plan under subsection (1) must set out ways in which the social tariff for energy would satisfy the following conditions—

(a) it is additional to the Warm Home Discount and Default tariff price Cap,

(b) it is mandatory for all licensed electricity and gas suppliers,

(c) it is targeted at households that are in or at risk of fuel poverty,

(d) it is set at a level that is below the market price, and

(e) it automatically enrols eligible households onto the tariff."

This new clause will require the Secretary of State to bring forward a plan to introduce a social tariff for energy.

New clause 14—*Smart meter roll-out for prepayment customers—*

"(1) The Secretary of State must ensure that all legacy prepayment meters are replaced with smart meters before the end of 2025.

(2) Within three months of the day on which this Act is passed, the Secretary of State must prepare a plan to end self-disconnections by the end of 2026.

(3) Such a plan may include but is not limited to—

(a) the introduction of a social tariff for prepayment customers,

(b) the introduction of mechanisms to apply credit automatically if a prepayment customer runs out of credit,

(c) the introduction of a mechanism to transfer a prepayment customer to credit mode automatically if they run out of credit."

This new clause places duties on the Secretary of State to ensure prepayment metered customers are prioritised in the smart meter rollout, and to create a plan to stop self-disconnections before the end of 2026.

New clause 15—*Restriction of the use of prepayment meters—*

"(1) Within 90 days of the day on which this Act is passed the Secretary of State must make regulations prohibiting energy suppliers from authorising or undertaking the installation of new prepayment meters for domestic energy use unless the condition in subsection (2) is met.

(2) The condition is that the energy supplier has received an explicit request from the consumer for the installation of a prepayment meter.

(3) In this section "installation of new prepayment meters" includes switching existing energy meters to a prepayment mode.

(4) The Secretary of State may make subsequent regulations that amend or repeal regulations made under this section.

(5) Regulations under this section are subject to the affirmative procedure."

This new clause would require the Secretary of State to prohibit the installation of new prepayment meters unless consumers explicitly request them.

New clause 16—*National Warmer Homes and Businesses Action Plan—*

"(1) The Secretary of State must, before the end of the period of 6 months beginning with the day on which this Act is passed, publish an action plan entitled the Warmer Homes and Businesses Action Plan, to set out proposals for delivery of—

(a) a low-carbon heat target, of 100% of installations of relevant heating appliances and connections to relevant heat networks by 2035,

(b) an Energy Performance Certificate at band C by 2035 in all UK homes where practical, cost effective and affordable, and

(c) an Energy Performance Certificate at band B by 2028 in all non-domestic properties, and

(d) the Future Homes Standard for all new builds in England by 2025.

(2) The Secretary of State must, in developing the Warmer Homes and Businesses Action Plan, consult the Climate Change Committee and its sub-committee on adaptation."

This new clause imposes a duty on the Secretary of State to bring forward a plan with time-bound proposals for low carbon heat, energy efficient homes and non-domestic properties and higher standards on new homes.

New clause 17—*Plan for vulnerable consumers—*

"(1) Within three months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a plan addressing the needs of vulnerable consumers and consumers from low-income households in relation to the cost of energy.

(2) The plan under subsection (1) may include, but is not limited to—

(a) the extension of the energy price cap on heating oil,

(b) the extension of the warm homes discount,

(c) the increase of winter fuel payments,

(d) preventing electricity suppliers from recovering the costs of paying a revenue collection counterparty under the Nuclear Energy (Financing) Act 2022 from customers claiming Universal Credit or other legacy benefits,

(e) requirements for energy suppliers to offer social energy tariffs to households experiencing fuel poverty, and

(f) any other measures the Secretary of State believes are appropriate."

This new clause would require the Secretary of State to develop a plan to protect vulnerable customers from the rising cost of energy.

New clause 18—*Energy performance regulations relating to existing premises—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must make regulations—

(a) to amend the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (S.I. 2015/962) to require that, subject to subsection (2), all tenancies have an Energy Performance Certificate (EPC) of at least Band C by 31 December 2028; and

(b) to amend the Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019 (S.I. 2019/595) to raise the cost cap to £10,000.

(2) Regulations under subsection (1) must provide for exemptions to apply where—

(a) the occupier of any premises whose permission is needed to carry out works refuses to give such permission;

(b) it is not technically feasible to improve the energy performance of the premises to the level of EPC Band C; or

(c) another exemption specified in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 has been registered in the Private Rented Sector (PRS) Exemptions Register.

(3) Within six months of the passage of this Act the Secretary of State must make regulations—

(a) to amend the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 to enable local authorities to give notice to landlords that they wish to inspect a property in relation to those Regulations, requesting permissions from landlords and any tenants in situ at the time to carry out an inspection at an agreed time;

(b) to expand the scope of the current PRS Exemptions Register and redesign it as a database covering properties' compliance with or exemptions from EPCs;

(c) to require a post-improvement EPC to be undertaken to demonstrate compliance;

(d) to require a valid EPC be in place at all times while a property is let; and

(e) to raise the maximum total of financial penalties to be imposed by a local authority on a landlord of a domestic private rented sector property in relation to the same breach and for the same property to £30,000 per property and per breach of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

(4) The Secretary of State may make regulations—

(a) to enable tenants in the private rented sector to request that energy performance improvements are carried out where a property is in breach of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015; and

(b) to make provision for a compensation mechanism where a tenant is paying higher energy bills as a result of a property not meeting the required standard.

(5) Regulations under this section are subject to the affirmative procedure."

This new clause seeks to improve the energy efficiency of private rental properties for tenants and gives powers to local authorities to conduct assessments of the energy efficiency of private rental properties and increase financial penalties for breaches of energy efficiency standards.

New clause 19—*Decarbonisation of capacity market—*

"Within six months of the day on which this Act is passed the Secretary of State must introduce measures to reduce the carbon intensity of power supplied by the capacity market by prioritising—

(a) demand side management,

(b) the supply of renewable energy, and

(c) electricity storage and other non-carbon-based energy storage systems."

This new clause is a probing amendment to explore the potential of decarbonising the capacity market.

New clause 20—*Onshore wind and solar power—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a plan to significantly increase the proportion of the energy supply generated by onshore wind power in the United Kingdom.

(2) The plan under subsection (1) must set out measures which may include but are not limited to—

(a) revising national planning guidance on onshore wind and solar to increase the number of onshore wind and solar installations,

(b) improving infrastructure to ensure access to grid connections for existing onshore wind and solar installations, and

(c) increasing access to grants or subsidies to encourage new onshore wind and solar installations.

(3) The Secretary of State must report annually to Parliament to provide an update on the progress in increasing onshore wind and solar power."

This new clause would require the Secretary of State to prepare a plan to significantly increase the proportion of the UK energy supply generated by onshore wind and solar power.

New clause 21—*Value added tax on energy-saving materials—*

"In Schedule 8, Part II, Group 23, note 1 of the Value Added Tax Act 1994 (meaning of "energy-saving materials"), at the end insert—

"(1) batteries used solely for the purpose of storing electricity generated by solar panels.""

This new clause includes batteries used solely to store energy generated by solar panels in the list of energy saving materials subject to a zero VAT rate.

New clause 22—*Increasing grid capacity—*

"Within three months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a plan to—

(a) reduce access costs and time frames for grid connections,

(b) reform the energy network to permit local energy grids, and

(c) accelerate the development of an offshore wind energy grid in the North Sea."

This new clause seeks to require the Secretary of State to produce a plan to increase grid capacity.

New clause 23—*Impact of insulation in homes on energy bills—*

"The Secretary of State must, within six months of the day on which this Act is passed, prepare and lay before Parliament a report setting out—

(a) an assessment of the average cost of energy bills if homes were properly insulated, and

(b) the impact of improving all homes to the highest possible Energy Performance Contract rating on energy bills and greenhouse gas emissions."

This new clause requires the Secretary of State to carry out an assessment of the average cost of energy bills if homes were insulated (a) properly and (b) to the highest possible Energy Performance Contract rating.

New clause 24—*Government support for community energy—*

"(1) Within three months of the passage of this Act, the Secretary of State must publish and lay before Parliament a report setting out the financial, policy and other support that the Secretary of State plans to make available to widen the ownership of low carbon and renewable energy schemes and increase the number of such schemes owned, or part owned, by community organisations.

(2) The report must set out—

(a) all policies, programmes or other initiatives with which the Secretary of State plans to support the development and construction of new low carbon community energy schemes;

(b) the level of financial support which will be made available for—

(i) the Rural Community Energy Fund,

(ii) the Urban Renewable Energy Fund, and

(iii) any other fund or support package designed to support the development of new low carbon community energy schemes;

(c) all policies, programmes or other initiatives the Secretary of State intends will increase community ownership of local low carbon energy schemes through shared ownership schemes;

(d) the steps the Secretary of State is taking to develop new market rules to make it easier for low carbon community energy schemes to sell the energy they generate;

(e) the number and the capacity of the new community energy schemes the Secretary of State expects to be constructed as a result of the measures set out in the report.

(3) Not less than twelve months after the publication of the report, and not later than the end of each subsequent period of twelve months, ending five years after the publication of the report, the Secretary of State must lay before Parliament and publish an assessment of the progress made by the policies, programmes and other initiatives set out in the report.

(4) The assessment must set out—

(a) the total amount of financial support provided by the policies in the report;

(b) the number and capacity of low carbon community energy schemes —

(i) completed, and

(ii) in development;

(c) the number and capacity of new shared ownership schemes;

(d) any changes the Secretary of State proposes to make to the policies, programmes and other initiatives included in the original report."

This new clause would require the Government to report annually for 5 years on the support it is providing to Community Energy schemes and the number and capacity of such schemes that are delivered.

New clause 25—*Investment protection agreements and climate change targets—*

"Within six months of the day on which this Act is passed, the Secretary of State must—

(a) initiate procedures for the United Kingdom to withdraw from the Energy Charter Treaty;

(b) lay before Parliament a report setting out—

(i) the list of investment protection agreements to which the UK is a party which offer protections to the energy sector, and

(ii) an assessment of the risks they pose to the Secretary of State fulfilling duties in this Act with regard to the achievement of targets set by the Climate Change Act 2008."

New clause 26—*Prohibition on setting domestic energy prices according to region—*

"Within six months of the day on which this Act is passed, the Secretary of State must by regulations prohibit energy companies from setting prices for domestic energy supply according to geographical region."

This new clause would require the Government to bring forward legislation to end the regional pricing of domestic energy bills.

New clause 27—*Report on extending price cap for off grid fuels—*

"Within three months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament a report setting out the consequences of extending the price cap for off grid fuels."

This new clause would require the Secretary of State to publish a report on extending the price cap for off grid fuels.

New clause 28—*Prohibition on hydraulic fracturing—*

"(1) Associated hydraulic fracturing is prohibited.

(2) "Associated hydraulic fracturing" has the meaning given by section 4B of the Petroleum Act 1998.

(3) The Secretary of State may by regulations make consequential provision in connection with this section."

This new clause would introduce a permanent ban on fracking.

New clause 29—*Prohibition of new oil and gas field developments and issuing of exploration and production licences—*

"Within six months of the day on which this Act is passed, the Secretary of State must by regulations prohibit—

(a) the approval of new oil and gas field developments, and

(b) the release of new oil and gas exploration and production licences."

This new clause would prohibit the approval of new oil and gas field developments and the issuing of new oil and gas exploration and production licenses.

New clause 30—*Duty to phase down UK petroleum—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must make regulations to amend section 9A of the Petroleum Act 1998.

(2) Regulations under subsection (1) must—

(a) remove the "principal objective" of maximising the economic recovery of UK petroleum;

(b) define a new "principal objective".

(3) The new "principal objective" referred to in paragraph (2)(b) must provide for—

(a) delivery of a managed and orderly phase down of UK petroleum;

(b) advancement of the UK's climate change commitments, including—

(i) the target for 2050 set out in section 1 of the Climate Change Act 2008, and

(ii) the commitment given by the Government of the United Kingdom in the Glasgow Climate Pact to pursue policies to limit global warming to 1.5 degrees Celsius;

(c) facilitation of a just transition for oil and gas workers and communities.

(4) Before making regulations under subsection (1) the Secretary of State must hold a public consultation which must include consultation with—

(a) the devolved administrations,

(b) relevant trade union and worker representatives,

(c) oil and gas workers and communities,

(d) relevant representatives from academia,

(e) relevant climate and environmental organisations and representatives,

(f) relevant industry representatives of petroleum and renewable energy businesses supporting the transition away from fossil fuels, and

(g) offshore energy training bodies.

(5) Relevant climate and environmental organisations and representatives under subsection (4(e)) must include the Climate Change Committee."

This new clause would amend the Petroleum Act 1998 to remove the principal objective of maximising the economic recovery of UK petroleum and replace it with a new principal objective to deliver a managed and orderly phase down of UK petroleum, advance the UK's climate targets, and support a just transition for oil and gas workers.

New clause 31—*Requiring installation of solar panels on all new homes—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must by regulations require—

(a) the installation of solar panels on the roofs of all new homes; and

(b) that new housing developments are planned in order to maximise solar gain.

(2) Regulations under subsection (1) may provide for exemptions in cases where the installation of solar panels on the roof of a new home is not appropriate."

This new clause would mandate the installation of solar panels on the roofs of all new homes and require new housing developments to be planned in order to maximise solar gain.

New clause 32—*Capacity market—*

"(1) The Secretary of State must exercise the power in section 27 of the Energy Act 2013 to ensure that the capacity adequacy procured through the capacity market has a rising share of zero carbon flexible and dispatchable power that is consistent with achieving a zero carbon power system by 2035.

(2) The Secretary of State must ensure that all new multi-year capacity market contracts awarded to unabated fossil fuel capacity market units should have a contract end date no later than 31 December 2034.

(3) In exercising functions under this section, the Secretary of State must have regard to the desirability of maintaining security of supply.

(4) Draft regulations under subsection (1) must be laid before Parliament within six months of the day on which this Act is passed."

This new clause probes the potential of decarbonising the capacity market.

New clause 33—*Energy Demand Reduction Delivery Plan*—

"(1) The Secretary of State must, within 12 months of the day on which this Act is passed, prepare and publish an Energy Demand Reduction Delivery Plan.

(2) In preparing the Energy Demand Reduction Delivery Plan under subsection (1), the Secretary of State must consult the Climate Change Committee.

(3) The Energy Demand Reduction Delivery Plan under subsection (1) must include but is not limited to—

(a) a quantitative assessment on the role of energy demand reduction in meeting the United Kingdom's carbon budgets and the 2050 net zero target;

(b) energy demand reduction targets for—

(i) aviation

(ii) surface transport,

(iii) shipping,

(iv) manufacturing and construction,

(v) buildings, and

(vi) agriculture,

in line with the UK's carbon budgets and the 2050 net zero target; and

(4) an assessment of the role in achieving those targets of—

(a) energy efficiency improvements and technologies, and

(b) avoiding unnecessary energy use through infrastructure and behaviour change

(5) The Climate Change Committee must evaluate, monitor and report annually on the implementation of the Energy Demand Reduction Delivery Plan."

This new clause would introduce a requirement to produce an Energy Demand Reduction Delivery Plan quantifying sectoral energy demand reduction targets and assessing how these can be achieved, and to review progress towards achieving them.

New clause 34—*Production of sustainable aviation fuel*—

"(1) The Secretary of State may by regulations introduce a price stability mechanism to incentivise the production of sustainable aviation fuel in the United Kingdom.

(2) A draft of regulations made under subsection (1) must be laid before Parliament within twelve months of the passage of this Act.

(3) A Minister must make a motion in each House of Parliament to approve the regulations laid before Parliament under subsection (2) within fifteen sitting days of the date on which they were laid.

(4) If both Houses of Parliament approve the regulations, they must be made in the form in which they were laid before Parliament.

(5) If either House of Parliament does not approve the regulations, the Secretary of State must lay a revised draft of the regulations before Parliament, and subsections (3) to (5) of this section apply to those regulations as they do to regulations laid under subsection (2).

(6) For the purposes of this section—

"price stability mechanism" is a mechanism under which a producer may enter into a private law contract with a Government-backed counterparty for the purposes of receiving a guaranteed price for a product or service;

"sitting day" is—

(a) in the case of the House of Commons, a day on which the House of Commons sits;

(b) in the case of the House of Lords, a day on which the House of Lords sits."

New clause 35—*Energy decarbonisation for homes: local authority funding*—

"(1) The Secretary of State must, within six months of the date on which this Act is passed, carry out and publish an assessment of the benefits of providing long-term predictable funding to local authorities for the purpose of energy decarbonisation for homes in their local authority area.

(2) The assessment under subsection (1) must include an assessment of the likely impact of decarbonisation funding on—

(a) energy demand,

(b) fuel poverty, and

(c) installations of low-carbon heating systems."

New clause 36—*Introduction of a National Energy Guarantee*—

"(1) Within six months of the date on which this Act is passed, the Secretary of State must prepare and lay before Parliament a plan to replace the existing energy price guarantee with a National Energy Guarantee in the form of a rising block tariff including a free or low-cost energy allowance to cover essential needs.

(2) When preparing the plan under subsection (1) the Secretary of State must consult independent bodies working on fuel poverty before determining the pricing of the allowance and the threshold above which the higher tariff should apply.

(3) Once the plan under subsection (1) has been laid before Parliament, the Secretary of State may by notice in writing require the regulator to introduce a rising block tariff, provided it satisfies the following conditions—

(a) that an allocation of energy set at no less than 50% of a defined minimum essential level is provided free of charge to all households;

(b) that the tariff incentivises energy-saving measures, particularly among higher income households;

(c) that households not connected to a mains gas supply will be given an increased electricity allowance, such that they are not disadvantaged;

(d) that the tariff is accompanied by additional allowances for disabled people and others who require high levels of energy usage to fulfil their essential needs; and

(e) that the tariff does not undermine the ability of energy suppliers to offer innovative tariffs through higher energy bands."

This new clause would introduce a National Energy Guarantee in the form of a rising block tariff: an allowance for low-cost energy to cover essential needs, with a premium tariff to incentivise energy saving measures in households with high energy use, and additional allowances for those with unavoidably high energy needs.

New clause 37—*Industrial lithium-ion battery storage facilities*—

"(1) Within 12 months of the date on which this Act is passed, the Secretary of State must make regulations about the building of industrial lithium-ion battery storage facilities.

(2) Regulations under subsection (1) must include—

(a) a requirement for a relevant environmental permit to be issued by the Environment Agency, and

(b) a requirement for the relevant fire authority to be a statutory consultee in all planning applications for such facilities."

This new clause would require the Secretary of State to make regulations for the building of industrial lithium-ion storage facilities which must include requiring an Environmental Permit from the Environment Agency and for the Fire Authority to be a statutory consultee in planning applications.

New clause 39—*Duties of the Gas and Electricity Markets Authority in respect of off-grid fuels*—

"(1) Within three months of the passage of this Act, the Secretary of State must by regulation extend the duties of the Gas and Electricity Markets Authority to the distribution and supply of fuels utilised for off-grid home heating.

(2) Regulations under subsection (1) must provide for GEMA to apply a cap on the price of fuel supplied for off-grid home heating proportionate to the cap applied in respect of on-grid homes."

This new clause seeks to extend the duty of Ofgem to regulate off-grid fuels utilised for off-grid home heating and to ensure that a cap is applied for off-grid home fuels that is proportionate to the cap applied for on-grid homes.

New clause 40—*Renewable liquid fuels for low-carbon heating*—

"Within six months of the passage of this Act, the Secretary of State must by regulation introduce a Renewable Liquid Heating Fuel Obligation, setting annual obligations on fuel suppliers to ensure the supply of recognised low-carbon renewable liquid fuels for domestic and commercial heating."

This new clause would require the Government to introduce a Renewable Liquid Heating Fuel Obligation for home and commercial building heating purposes, which would create a scheme that mirrors the Renewable Transport Fuel Obligations Order 2007. This would offer the option to off-gas-grid properties to switch to renewable liquid fuels.

New clause 41—*Duty to ensure the lowest possible cost of energy to businesses and households*—

"In exercising any function under or in connection with this Act, it is the duty of the Secretary of State to ensure the lowest possible cost of energy to businesses and households."

This new clause is designed to be placed as Clause 1 of the Bill and would give the Secretary of State the duty to exercise functions under the Act which will result from the Bill in a way which would ensure the lowest possible costs of energy to businesses and households.

New clause 42—*Restriction on energy company obligations*—

"(1) In section 33BC of the Gas Act 1986 (promotion of reductions in carbon emissions: gas transporters and gas suppliers), after subsection (1) insert—

"(1ZA)) An order under subsection (1) may not impose an obligation on a gas transporter or gas supplier with fewer than 1,000 employees."

(2) In section 33BD of the Gas Act 1986 (promotion of reductions in home-heating costs: gas transporters and gas suppliers), after subsection (1) insert—

"(1A)) An order under subsection (1) may not impose an obligation on a gas transporter or gas supplier with fewer than 1,000 employees."

(3) In section 41A of the Electricity Act 1989 (promotion of reductions in carbon emissions: electricity distributors and electricity suppliers), after subsection (1) insert—

"(1ZA)) An order under subsection (1) may not impose an obligation on an electricity distributor or electricity supplier with fewer than 1,000 employees."

(4) In section 41B of the Electricity Act 1989 (promotion of reductions in home-heating costs: electricity distributors and electricity suppliers), after subsection (1) insert—

"(1A)) An order under subsection (1) may not impose an obligation on an electricity distributor or electricity supplier with fewer than 1,000 employees.""

This new clause would restrict the Energy Company Obligation, which places an obligation on energy suppliers to install energy efficiency and heating measures, to large companies (those with over 1000 employees).

New clause 43—*Planning applications for onshore wind energy developments*—

"(1) Within three months of the date on which the Act is passed, the Secretary of State must—

(a) remove from the National Planning Policy Framework the restrictions placed by footnote 54 on the circumstances in which proposed wind energy developments involving one or more turbines should be considered acceptable, and

(b) publish guidance for wind developers on how they can engage communities, demonstrate local consent to local planning authorities, and provide financial benefits to local residents.

(2) Section 78 of the Town and Country Planning Act 1990 is amended by the insertion, after subsection (3), of the following new subsection—

"(3A) An appeal under this section may not be brought or continued against the refusal of an application for planning permission if the development is for the purposes of installing new onshore wind sites not previously used for generating wind energy.""

This new clause aims to remove the current planning restriction that a single objection to an onshore wind development is sufficient to block the development, to ensure that local communities willing to take onshore wind developments will receive some community benefit, and to provide that local decisions made on onshore wind cannot be overturned on appeal.

New clause 44—*Independent review of the generation of bioenergy with carbon capture and storage*—

"(1) The Secretary of State must commission an independent review of the generation of bioenergy with carbon capture and storage (BECCS).

(2) The review must report on the potential impact of BECCS on—

(a) household energy bills,

(b) lifecycle carbon emissions in the generation of energy,

(c) biodiversity,

(d) land use, and

(e) any other matter the Secretary of State considers appropriate.

(3) The Secretary of State must lay before Parliament—

(a) the report of the review, and

(b) the Government's response to the review.

(4) No subsidy may be given for BECCS until the report of the review and the Government's response have been laid before Parliament in accordance with subsection (3).

(5) Subsection (4) does not apply if an agreement for the giving of subsidy was concluded before the passage of this Act.

(6) For the purposes of this section—

"bioenergy" means energy from biomass;

"biomass" has the meaning given by paragraph 3 of the Renewables Obligation Order 2015 (SI 2015/1947);

"subsidy" has the meaning given by section 2 of the Subsidy Control Act 2022."

This new clause would prohibit new government subsidies for generating bioenergy with carbon capture and storage (BECCS) until the Secretary of State commissions and publishes an independent review of BECCS to establish its impact on household energy bills, lifecycle carbon emissions, biodiversity and land use, and the Government's response.

New clause 45—*Modelling of the UK's energy needs*—

"(1) The Secretary of State must commission—

(a) a report on the most energy efficient, most economic and least carbon-intensive means to fulfil the UK's current energy needs, and

(b) a report on comprehensive future energy modelling for the UK on the most energy efficient, most economic and least carbon-intensive means to meet the UK's future energy needs.

(2) The Secretary of State must lay before Parliament the reports required under subsection (1) within six months of the day on which this section comes into force."

This new clause would require the Secretary of State to commission and publish reports on the most energy efficient, most economic and least carbon-intensive means of satisfying the UK's energy needs.

New clause 46—*Review of Contract for Difference strike prices—*

"(1) Within three months of the passage of this Act, the Secretary of State must undertake a review of Contract for Difference strike prices, and make a report to Parliament on the review.

(2) The review must—

(a) include an assessment of the viability of existing projects that have already been allocated,

(b) include an assessment of the UK-based supply chain for each project awarded Contracts for Difference, and

(c) re-evaluate the parameters for—

(i) the allocation for round five of Contracts for Difference funding, and

(ii) future allocation rounds."

This new clause requires the Secretary of State to assess the viability of projects that have been awarded Contracts for Difference, and to undertake a review of the existing parameters for Contracts for Difference allocation.

New clause 47—*Nationally significant infrastructure projects and forced labour—*

"(1) Within six months of the day on which this Act is passed, the Secretary of State must by regulations provide that existing and new applicants for nationally significant infrastructure projects (within the meaning given by sections 14 and 15 of the Planning Act 2008) of over 50mw must demonstrate that their goods were not manufactured in, or produced with materials using forced labour.

(2) Regulations under subsection (1) must require all existing and new NSIP energy applicants to submit a report to the Planning Inspectorate to demonstrate clear and convincing evidence that the goods, or materials in the goods, were not mined, produced, or manufactured wholly or in part by forced labour.

(3) Within six months of the day on which this Act is passed the Foreign, Commonwealth and Development Office must create and publish a guide on interpreting reports for the Planning Inspectorate to consult when determining whether goods, or materials in the goods, were mined, produced, or manufactured wholly or in part by forced labour.

(4) Regulations under subsection (1) must provide that any nationally significant infrastructure project of over 50mw unable to demonstrate beyond reasonable doubt that its goods, or materials in the goods, were not mined, produced, or manufactured wholly or in part by forced labour must be recommended for rejection by the Planning Inspectorate upon the submission of the Inspection to the Secretary of State for Energy Security and Net Zero.

(5) Regulations under subsection (1) must provide for any company found to be circumnavigating the requirements of the regulations through third parties, subcontractors or third countries to be permanently barred from operating in the United Kingdom."

This new clause will require the developers of new NSIP energy projects to demonstrate that their projects do not use, benefit from, or contribute to the forced labour.

New clause 48—*Development of solar energy plants on agricultural land—*

"(1) The Secretary of State must by regulations prevent the development of solar energy projects on sites of over 500 acres where over 20% of the land is Best and Most Versatile agricultural land.

(2) For the purposes of this section "Best and Most Versatile agricultural land" means land classed as grade 1, grade 2 or subgrade 3a under the agricultural land classification published by Natural England.

(3) Regulations under subsection (1) must—

(a) include provision for the prevention of the development of solar energy projects for which permission has already been sought, but not granted, and

(b) apply both to applications determined by local planning authorities and to those determined by the Planning Inspectorate.

(4) Regulations under subsection (1) may amend primary legislation.

(5) Within six months of the day on which this Act is passed, the Secretary of State must publish plans and incentives for the development of solar energy on rooftops, commercial and residential sites, and brownfield sites composed of ungraded land."

This new clause would end the development of large-scale solar plants on BMV land and require the Secretary of State to publish plans to incentivise the building of solar on rooftops and brownfield sites.

New clause 49—*Electricity Storage Capacity—*

"(1) Within six months of the day on which this Act is passed the Secretary of State must lay before Parliament a strategy for an increase in the provision of electricity storage facilities to enhance the resilience and flexibility of electricity supply and ensure fair pricing for electricity users.

(2) The strategy referred to in subsection (1) must cover all forms of electricity storage, including—

(a) battery,

(b) hydrogen,

(c) ammonia,

(d) adiabatic compressed air energy storage systems, and

(e) hydroelectric storage.

(3) The strategy referred to in subsection (1) must address considerations relating to—

(a) licensing,

(b) planning,

(c) regulation,

(d) subsidy, and

(e) taxation.

(4) The strategy referred to in subsection (1) must set out—

(a) proposed pricing mechanisms for stored electricity, and

(b) provisions ensuring consumers pay a fair price for electricity."

This new clause seeks to ensure the UK Government sets out a report to Parliament that demonstrates how it plans to meet the increased storage capacity that will be required with a future electricity network that is heavily reliant on renewable sources.

New clause 50—*Renewable Liquid Heating Fuel Obligation—*

"(1) Within twelve months of the date of Royal Assent to this Act, the Secretary of State must carry out a consultation on a renewable liquid heating fuel obligation.

(2) For the purposes of subsection (1) a renewable liquid heating fuel obligation means requiring fuel suppliers to meet annual targets to ensure the supply of recognised low-carbon renewable liquid fuels for domestic and commercial heating.

(3) For the purposes of the consultation under subsection (1) the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(4) Within three months of the conclusion of the consultation under subsection (1) the Secretary of State must lay before Parliament a report of the consultation.

(5) Following publication of the report under subsection (4) the Secretary of State may by regulations set out a scheme requiring fuel suppliers to meet annual targets to ensure the supply of recognised low-carbon renewable liquid fuels for domestic and commercial heating.

(6) Regulations under subsection (5) may provide for—

(a) a scheme for the imposition of low-carbon renewable liquid fuel obligations on fuel suppliers;

(b) the appointment of an Administrator to run the scheme;

(c) matters in relation to the functions of the Administrator;

(d) the method by which amounts of low-carbon renewable liquid fuel are to be counted or determined for the purposes of provision made by or under the regulations;

(e) the Administrator to issue certificates to suppliers setting out the amounts of low-carbon renewable liquid fuel supplied, the time period in which they were supplied and other relevant facts;

(f) a supplier which does not wholly discharge its low-carbon renewable liquid fuel obligation for a given period to pay the Administrator a specified sum within a specified period, and further provision for connected purposes;

(g) the imposition of civil penalties, and objections to and appeals against civil penalties;

(h) the disclosure of relevant information by relevant persons; and

(i) such other provision as the Secretary of State considers appropriate."

This new clause would require the Secretary of State to consult on a scheme for renewable liquid heating fuel obligations for home and commercial building heating purposes, and to publish a report on the consultation. The new clause would further allow the Secretary of State make regulations to set up a scheme for renewable liquid heating fuel obligations for home and commercial building heating purposes.

New clause 51—*Tidal Range power*—

(1) Within three months of the day on which this Act is passed, the Secretary of State must establish a Tidal Range Assessment Grant for the purposes of funding an independent evidence-led review of the potential contribution to be made by tidal range energy generation to the future energy generating capacity of the United Kingdom.

(2) The review under subsection (1) must include—

(a) pre-feasibility assessments of proposed tidal range projects and their potential both individually and together to contribute to the future energy generating capacity of the United Kingdom;

(b) whole life-cycle analysis and financial modelling to identify the optimum framework for the financing of tidal range projects as ultra-long lifecycle infrastructure assets, including an assessment of the potential merits of a Regulated Asset Base funding model for tidal range projects;

(c) a whole energy market analysis to establish and quantify the potential contribution of tidal range power to the decarbonisation of the United Kingdom's energy system with particular reference to the value of predictable, flexible energy generation near centres of increasing demand and the potential of operational tidal range projects to bypass major grid barrier issues and enable a stable, operable, and secure decarbonised energy grid;

(d) an assessment of the current and planned innovations in sectors related to the development of operational tidal range projects, including in the broader supply chain, digital twins, power handling and distribution, and energy storage, and how these can be used to drive a reduction in cost and maximise the contribution of materials and components produced in the United Kingdom to tidal range projects;

(e) environmental baseline research and monitoring programmes of the proposed locations of selected tidal range projects for the purposes of establishing an enhanced understanding of the possible impacts on biodiversity and local ecosystems of operational tidal range projects; and

(f) whole-system analysis to evaluate other potential benefits of operational tidal range projects, such as coastal and flooding protection, the stimulation of related industries, and contributions to local economies."

New clause 53—*Community and Smaller-scale Electricity Supplier Services Scheme*—

"(1) Within six months of the passage of this Act, the Secretary of State must by regulations require licensed energy suppliers with more than 150,000 customers ("eligible licensed suppliers") to offer a Community and Smaller-scale Electricity Supplier Service agreement to any Community or Smaller-scale Energy site registered under section [Community and Smaller-scale Electricity Export Guarantee Scheme (No. 2)] for the purposes of allowing that site to sell electricity to local consumers.

(2) A Community and Smaller-scale Electricity Supplier Service agreement is an agreement which requires licensed suppliers to make a community or smaller-scale energy tariff available to consumers local to the exporting site that has regard to the export price paid or that would be paid to that site under section [Community and Smaller-scale Electricity Export Guarantee Scheme (No. 2)].

(3) The eligible licensed supplier may limit the total number of consumers the community or smaller-scale energy tariff is available to such that the total annual energy under the tariff is broadly equivalent to the total annual energy generated by the site.

(4) The eligible licensed supplier is the registrant for the meters of any local consumer purchasing energy under the community or smaller-scale energy tariff.

(5) The eligible licensed supplier may charge a reasonable fee for the provision of services under this section provided that it has regard to distribution, licensing and regulatory costs and any guidance provided by GEMA.

(6) The eligible licensed supplier must return any money raised through the sale of energy under a tariff set up under this section to the Community or Smaller-scale Energy site, save for the fee allowed under subsection (5).

(7) Eligible licensed suppliers must report annually to GEMA on—

(a) the number and capacity of community energy groups or smaller-scale sites offered Community and Smaller-scale Electricity Supplier Service agreements and the number who have contracted to use them,

(b) the total amount of electricity purchased under these agreements, and

(c) the tariffs for each agreement.

(8) GEMA must—

(a) produce guidance on the level of community or smaller-scale energy tariffs and on the reasonable charges that eligible suppliers may charge for Community and Smaller-scale Electricity Supplier Service agreements,

(b) make and publish a report annually on the operation of the export purchase agreements, setting out—

(i) the number of community energy projects or smaller-scale sites contracted with licensed energy suppliers under this section and the total amount of electricity purchased,

(ii) the licensed suppliers contracting with community energy groups or smaller-scale sites and the amount of electricity each has purchased,

(iii) an assessment of how the mechanism is performing and the contribution it is making to delivering secure and low carbon electricity supplies, and

(iv) recommendations for how Community and Smaller-scale Electricity Supplier Service agreements could be improved.

(9) Regulations under this section are subject to the affirmative procedure."

New clause 56—*Delinking of renewable and gas prices in the retail market—*

"(1) Within six months of the passage of this Act the Secretary of State must publish a plan to ensure the delinking of gas and renewable and low carbon energy prices as they appear in the retail market.

(2) The plan may take into account—

(a) the establishment of a "green pool" for the direct sale of renewable and low carbon power into the retail market;

(b) the incorporation of low carbon and renewable power plants not possessing a Contract for Difference into Contract for Difference arrangements suitable for inclusion in a green power pool after it is established."

This new clause requires the Secretary of State to produce a plan to end the linkage between renewable and low carbon energy and gas prices at retail level which results in most renewable power being priced in the retail market as if it were gas.

New clause 57—*Onshore wind—*

"(1) The Secretary of State must by regulations ensure that onshore wind installations are treated for the purpose of planning and development as local infrastructure and will be permitted or otherwise as if they were.

(2) Regulations under subsection (1) may amend any primary legislation passed before the passage of this Act."

This new clause ensures that onshore wind development proposals in England and Wales are permitted to proceed on the same basis as other local infrastructure projects.

New clause 58—*Community and Smaller-scale Electricity Export Guarantee Scheme (No. 2)—*

"(1) Within six months of the passage of this Act, the Secretary of State must by regulations require licensed energy suppliers with more than 150,000 customers ("eligible licensed suppliers") to purchase electricity exports from sites, including those operated by community groups, which generate low carbon electricity with a capacity below 5MW.

(2) The requirement imposed by regulations under subsection (1) is to be known as the Community and Smaller-scale Electricity Export Guarantee Scheme.

(3) Fossil fuelled local power plants with a capacity of less than 5MW are not eligible for participation in the Community and Smaller-scale Electricity Export Guarantee Scheme, with the exception of a local combined heat and power plant that generates electricity ancillary to its purpose of providing heat for local heat networks.

(4) "Fossil fuel" has the meaning given in section 104(4).

(5) Licensed energy suppliers with fewer than 150,000 customers may also purchase electricity exports from the sites specified in subsection (1) provided that they do so on the terms set out by the regulations.

(6) The regulations must require that eligible licensed suppliers—

(a) offer to the sites specified in subsection (1) a minimum export price set annually by the Gas and Electricity Markets Authority ("GEMA"),

(b) offer to those sites a minimum contract period of five years, and

(c) allow the exporting site to end the contract after no more than one year.

(7) Within six months of the passage of this Act, GEMA must—

(a) set an annual minimum export price for those sites that has regard to current wholesale energy prices and inflation in energy prices and the wider economy,

(b) introduce a registration system for exporting sites meeting the requirements set out in subsection (1) and wanting to access these export purchases,

(c) define specifications for the smart export meters required by such sites,

(d) define "low carbon electricity" in such a way that it includes renewable generation technology and may include other technology with extremely low carbon dioxide emissions,

(e) define requirements for an exporting site generating low carbon electricity with a capacity of less than 5MW to be registered as a Community or Smaller-scale Energy site, and maintain a register of such sites.

(8) Regulations under subsection (1) must provide that to access export purchase agreements exporters must—

(a) register their site with GEMA,

(b) install a smart export meter that meets specifications defined by GEMA, and

(c) notify GEMA if they are a community group.

(9) All licensed suppliers providing purchase agreements for sites specified in subsection (1) must report annually to GEMA—

(a) the number and capacity of Community or Smaller-scale Energy sites that have been offered contracts to purchase electricity and the number of such sites which agreed those contracts,

(b) the total amount of electricity purchased under those agreements, and

(c) the price paid for that electricity.

(10) OFGEM must make and publish a report annually on the operation of the export purchase agreements, setting out—

(a) the number of Community or Smaller scale Energy sites contracted with licensed energy suppliers under this section and the total amount of electricity purchased,

(b) the licensed suppliers contracting with Community or Smaller-scale Energy sites and the amount of electricity each has purchased,

(c) an assessment of how the mechanism is performing and the contribution it is making to delivering secure and low carbon electricity supplies, and

(d) recommendations on how the mechanism could be improved.

(11) Regulations under this section are subject to the affirmative procedure."

New clause 59—*Decarbonised electricity supply by 2030—*

"(1) It is the duty of the Secretary of State to ensure that the supply of electricity in the UK is decarbonised by 2030.

(2) The Secretary of State must, within six months of the passage of this Act, produce and publish a plan which will set out how the duty in subsection (1) is to be achieved."

This new clause is intended to provide for the UK's electricity supply to be decarbonised by 2030.

New clause 60—*Planning consent for new electricity pylons*—

"(1) Within six months of the passage of this Act, the Secretary of State must by regulations provide for a fast-track planning process for electricity pylons along motorways and rail lines.

(2) Regulations under this section may amend primary legislation."

New clause 61—*National Warmer Homes and Businesses Action Plan (No. 2)*—

"(1) The Secretary of State must, before the end of the period of 6 months beginning with the day on which this Act is passed, publish an action plan entitled the Warmer Homes and Businesses Action Plan, to set out proposals for delivery of—

(a) an Energy Performance Certificate at band C by 2035 in all UK homes where practical, cost effective and affordable, and

(b) an Energy Performance Certificate at band B by 2030 in all privately rented non-domestic properties, and

(c) the Future Homes Standard for all new builds in England by 2025.

(2) The Secretary of State must, in developing the Warmer Homes and Businesses Action Plan, consult the Climate Change Committee and its sub-committee on adaptation."

New clause 62—*Energy performance regulations relating to existing premises (No. 2)*—

"(1) Within six months of the day on which this Act is passed, the Secretary of State must make regulations—

(a) amending the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (S.I. 2015/962) to require that, subject to subsection (2), all tenancies have an Energy Performance Certificate (EPC) of at least Band C by 31 December 2028; and

(b) amending the Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019 (S.I. 2019/595) to raise the cost cap to £10,000.

(2) Regulations under subsection (1) must provide for exemptions to apply where—

(a) the occupier of any premises whose permission is needed to carry out works refuses to give such permission;

(b) it is not technically feasible to improve the energy performance of the premises to the level of EPC Band C; or

(c) another exemption specified in the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 has been registered in the Private Rented Sector (PRS) Exemptions Register.

(3) Within six months of the passage of this Act the Secretary of State must make regulations—

(a) amending the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 to enable local authorities to give notice to landlords that they wish to inspect a property in relation to those Regulations, requesting permissions from landlords and any tenants in situ at the time to carry out an inspection at an agreed time;

(b) expanding the scope of the current PRS Exemptions Register and redesigning it as a database covering properties' compliance with or exemptions from EPCs;

(c) requiring a post-improvement EPC to be undertaken to demonstrate compliance;

(d) requiring a valid EPC to be in place at all times while a property is let; and

(e) raising the maximum total of financial penalties to be imposed by a local authority on a landlord of a domestic private rented sector property in relation to the same breach and for the same property to £30,000 per property and per breach of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

(4) Regulations under this section are subject to the affirmative procedure."

New clause 67—*Local supply rights*—

"(1) Within six months of the day on which this Act is passed, the Secretary of State must publish a report on and consult on the introduction of local supply rights for community energy schemes, which would enable these schemes to sell their power to local customers.

(2) The report must set out—

(a) the potential benefits of community energy,

(b) the estimated additional costs to consumer bills that would be incurred in order for community energy schemes to account for 10% of energy generation by 2033, and

(c) an estimate of typical cost/benefit ratios for local communities and consumers."

This new clause seeks to require the Government to publish a consultation on the introduction of local supply rights for community energy schemes within 6 months of the Act being passed.

New clause 68—*Reports on the functioning of the energy price support framework*—

"Within six months of the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament reports assessing—

(a) the potential benefits of a social tariff would have on levels of fuel poverty across the UK,

(b) the adequacy of the current system for individuals who have higher energy needs due to a medical condition, and

(c) the potential benefits of a strategy that rewards households who use less energy by guaranteeing them a lower price through a tiered electricity plan."

This new clause will require the Secretary of State to report on the functioning of the current framework as it relates to certain groups.

Government amendment 180.

Amendment 3, in clause 2, page 3, line 30, at end insert

"issued by the economic regulator or other competent authority".

This amendment allows persons with a CO2 storage licence from the North Sea Transition Authority to operate a geological storage site for CO2 disposal, as per current legislation in the Energy Act 2010.

Amendment 4, page 3, line 34, leave out "a service" and insert

"a monopoly service to multiple users".

This amendment would exclude from the requirement to have an economic licence, all forms of transportation where competitive markets are more likely to develop than monopolies e.g. shipping, rail or road. It would also enable investment in private spur connections to the regulated CO2 network.

Government amendments 131, 198, 181, 132, 199 to 209, 144 to 147, 139 and 140.

Amendment 175, in clause 65, page 58, line 13, leave out

"in the opinion of the Secretary of State".

This amendment would remove the role of the Secretary of State in determining who qualifies as a "low carbon hydrogen producer."

Government amendments 141 and 142.

Amendment 9, page 60, line 22, leave out clause 69.

This amendment, together with Amendments 10 to 12, would leave out the clauses of the Bill which provide for a hydrogen levy.

Amendment 10, page 61, line 1, leave out clause 70.

See explanatory statement to Amendment 9.

Amendment 170, in clause 70, page 61, line 2, leave out

"relevant market participants (see subsection (8))" and insert "the Secretary of State".

This amendment, together with Amendments 171 to174, is intended to provide that the Secretary of State, rather than relevant market participants, should fund the hydrogen levy administrator.

Amendment 171, page 61, line 19, leave out "relevant market participants" and insert "the Secretary of State".

See explanatory statement to Amendment 170.

Amendment 172, page 61, line 34, leave out "relevant market participants" and insert "the Secretary of State".

See explanatory statement to Amendment 170.

Amendment 173, page 61, line 37, leave out subsection (5).

See explanatory statement to Amendment 170.

Government amendment 148.

Amendment 174, page 62, line 9, leave out subsection (9).

See explanatory statement to Amendment 170.

Amendment 11, page 62, line 12, leave out clause 71.

See explanatory statement to Amendment 9.

Amendment 12, page 63, line 11, leave out clause 72.

See explanatory statement to Amendment 9.

Amendment 13, in clause 73, page 64, line 22, leave out paragraph (a).

This amendment is consequential on Amendments 9 to 12.

Amendment 14, page 64, line 26, leave out "each paragraph of".

This amendment is consequential on Amendments 9 to 12.

Amendment 15, page 64, line 27, leave out "under that paragraph".

This amendment is consequential on Amendments 9 to 12.

Government amendment 121.

Amendment 16, page 65, line 6, leave out paragraph (a).

This amendment is consequential on Amendments 9 to 12.

Amendment 17, page 65, line 10, leave out

"a hydrogen production revenue support contract or".

This amendment is consequential on Amendments 9 to 12.

Amendment 18, page 65, line 15, leave out

"a hydrogen production allocation body or".

This amendment is consequential on Amendments 9 to 12.

Amendment 19, in clause 74, page 65, line 22, leave out paragraph (a).

This amendment is consequential on Amendments 9 to 12.

Amendment 20, page 65, line 31, leave out

"hydrogen production revenue support contract or".

This amendment is consequential on Amendments 9 to 12.

Amendment 21, in clause 75, page 65, line 35, leave out subsection (1).

This amendment is consequential on Amendments 9 to 12.

Amendment 6, page 66, line 2, after "that" insert "eligible".

This amendment clarifies that the low carbon hydrogen producer must be eligible to receive support, which other amendments ensure means that they are compliant with the Low Carbon Hydrogen Standard.

Amendment 22, page 66, line 10, leave out "(1) or".

This amendment is consequential on Amendments 9 to 12.

Amendment 23, in clause 76, page 66, line 23, leave out paragraph (a).

This amendment is consequential on Amendments 9 to 12.

Amendment 24, page 66, line 30, leave out

"hydrogen production revenue support contracts or".

This amendment is consequential on Amendments 9 to 12.

Amendment 25, page 66, line 33, leave out

"hydrogen production revenue support contracts or".

This amendment is consequential on Amendments 9 to 12.

Amendment 26, page 67, line 10, leave out

"hydrogen production revenue support contracts or".

This amendment is consequential on Amendments 9 to 12.

Amendment 27, page 67, line 15, leave out "for producing hydrogen or".

This amendment is consequential on Amendments 9 to 12.

Amendment 28, page 67, line 17, leave out

"(whether in respect of hydrogen production or capture of carbon dioxide)".

This amendment is consequential on Amendments 9 to 12.

Government amendment 143.

Amendment 29, in clause 77, page 67, line 40, leave out subsection (1).

This amendment is consequential on Amendments 9 to 12.

Amendment 30, page 68, line 19, leave out "hydrogen production counterparty or".

This amendment is consequential on Amendments 9 to 12.

Amendment 31, page 68, line 24, leave out paragraph (c) and insert—

"(c) how the eligible carbon capture entity to whom the offer is made may enter into a carbon capture revenue support contract as a result of the offer;".

This amendment is consequential on Amendments 9 to 12.

Amendment 32, page 68, line 28, leave out

"eligible low carbon hydrogen producer or".

This amendment is consequential on Amendments 9 to 12.

Amendment 33, in clause 78, page 68, line 36, leave out

"an eligible low carbon hydrogen producer, or".

This amendment is consequential on Amendments 9 to 12.

Amendment 34, page 68, line 39, leave out

"hydrogen production counterparty or (as the case requires)".

This amendment is consequential on Amendments 9 to 12.

Amendment 35, page 69, line 1, leave out "hydrogen production counterparty or".

This amendment is consequential on Amendments 9 to 12.

Amendment 36, page 69, line 16, leave out "hydrogen production counterparty or".

This amendment is consequential on Amendments 9 to 12.

Amendment 37, page 69, line 35, leave out clause 80.

This amendment is consequential on Amendments 9 to 12.

Amendment 38, in clause 81, page 70, line 33, leave out

"hydrogen transport counterparty, hydrogen storage counterparty, hydrogen production counterparty".

This amendment is consequential on Amendments 9 to 12.

Amendment 39, in clause 82, page 71, line 1, leave out paragraph (a).

This amendment is consequential on Amendments 9 to 12.

Amendment 40, in clause 83, page 71, line 32, leave out sub-paragraph (i).

This amendment is consequential on Amendments 9 to 12.

Amendment 41, page 71, line 40, leave out paragraph (e).

This amendment is consequential on Amendments 9 to 12.

Government amendment 149.

Amendment 42, page 72, line 9, leave out

"hydrogen production revenue support contract or".

This amendment is consequential on Amendments 9 to 12.

Government amendments 150 to 152.

Amendment 43, in clause 84, page 73, line 7, leave out subsections (3) and (4).

This amendment is consequential on Amendments 9 to 12.

Government amendments 210 to 213.

Amendment 44, in clause 86, page 74, line 9, leave out paragraphs (b) and (c).

This amendment is consequential on Amendments 9 to 12.

Amendment 45, page 74, line 22, leave out paragraphs (b) and (c).

This amendment is consequential on Amendments 9 to 12.

Amendment 46, age 74, line 28, leave out "a hydrogen levy administrator".

This amendment is consequential on Amendments 9 to 12.

Amendment 47, in clause 88, page 77, line 2, leave out paragraph (b).

This amendment is consequential on Amendments 9 to 12.

Government amendments 153 to 162.

Amendment 48, page 78, line 37, leave out clause 90.

This amendment is consequential on Amendments 9 to 12.

Government amendment 163.

Amendment 49, in clause 91, page 79, line 36, leave out paragraph (b).

This amendment is consequential on Amendments 9 to 12.

Government amendments 164, 70, 165, 122 to 124 and 214 to 216.

Amendment 7, in clause 128, page 115, line 6, after "transportation" insert

"by pipeline, ship or other means,".

Carbon dioxide transport by ship is almost certain to be a part of the Scottish Cluster and subsequent phases of other CCUS clusters and this amendment makes explicit that transportation by ship or other means would be included in the financial assistance available under clause 103.

Government amendments 125 to 129, 71, 72, 133 and 134.

Amendment 8, in clause 142, page 127, line 2, leave out from "heat" to the end of line 18 and insert "from a renewable source."

This amendment would enable the Secretary of State to make provision for the establishment of a low-carbon heat scheme which encouraged the use of heating appliances that generate heat from a renewable source but which might previously have burnt a fossil fuel.

Government amendments 217 and 218.

Amendment 50, in clause 152, page 133, line 30, at end insert

", except that that power is not exercisable without a warrant issued by a justice of the peace."

This amendment would require a warrant for the exercise of the power to enter premises in a hydrogen grid conversion trial.

Amendment 130, page 136, line 3, leave out clause 155.

This amendment would remove clause 155 and therefore ensure that fusion energy facilities are still required to secure a nuclear site licence.

Amendment 1, in clause 159, page 137, line 31, at end insert—

"(1A) The person designated under subsection (1) must be a public body with no other roles or interests in the energy sector."

This amendment ensures that the ISOP is a public body, not an individual or a private company, and has no conflicting interests.

Amendment 51, in clause 160, page 138, line 9, at beginning insert—

"(A1) The ISOP must carry out its functions in the way that it considers is best calculated to ensure the lowest possible cost of energy to businesses and households."

This amendment, together with Amendment 52, would introduce a new primary objective for the Independent System Operator and Planner (ISOP), to which the existing objectives for the ISOP in the Bill would become secondary.

Amendment 52, page 138, line 9, at beginning insert "Subject to subsection (A1),".

See explanatory statement to Amendment 51.

Government amendments 73 to 76.

Amendment 2, in clause 162, page 140, line 5, leave out subsection (1) and insert—

"(1) The ISOP must have regard to the strategic priorities set out in the current strategy and policy statement but will otherwise carry out its functions independently of the Secretary of the State."

This amendment ensures that the Independent System Operator and Planner (ISOP) is independent.

Government amendments 166 and 77 to 79.

Amendment 53, page 178, line 25, leave out clause 212.

This amendment would remove the clause granting the Secretary of State an extension of time for the extension of powers relating to smart meters.

Government amendments 103 and 219 to 224.

Amendment 54, in clause 227, page 188, line 31, leave out paragraph (c).

This amendment would ensure that it was not possible to impose a penalty on a person for not complying with a request for information relating to a heat network zone.

Amendment 55, in clause 228, page 189, line 9, leave out subsections (2) to (10) and insert—

"(2) Regulations made by virtue of subsection (1) may not impose a requirement on any person."

This amendment would prevent regulations about heat networks within heat network zones from imposing mandatory requirements.

Amendment 56, page 192, line 30, leave out clause 230.

This amendment would leave out the clause which provides for the enforcement of heat network zone requirements.

Amendment 57, page 193, line 12, leave out clause 231.

This amendment would leave out the clause which provides for penalties to be imposed by regulations about heat network zones.

Amendment 58, page 196, line 3, leave out clause 235.

This amendment, together with Amendments 59 to 63, would remove Chapter 2 of Part 9 of the Bill, on energy smart appliances.

Amendment 59, page 197, line 13, leave out clause 236.

See explanatory statement to Amendment 58.

Amendment 60, page 198, line 4, leave out clause 237.

See explanatory statement to Amendment 58.

Amendment 61, page 199, line 39, leave out clause 238.

See explanatory statement to Amendment 58.

Amendment 62, page 200, line 22, leave out clause 239.

See explanatory statement to Amendment 58.

Amendment 63, page 201, line 14, leave out clause 240.

See explanatory statement to Amendment 58.

Amendment 64, page 205, line 14, leave out clause 246.

This amendment, together with Amendments 65 to 67, would leave out Part 10 of the Bill, on the energy performance of premises.

Government amendments 182 to 184.

Amendment 65, page 206, line 29, leave out clause 247.

See explanatory statement to Amendment 64.

Amendment 66, page 207, line 1, leave out clause 248.

See explanatory statement to Amendment 64. This amendment would remove a clause which would enable the creation of criminal offences by regulations.

Government amendment 185.

Amendment 67, page 208, line 6, leave out clause 249.

See explanatory statement to Amendment 64. This amendment would remove a clause which would enable the amendment, repeal or revocation of primary legislation by regulations.

Government amendments 186 to 193.

Amendment 68, page 214, line 1, leave out clause 255.

This amendment would leave out the clause which provides for requirements to be imposed by energy savings opportunity scheme regulations.

Amendment 69, page 216, line 16, leave out clause 257.

This amendment would leave out the clause which provides for the enforcement of energy savings opportunity scheme regulations and the creation of connected penalties and offences.

Government amendments 225 to 229, 80, 81, 230 to 238, 82, 194, 239, 195, 240, 241, 83, 242, 84 to 94, 243, 176, 177, 196, 178, 244, 104 to 110, 169, 179, 111 to 120, 95 to 100, 197, 101, 135 to 138, 167, 168 and 102.

Andrew Bowie: I am delighted to rise today to bring before the House our landmark Energy Bill for its consideration. This world-leading, historic Bill—a Conservative Bill—will deliver for this country cleaner, cheaper and more secure energy. It will level up this country, while contributing to levelling down bills for the British people. It will unleash new technology, liberate private investment in clean technologies, modernise and future-proof our energy network, and deliver for this country and for future generations.

The United Kingdom already has a great story to tell on reducing our carbon emissions. We have reduced our emissions faster than any other G7 nation. We were the first European nation to legislate for net zero. We have the first oil and gas basin dedicated to going net zero and the first, second, third and fourth-largest offshore wind farms in the world operating and generating power off the coast of Great Britain right now. We have eliminated our reliance on coal. We have grown to more than 40% of energy being generated by renewables. We have announced further investment in carbon capture, usage and storage, and we are pressing ahead with Great British Nuclear, which I launched two months ago with an exciting programme for small modular reactors. We are on track to deliver 24 GW of nuclear power on the grid by 2025.[1]

Ian Paisley (North Antrim) (DUP): Can the Minister confirm that at the weekend, agreements were made that have removed Northern Ireland from benefiting from the renewable liquid fuel agreements? Is that the case, and if so, why?

Andrew Bowie: If the hon. Gentleman will have patience, I will come to the renewable liquid heating fuel amendments later in my speech, where I am happy to direct any questions to which he is seeking answers.

We have done all the things I have mentioned while growing our economy. We have cut our emissions by 40% while growing our economy by 60%. It is an inherently Conservative value—a value close to the hearts of all on the Government Benches—to pass on what we inherit in a better state to the next generation. That includes the state of our environment and our climate. There is also no more Conservative value than to ensure the security of our nation and its people, and that includes our energy supply.

John Redwood (Wokingham) (Con): On that very point—security—what provision is being made for days when there is no wind, given that we will see the closure of most of our nuclear power stations this decade and will have little else to rely on, other than fossil fuel? How are we going to get through?

Andrew Bowie: My right hon. Friend knows that I am a great champion of supporting our oil and gas industry, which continues to supply a large amount of our energy baseload and will do for a significant amount of time to come. As he also knows, we are investing a lot of time and money into ensuring that we deliver the next generation of nuclear power plants, including small modular reactors, so that we have the energy baseload that this country needs so that, as he rightly suggests, when the wind does not blow and the sun does not shine, people can still be assured that the lights will come on. The Conservative principles that I have spoken about are at the very heart of the Bill, which I am pleased to bring before the House today.

It is true that some time has passed since the Bill was introduced in July last year. The Opposition spokesperson, the hon. Member for Southampton, Test (Dr Whitehead), was but a boy when this Bill was introduced last year. A huge amount of constructive dialogue and dedicated

1. *[Official Report, 7 September 2023, Vol. 737, c. 4MC.]*

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work has taken place during that time. I thank all the Secretaries of State at the Department for Business, Energy and Industrial Strategy and the Department for Energy Security and Net Zero, the Ministers and the Prime Ministers who have been involved since the Bill was introduced.

Since the Bill came to this House from the other place, I have met and engaged with colleagues from all sides of House. We debated the Bill in a lively Second Reading and spent 72 long hours in Committee, so I start by thanking everyone across the House, especially the shadow ministerial team, the former Scottish National party energy spokesman, the hon. Member for Kilmarnock and Loudoun (Alan Brown), and all on the Government side, for their constructive engagement in ensuring that we got the Bill to these final stages in a state that, I hope, will be broadly welcomed by most, if not all, Members.

Richard Graham (Gloucester) (Con): Will the Minister give way?

Andrew Bowie: I would be delighted.

Richard Graham: The Minister referred to base energy load, which is crucial in respect of nuclear energy, but is also relevant to marine energy, which, as he knows, we have huge potential for around our coast, particularly in Scotland. Will he confirm that that will play an important part in the next contracts for difference round and in his thinking?

Andrew Bowie: I am delighted to confirm that that will play an important part. Indeed, we have ringfenced £10 million to support marine energy in the country. We believe it has a huge role to play in delivering our energy baseload. Indeed, the innovations being made in that technology are incredibly exciting and will play a huge part in our energy baseload moving forward.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD) *rose—*

Andrew Bowie: It is always a delight to give way to the hon. Gentleman.

Jamie Stone: The Minister is incredibly well-mannered. The irony is that we generate an enormous amount of power from onshore wind in the highlands, yet we face the highest levels of fuel poverty. New clause 1, tabled in my name, talks about increasing the community benefit in some way and widening the number of communities who could benefit. I am aware that the hon. Member for Rutland and Melton (Alicia Kearns) has tabled a similar amendment, and I would like to voice my support and that of the Liberal Democrats for it.

Andrew Bowie: I thank the hon. Gentleman for his constructive intervention. The Government recently launched a consultation on community benefits, because we do understand that those communities being asked to host pieces of critical national infrastructure should be recompensed for that, and that the community benefits that the individuals, communities and groups in those areas receive should be enough to recompense them for what they are doing in the national interest.

Matt Hancock (West Suffolk) (Ind): On infrastructure of national scale, in order to keep people on side, is it not also vital that such projects are in the right place—unlike the Sunnica development near my constituency—so that those of us who care about the agenda can support it wholeheartedly and ensure that the Conservative values that the Minister talks about are rightly behind the green energy revolution?

Andrew Bowie: Absolutely. It is incumbent on all involved, from the transmission operators to the developers, National Grid, the electricity system operator and indeed the Department and those across Government, to ensure that where such pieces of critical national infrastructure are being built, developed and planned, plans are proceeded with and laid in a way that is conducive to local sentiment and local support and will provide for that local community for many years to come.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (Ind): Will the Minister give way?

Andrew Bowie: Yes. I would be delighted to give way.

Angus Brendan MacNeil: I am grateful to the very polite Minister, as was said by the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone). I am sure the Minister is aware that heat pumps will produce about 2.5 times the energy of the electricity put into them, or four times for ground source heat pumps—they are multipliers of the power put into them. The Government have a plan for 600,000 to be installed by 2028. Will we see those? How many will we see next year? Does he have intervening targets for that? At the moment, they are at only a 10th of where the target would have them.

Secondly, a point asked in my constituency is about the new £10 million community energy fund, which relates only to England, despite energy being reserved. Will he enlighten Euan Scott, my constituent, please?

Madam Deputy Speaker (Dame Rosie Winterton): Order. There is so much pressure on time, so it is really important that interventions are short.

Andrew Bowie: On the hon. Member's first point, absolutely, we remain committed to delivering, developing and rolling out heat pumps across the country, and we remain committed to the targets we have set out. On the community energy fund, there is already an equivalent Scottish community energy fund up and running and delivering for communities across Scotland. That is a competency of the Scottish Government at Holyrood. I would be delighted to direct any questions that he or his constituent have on that to the Scottish Government in Edinburgh. *[Interruption.]* He makes the case from a sedentary position that energy is reserved. Yes, but the Scottish Government have their own community energy fund. We will base a lot of what we are doing on that fund as it is rolled out in Scotland.

With your leave, Madam Deputy Speaker, I will take some time to explain the not insubstantial number of Government amendments to the House. I turn first to Government amendment 148 and the subsequent consequential amendments. I think it is fair to say that considerable concern was raised about the initial proposals for a hydrogen levy. The Government have carefully considered those concerns. I particularly thank my hon.

Friend the Member for South Thanet (Craig Mackinlay) for his amendments on the issue, and indeed the right hon. Member for Doncaster North (Edward Miliband) for his amendments relating to those clauses. It is right that we take these considerations seriously and, where appropriate, seek to make changes.

Alec Shelbrooke (Elmet and Rothwell) (Con): Will the Minister give way?

Andrew Bowie: I would be delighted.

Alec Shelbrooke: May I take the opportunity to thank my hon. Friend for reflecting on what I said in Committee and for the commitments given to me by the Government to bring about an amendment to the Bill? I thank him for listening to Back Benchers' concerns in Committee.

3.15 pm

Andrew Bowie: I was very pleased to take that intervention. I thank my right hon. Friend for it. If he is patient, I will explain to the rest of the House—I think Committee members are aware—what we seek to do with the hydrogen levy as it stands.

The Government's amendments will remove provisions that enabled the levy to be imposed on energy suppliers in Great Britain, ensuring that within Great Britain the levy can be placed only on gas shippers. In the case of Northern Ireland, the amendments seek to ensure that only gas supply licence holders who engage with gas shipping can be subject to that levy. That reflects the different approach to the licensing of gas shipping across Great Britain and Northern Ireland.

The revised provisions will provide a fairer approach to funding hydrogen, placing the charge higher up the supply chain, with the potential for costs to be spread to the sectors expected to benefit most from early hydrogen development, not the wider British public. I remind the House that the Bill will also enable the option of funding hydrogen through the Exchequer. By providing two robust and reliable options for hydrogen funding, we will help bolster industry confidence in the viability of the UK hydrogen economy and boost private investment, with the potential to unlock significant energy security and economic benefits. The hydrogen sector could support over 12,000 jobs and generate up to £11 billion in private investment by 2030.

I must be clear, and the House should understand, that the Bill will not actually introduce a levy on gas shippers. Instead, it will enable the Government to introduce the levy through secondary legislation.

Craig Mackinlay (South Thanet) (Con): It is very welcome that the levy will not be applied on households as a direct cost they will see in their bills, but it is something of a sleight of hand just to push it further up the supply chain, because it will be an energy-related cost somewhere in the supply chain that will feed down to every business and household in another way through an additional charge they will face, much like VAT. I welcome it as far as I can, but I would rather see it removed in its entirety.

Andrew Bowie: I thank my hon. Friend for his contribution. As we have spoken about before, I understand his position on the levy. It is our belief that in ensuring that the levy is placed higher up the chain, the sectors that will benefit most from the early development of hydrogen will bear the brunt of the cost, not the wider British public. That is the aim and intention of what we seek to achieve.

As I was saying, the Bill will not introduce the levy on to shippers; instead, it will enable the Government to introduce the levy through secondary legislation. I am sure we will continue to have this debate in the months and years ahead.

I turn to Government new clause 63, amendment 8 and new clauses 40 and 50 on renewable liquid heating fuel. I thank my right hon. Friend the Member for Camborne and Redruth (George Eustice) for his work and amendments relating to renewable liquid fuels for low-carbon heating. His constructive work with the Government has been incredibly helpful and positive. I also pay tribute to my hon. Friend the Member for Bury St Edmunds (Jo Churchill), who has been championing the use of renewable liquid fuels for low-carbon heating for many years.

As the recent biomass strategy made clear, such fuels will have a critical role to play in decarbonising our economy. We recognise that they have the potential to play an important role in decarbonising heat, especially as not all off-grid properties will be suitable for electrification. We will explore the potential of these fuels for heat by issuing a consultation within 12 months. We want to take the powers now to support the use of these fuels in heat in the future, should they be needed. That is why we tabled Government new clause 63, taking powers to impose obligations on heating fuel suppliers to increase the supply of renewable liquid heating fuels.

Nickie Aiken (Cities of London and Westminster) (Con): In my constituency we have a particular issue with commercial and domestic use, because residents are often in the same building as commercial properties. It would be helpful for the Minister to look at the definition of heat network systems, so that Ofgem can understand what systems qualify as heat networks in domestic properties, which are a real issue in my constituency.

Andrew Bowie: The measures in the Bill will provide the Government with powers to implement heat network zoning in England. Those include powers to develop a nationwide methodology for identifying and designating areas as heat network zones, and to establish a new zoning co-ordinator role—which we generally expect will be filled by local government, though my hon. Friend is free to apply—with responsibility for designating areas as heat network zones and enforcing requirements in them. They also include powers requiring heat networks developed in zones to meet a low-carbon requirement, and to ensure that certain buildings and heat sources connect to a heat network in a zone within a specific timeframe. The relevant Minister in the Department and I will be happy to meet my hon. Friend to discuss how that will be relevant to her urban constituency as we move forward and seek to implement these proposals.

Richard Fuller (North East Bedfordshire) (Con): I join the Minister in thanking my right hon. Friend the Member for Camborne and Redruth (George Eustice) for leading on the measures included in new clause 63. On the renewable liquid heating fuel obligation, the

[Richard Fuller]

Minister said that he would do a consultation within the next 12 months. Many of my constituents who are off-grid also want secondary legislation to come through in the next 12 months. Can he assure the House that that is his intention?

Andrew Bowie: I can confirm that we will move to a consultation in the next few months. Indeed, we will use the powers to support the use of those fuels in heat in future, should they be needed. Again, as we move through the consultation period, other Ministers in the Department and I would be delighted to meet my hon. Friend and all Members concerned. I understand that this issue affects many constituencies across the country and, rightly, interests many right hon. and hon. Members. As we move forward with the consultation and towards implementing the powers, we will be delighted to meet Members.

David Duguid (Banff and Buchan) (Con): I welcome Government new clauses 52 and 63, which are of particular value to those living in certain parts of the country, such as north-east Scotland, as the Minister is very much aware. Will he join me in reinforcing and emphasising the benefit of developments in sustainable aviation fuel and renewable liquid heating fuel respectively, particularly in Aberdeenshire?

Andrew Bowie: Yes, I am very pleased to welcome developments in renewable liquid heating fuel. The consultation, which will be UK-wide, will benefit those living in rural constituencies such as Banff and Buchan, and those across north-east Scotland and rural Britain. I welcome the support for the sustainable aviation fuel amendment, to which I will refer shortly.

Angus Brendan MacNeil: To back up the point made by the hon. Member for Banff and Buchan (David Duguid), standard consultation and the legislation being in place in 12 months do not show the necessary urgency. That is the point that unites many people. The Minister, with his Thompson gun approach to spitting things out, got that one out very quickly, but we need it done an awful lot more quickly than starting within 12 months. This Government will probably be gone in 12 months.

Andrew Bowie: I am determined to work very hard to ensure that this Government will not be gone in 12 months. However, we are taking the powers now to ensure support for the use of these fuels in heat in future, if needed. I should make clear that we are starting the consultation within the next 12 months, not in 12 months. It will be within the next year.

Ian Paisley: There is a vast rural housing network in Northern Ireland of so many households, and there is overreliance on heating oil. What is the arrangement for using renewable liquid fuels in Northern Ireland?

Andrew Bowie: Once again, I thank the hon. Gentleman for his question. I was just about to answer his original question: I can confirm that officials from the Department for Energy Security and Net Zero in London have been in discussion with Northern Ireland officials, who are broadly content with the Government's approach on this issue. However, conversations will continue with Northern Ireland officials on what we can do to support renewable liquid heating fuels in Northern Ireland. Once again, as on the other issues I have specified, I would be delighted to meet the hon. Gentleman and colleagues from across Northern Ireland to discuss how this Government can ensure that the support delivered in Great Britain can be replicated in Northern Ireland.

I turn back to my comments on renewable liquid heating fuels. With regard to amendment 8, the powers in clause 142 relate only to the planned clean heat market mechanism, for which the Government's focus is on supporting the development of the market for electric heat pumps. We do not believe that expanding the power set out here is necessary to allow for boilers burning renewable liquid fuels to be installed or used. In the light of those steps, I hope my right hon. Friend the Member for Camborne and Redruth is reassured by the Government's action and will feel able not to press the amendment.

I turn to Government new clauses 52 and 169 and new clause 35 on sustainable aviation fuel. I thank my right hon. Friend the Member for Epsom and Ewell (Chris Grayling) for his constructive engagement with me and colleagues at the Department for Transport. This Government are committed to ensuring that the UK sustainable aviation fuel programme is one of the most comprehensive in the world. That is why in the Bill we are committing to publish a consultation on the options for designing and implementing a revenue certainty scheme within six months of it being passed.

We will also update Parliament within 18 months on the development of a sustainable aviation fuel revenue certainty scheme. As the Secretary of State for Transport, my right hon. Friend the Member for Forest of Dean (Mr Harper), set out in a written ministerial statement yesterday, that builds on our commitment to deliver a revenue certainty scheme for domestic sustainable aviation fuel production by the end of 2026. The intention is that the scheme will be industry-funded. Alongside that, we have published a plan for delivering the scheme, which contains a timeline of key milestones such as a public consultation on options, an associated Government response, design phases, and delivery and legislative steps.

Chris Grayling (Epsom and Ewell) (Con): I thank my hon. Friend for his constructive approach on this issue. Could I seek one more assurance? When the consultation is finished, will the Government review the likelihood of securing the investment we want? If there is still doubt, will he ensure that discussion takes place about whether the Government should play a part in that, potentially at a future fiscal event?

Andrew Bowie: I can give my right hon. Friend that assurance and go further. That commitment, alongside our £165 million advanced fuels fund and the world-leading SAF mandate, will help to provide strong market signals and incentives to drive the demand and supply of SAF from sustainable sources. Future funding decisions on SAF will be considered as part of the next spending review.

I would like to turn briefly to community energy. I thank my hon. Friend the Member for Wantage (David Johnston) for his continued engagement on the Bill, particularly his championing of community energy,

alongside many others in this House. The Government recognise that community energy projects can have real benefits for the communities in which they are based, and are keen to ensure that they deliver value for money for consumers. That is why we have launched a new £10 million community energy fund, which expands on the success of the previous rural community energy fund, to enable both rural and urban communities across England to access grant funding to develop local renewable energy projects for investment.

Sally-Ann Hart (Hastings and Rye) (Con): It is fantastic that the Government have announced the new fund to help community energy schemes get off the ground. That is a very welcome step. Could my hon. Friend outline what steps he will take to remove the barriers that prevent community energy schemes from accessing local markets?

Andrew Bowie: I can indeed. I am delighted to tell my hon. Friend that alongside our proposed fund, we are committing to publishing an annual report to Parliament and to consulting on the barriers the sector faces when developing projects.

I am also very pleased to announce that His Majesty's Government have reached an agreement with the Scottish Government to amend the Bill to secure their support for a legislative consent motion in the Scottish Parliament. The comprehensive set of amendments agreed with the Administration in Edinburgh will strengthen the Bill's consultation provisions and require the Secretary of State to seek the consent of devolved Ministers before exercising powers under clauses 2, 3 and 293.

I would also like to take this opportunity to confirm to the House and to the Scottish Government that by virtue of clause 218(2)(a)(ii), the regulatory cost the GEMA can recover from gas and electricity licence holders from across Great Britain includes any costs it occurs performing the Scottish licensing function. The Government are disappointed that the Welsh Government have decided not to support the legislative consent motion for the Bill in the Senedd. However, as a sign of good faith the Government will extend the amendments agreed with the Scottish Government to apply in Wales and Northern Ireland where appropriate.

A number of Government amendments for consideration on Report relate to commencement. They ensure that clauses, such as those relating to the smart meter roll-out and low carbon heat schemes, will come into force as soon as the Bill gains Royal Assent. The remaining Government amendments are technical in nature and, as such, I do not propose to discuss any of them in great detail—I am sure Madam Deputy Speaker is delighted.

Christine Jardine (Edinburgh West) (LD): I thank the Minister for giving way, but I notice that I cannot see any mention in the amendments of standing charges. I know that is a very difficult thing, but in my constituency there is a great deal of concern about the fact that there is no uniformity in the United Kingdom on standing charges. My constituents can pay around £100 a year more than people elsewhere in the country. Do the Government have any intention to address that issue, along with issues such as domestic insulation?

Andrew Bowie: I thank the hon. Lady very much for her intervention and her question. I am engaging with Ofgem on that very issue and am looking to convene a meeting in Edinburgh with all the significant players involved in energy transmission and production in Scotland at the earliest available opportunity, so we can discuss the issues regarding standing charges and other issues that affect Scottish bill payers. I would be very delighted to engage with her as we move towards that meeting taking place.

3.30 pm

Angus Brendan MacNeil: The Minister may have heard on "The World at One" on Radio 4 last week the head of OVO Energy talking about the movement for the cost of transmission from the unit price to the standing charge price, which has ramped up standing charges and is very concerning to many people because that disproportionately impacts poorer bill payers. Will he look at that issue and discuss it with Ofgem at his meeting?

Andrew Bowie: Yes, I can confirm that I will raise that issue with Ofgem at my next meeting, and at the next available opportunity I have to meet the Chairman of the Energy Security and Net Zero Committee, I will certainly have an answer for him on that question.

Anna McMorrin (Cardiff North) (Lab): In 2013, the then coalition Government cut all the energy efficiency programmes, plunging millions of people into debt. What plans does he have to ensure there is an insulation programme to provide desperately needed energy efficiency right across homes and households?

Andrew Bowie: This is the biggest piece of energy legislation ever passed by the British Parliament. We are driving forward with schemes to help insulate houses, drive down bills, and deliver cleaner and more secure energy, and all we can get from the Opposition is criticism. We have ramped up our renewable energy production to over 40%. We have eliminated coal. We are developing new nuclear, which the Opposition failed to do over 13 years in government. Rather than carping from the sidelines, it would be useful if Opposition Back Benchers got on board, supported the Bill and supported our great British companies developing the technology to take this country forward, creating the new jobs, ensuring security of supply and driving towards net zero, which means we will leave this country and the planet in a better place for the next generation, instead of trying to score political points at the expense of this Government who are seeking to deliver for the British people. As such, I am immensely proud of the Bill. It was strong before and it is even stronger now. It is, as I have just said, the single biggest piece of energy legislation ever to be brought before the House.

Caroline Lucas (Brighton, Pavilion) (Green) *rose—*

Andrew Bowie: I am afraid I will not give way.

The Bill is a revolution in community energy: restarting our nuclear sector; regulating for fusion; developing carbon capture, usage and storage; supporting the technology of the future; liberating private finance; developing our own oil and gas reserves; building an energy network of the future to secure our energy supply; securing our energy base so we are powering Britain from Britain; growing our economy; investing to ensure lower bills; and driving towards a cleaner future. That is what the Bill achieves. It was brought

[Andrew Bowie]

here and delivered today by the Conservative Government, moving the country forward into a brighter, more secure and cleaner future. Therefore, Mr Deputy Speaker, with great pleasure, I commend the new clauses and amendments to the House.

Several hon. Members *rose—*

Mr Deputy Speaker (Mr Nigel Evans): Order. As Members can see, there is great interest in this debate. I am therefore pondering exactly what the time limit will be. Members will be informed just before Dave Doogan speaks, I believe. *[Interruption.]* It will not apply to the Labour Front Bencher; the hon. Gentleman can be relieved.

Dr Alan Whitehead (Southampton, Test) (Lab): The Minister is quite right: the Bill has been with us for rather a long time. I am personally delighted that it is before us this afternoon, but we need to remember that Second Reading was over a year ago, in July 2022, in another place. The Bill has survived four Secretaries of State and two Departments in its passage through the House, so it certainly should be an improved Bill by now. I am concerned, however, that the long passage of the Bill to the statute book has had a real effect on investors and various other people seeking to invest in the low-carbon economy. We should not forget that.

What is this Bill about? As the Minister has said, it is essentially about the decarbonisation of the energy system and making that system fit for net zero. It is, overwhelmingly, a Bill that enables that decarbonisation to take place, and it has been described in a number of instances as a "green plumbing" Bill, which I think is not a bad description. It provides the necessary mechanisms and the details of how we will reach our targets in a variety of areas, as the Minister said: on hydrogen, on carbon capture and storage, on licensing, on the introduction of an independent system operator—which is very important to good construction—on low-carbon heat schemes, on district heating, on energy-saving appliances, and on fusion power. It also makes a number of regulation changes in relation to civil nuclear decommissioning and oil and gas management. It is, moreover, a Bill that the Opposition have welcomed, both for its extent and for its "green plumbing" activities. We were supportive of its measures in Committee, while also tabling amendments that we thought would strengthen its approach. Indeed, the Government have inserted some of them in the Bill, with very slight changes, and we welcome that as well.

However, in my view the Bill is incomplete and unsatisfactory, given its ambition as a green decarbonisation Bill, in that it fails to complete the three tests, or tasks, that are necessary to provide the clarity and consistency that would ensure that the policy will deliver what is claimed. Those tests are these. First, what are the targets for a policy, and how firm are they? Secondly, what are the technical means whereby the proposed targets can be actioned? Thirdly, what is the plan, both financially and procedurally, to make the targets real and not just hot-air aspirations? It is essential to the process of energy decarbonisation for all three of those tests to be in the Bill as we proceed against very tight timescales and immense challenges of implementation.

In some instances, the Bill has succeeded in that regard. The Government's targets were set out in a number of documents on clean energy, such as the energy security strategy and the 2020 Energy White Paper. Indeed, in a number of instances, the targets contained in those documents have been substantially added to in the Bill. For example, the target of 10 GW of low-carbon hydrogen production by 2030 has been underpinned by the clauses relating to such matters as hydrogen levy management procedures. I applaud the Government's change of heart on the hydrogen levy. Although a number of Committee members knowingly voted the wrong way, with the honourable exception of the right hon. Member for Elmet and Rothwell (Alec Shelbrooke), the Government have put that right now. We would have liked to see them go a little further with a clear statement that the money would come from the Consolidated Fund, but we will live with the change that they have undertaken to make. I think we can count that as both a win for our pressure on the Bill and a win for the Bill itself.

Caroline Lucas: I agree that those three tests for decarbonisation make a lot of sense, but does the hon. Gentleman agree that as well as targets for some of the good stuff, we need to see the Government stop doing the bad stuff? In this case, the bad stuff is more and more new licences for oil and gas in the North sea. Would Labour support my amendment, which would see an end to the MER rule on maximising the economic recovery of petroleum and replace it with a just transition to a greener economy? As long as we have a statutory duty to maximise the economic recovery of oil and gas, it does not matter how many targets we have on renewables, because we will not meet the targets that we need to meet.

Dr Whitehead: I do not think it would be appropriate for me to indicate exactly which amendments from various Members we might or might not support, and it would take a great deal of time for me to do so, but the hon. Member will recall that we tabled an amendment on maximum economic recovery in Committee. I think she can take from that that, broadly speaking, we support the principle of "stop doing the bad things and start doing the good things". Whether the detail of her new clause fits exactly with that picture is another matter, but I hope she can take some encouragement from that.

Sammy Wilson (East Antrim) (DUP): Does the hon. Gentleman accept that, while the Government may have set out the high-level ambitions and targets, they have failed to highlight the cost of this Bill to ordinary constituents? I think, for example, of the cost of bringing properties up to certain energy efficiency levels, the size of the hydrogen levy and who will pay it when it is introduced, the cost of sustainable aviation fuel to the aviation industry and the cost of flying—I could go on. That has not been spelled out, because there is a dishonesty here, and the burden will fall on ordinary people.

Dr Whitehead: It is not for me to defend how the Government have managed their arrangements as far as the costs of these measures are concerned, but I would say more generally that we have to cast this Bill in terms of how much it would cost us as consumers and others if we did not do these things over the next period. We

need to consider the cost to people's bills, people's lives and people's welfare if we simply stood aside and ignored doing the things that are necessary for decarbonisation. I can honestly say that in the longer term the overall cost of doing these things would be far more on the saving side for customers and the general public than the issues that are before us at the moment.

The Government have done a number of things in this Bill. I mentioned the measures on hydrogen, which I welcome in terms of meeting hon. Members' concerns. We are also pleased to see that the Government have tabled amendments on other issues of concern to Members such as sustainable aviation fuel, and new clause 34 on liquid fuel.

Chris Grayling: I am keen to see a process start now that leads to our securing the investment we need to ensure that sustainable aviation fuel is available for our industry, and given the timeframe I am keen to see both parties making a commitment to that in their manifestos. Can the hon. Gentleman give me an assurance that the Opposition also support this move towards developing a sustainable aviation fuel industry in this country?

Dr Whitehead: I understand the right hon. Gentleman's concerns about what the shortly-to-appear Labour Government will be doing on these matters, although I hope that he will not go about spreading defeatism on his own side. As a future Labour Government, we are very concerned about the need to develop sustainable aviation fuel in a cost-effective and timely manner. We understand that this is a substantial element of the transition that will be undertaken in aviation, but we have to be careful that we do not procure all the resources that might go to other things for use in making sustainable aviation fuel, because there are many other things that can be done with those fuels. We need a balance between the various possible candidates for what would go into sustainable aviation fuel for the future.

I am pleased that the Government have also made a concession on liquid fuel heating obligations. In other areas, despite having ample opportunity and time to put additional material in the Bill—indeed, the Government have put substantial amounts of additional material in the Bill with our support—they have not taken the opportunity to place in legislation the three tests that I mentioned, which is why our amendments concentrate on those emissions.

3.45 pm

Members have been very enthusiastic in tabling amendments to strengthen the Bill on Report, and many of the issues raised are similar or identical to the issues we raised in Committee. I am particularly impressed by the amendments tabled by the right hon. Member for Kingswood (Chris Skidmore), as well as new clause 43, on onshore wind, tabled by the right hon. Member for Reading West (Sir Alok Sharma). There are amendments on coal, fracking, flaring and venting. Amendments on a number of issues would strengthen the Bill, including new clause 47, tabled by the hon. Member for Rutland and Melton (Alicia Kearns), which would address China, solar panels and the Uyghur population.

Angus Brendan MacNeil: The hon. Gentleman mentions boilers, and a number of organisations, including Green Alliance, Action for Warm Homes, Power for People and Energy UK, have produced briefs that point to how infrequently such Bills come around. There are great changes in energy technology and in world events, but they are not mirrored in Parliament. Both sides of the House should commit to not cramming everything into one energy Bill every decade. Given how things are changing in this sphere, Parliament should address it far more frequently than every decade.

Dr Whitehead: If the hon. Gentleman contains himself, he will see that we have tabled an amendment on low-carbon energy in homes. I agree that we cannot put everything in a Bill but, because of the urgency of the commitment we are making with this Bill, it is important that we get as much clarity as possible on what we are doing in the Bill now, so we know where we are going and the ways we are doing so.

Having discussed those other amendments, I will now draw attention to Labour's amendments. I hope the House will understand why we have drafted them in this way and how that relates to the tests I mentioned. On our new clause 53, the Government say they support community and local energy. Indeed, as the Minister said, the Government have put a modest amount of funding into supporting community energy but, as the hon. Member for Hastings and Rye (Sally-Ann Hart), who is not in her place now, said, we still do not have an understanding of how community energy can actually work. We think community energy will be an important part of the decarbonisation process. It is not one of the large, shiny things upon which money will be lavished in large amounts but, in aggregate, it will have a huge impact on decarbonising energy in this country.

The Government still have not introduced arrangements that will enable local power producers to trade locally and get the proper value of their trade, which is vital to the success and certainty of these projects. Labour wants to support local energy projects practically, particularly through the "valley of death" period where the pockets of community energy are usually shallower than needed for all the planning permissions to run their course. With support from Great British Energy and local authorities, we propose that £400 million a year will eventually support the important role of community and local energy in decarbonising power.

John Redwood: If this electrical revolution is to take off, many more people will need to buy electric cars and heat pumps. Does the hon. Gentleman have any advice for the Government on how those items can be made more popular and more affordable?

Dr Whitehead: The Government and I have been in considerable discussion about precisely that point. We need to make sure we change the model of ownership of those devices. We perhaps need to have a longer debate about that on another occasion.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend is making an important point about new clause 53, which stands in his name and those of his Front-Bench colleagues. Is not it the case at the moment that the grids—the national grid and the local distribution networks—do not have a duty to positively engage with small-scale and community electricity suppliers to encourage them on to the grid and instead just put them at the bottom of a list that is first come, first served? The new clause will start to change that approach, which is supportive and nurturing in its essence.

Dr Whitehead: My hon. Friend is absolutely right. The campaign that he may be referring to was signed up to by the Minister when he was not a Minister; he may have some other views on that these days, but the new clause is not too far from the original document that he signed a while ago. I am going to have to make some rapid progress, so I am sorry to say that I will not be able to take any further interventions. However, I will try to get through the measures we are proposing as quickly as possible, in order to allow other Members who are bursting to get into the debate the time to do that.

Our new clause 56 deals with delinking renewables and gas prices. A mechanism should be in place to ensure that the dividend from renewable power costs and prices can come through to customers. However, as we have seen in the recent power crisis, that is not the case at the moment. Gas prices surged to nine times the price of renewable power at some stages during the energy crisis and are still substantially more expensive than those of renewables, but they rule the roost as far as energy prices for the retail market are concerned, through marginal cost pricing. We think that needs to change through delinking the process and we wish to put an amendment in that would ensure that that happened, so that the benefit of renewable power can come to customers in the way that the whole House would intend to happen.

New clause 57 deals with onshore wind. Three minutes before the Bill came to the Floor of the House, a written statement on onshore wind was made by the Minister. I have had a chance to read it quickly and it seems to me as though it still treats onshore wind as a special case and not as an ordinary case of a local infrastructure project, which should receive no better and no worse consideration than any other such project. Onshore wind is essential to the decarbonisation of our energy system, but we have just let it collapse over a considerable period by, in effect, banning it. The Government are taking grandmother's footsteps back from the ban, but this is still not good enough.

Sir John Hayes (South Holland and The Deepings) (Con): I was one of the architects of what the hon. Gentleman described as a ban. He will understand that, when onshore wind was no longer permitted across the UK, this catalysed the offshore industry and we became a world leader in offshore wind precisely because developers then chose to go offshore. Offshore wind has many advantages, not least its scale, the size of the turbines and the single point of connection to the grid. Onshore wind has none of those virtues.

Dr Whitehead: That is remarkably like saying I am encouraging you to use your second car because I shot the tyres out of your first car. The right hon. Member makes a quite ridiculous statement.

First, onshore wind is the cheapest form of power available. Secondly, it can be available for community and local energy, in the way described earlier. Thirdly, through CfDs, it can systemically provide a cheaper power environment for the population as a whole. It is a disgrace that only two turbines have been commissioned in this country since February 2022. It is a golden opportunity for decarbonisation that we are missing completely.

Anna McMorrin: On that point, will my hon. Friend give way?

Dr Whitehead: I said I would not, but I will.

Anna McMorrin: My hon. Friend is being very generous. Does he agree that the failure to roll out onshore wind is costing families £182 a year because of lack of investment?

Dr Whitehead: Lack of investment does indeed have a direct impact. If we go back and look at what could have been the case and look at what is the case now, there is a direct link between energy prices now and the lack of development of onshore wind. Our amendment, which we hope to push to a vote, would make the way that onshore wind was treated simple and straightforward: it should be treated no differently from any other local infrastructure project. There should be the same protections, safeguards and concerns for people who have that local infrastructure coming their way. It should not be a special case, over and above other projects, which I think will produce an explosion of investment in onshore wind in future.

Sir John Hayes: On that point, will the hon. Gentleman give way?

Dr Whitehead: No. I have to make progress.

New clause 61—

"National Warmer Homes and Businesses Action Plan (No. 2)"—

addresses another area in which the Government have set out their aspirations. The Minister has said that the Government are making progress on their aspirations to retrofit homes, as set out in their national energy plans and the White Paper, "Powering our net zero future". Those aspirations include having all homes at an EPC band C standard by 2035 and all private rented properties at band B by 2030. However, nowhere are there any plans about how we are actually going to do that or how homes that are among the worst insulated in Europe can be lifted to the levels needed by 2035. The Government are stuck with aspirations but no plan.

Our new clause puts a plan in place. It puts those aspirations into legislation and requires a Government plan to bring them about, which would be another enormous win for decarbonisation. People's energy bills will fall, fuel poverty will be tackled and gas supply in retrofitted properties will reduce by perhaps 25%. It would be a win all round.

The Government have no plan. Labour has a substantial plan, which has already been put forward, including a 10-year programme to uprate and retrofit 19 million homes, costing £6 billion per annum by the second part of the next Labour Government, with a local authority and community base getting it done. That will transform the present, pretty paltry progress that has been made. Admittedly, there has been good progress in some areas, including the energy company obligation, the local authority delivery scheme, the home upgrade grant and other schemes, but who can forget the spectacular failure of the Government's green homes grant a little while ago? Our new clause will transform the way that works and we want it to be added to the Bill.

New clause 62 is closely associated with new clause 61, but addresses the private rented sector.

New clause 59 is very important. We want to see the decarbonisation of our energy, power and electricity systems by 2030. The Government's ambition at the moment is mostly to decarbonise the power system by 2035, but, again, they have no plan as to how that will actually happen. They have given no indication as to what steps they will take to achieve this, and they are certainly beginning to fail in the implementation of carbon budgets. Bringing forward the decarbonisation of the power system would greatly enhance that and allow us to meet our targets. Labour wants to see the complete decarbonisation of the system by 2030. That does involve massive uplifts in the rate of progress—for example, in offshore wind by five, in solar by three, and in onshore by two—and, indeed, the development of other renewables. In that regard, I recommend that hon. Members have a look at new clause 51.

4 pm

Alec Shelbrooke: Will the hon. Gentleman give way?

Dr Whitehead: No, I will not give way again.

My hon. Friend the Member for Birkenhead (Mick Whitley) has a particularly interesting new clause on tidal range. With the right effort and the right investment, a huge acceleration of build-out can be achieved. Indeed, we have set out our plans on how to do that over the next period. What we need is for that ambition and those plans to be in legislation and in the Bill now.

The Minister did not give any indication in his contribution of whether the Government will move towards any of these amendments, but we hope to press some of them to a vote this afternoon. However, I have to say that we do so within the general setting that we are supportive of the Bill. We want it to succeed, but we want it to succeed with our bits added on, not least because this is the Bill that we will inherit when we are in government shortly. We will then have to do all the work that the Government have set out in the Bill.

Finally, let me say to those hon. Members who are thinking of voting against our amendments that they contain the Government's own ambitions. What we are trying to do is to put the Government's own ambition into legislation and provide ways by which it can be achieved. If hon. Members decide to vote against these changes this afternoon, they will, at least in some measure, be voting against their own Government. I hope that they will have sufficient sense to make sure that they do not do so as far as this Bill is concerned.

Mr Deputy Speaker (Mr Nigel Evans): Order. As Members can see, there are many people who wish to take part in this debate. I know that Alok Sharma will show self-restraint, but we will be imposing a time limit to ensure that we get in as many people as we can. The debate is very time limited. The multiple votes will come at 6 o'clock, so I ask people to show restraint even on the time limit that I impose.

Sir Alok Sharma (Reading West) (Con): Thank you, Mr Deputy Speaker.

I do support the overall aim of the Bill, but, in the interests of brevity, I will limit my comments to new clause 43 on onshore wind. I thank all colleagues who have co-signed this new clause, which of course builds on the excellent work that my right hon. Friend the Member for Middlesbrough South and East Cleveland (Sir Simon Clarke) led last year when trying to put in place a more permissive planning regime for onshore wind.

Onshore wind is one of the cheapest sources of energy available. It is also one of the quickest to deploy. Getting more home-grown clean energy deployed is about enhancing our energy security, our climate security and our national security, all of which are totally interlinked. It is also ultimately about bringing down bills. That is why onshore wind needs to be a meaningful part of a diversified energy mix.

We currently have 14 GW of installed onshore wind capacity across the UK with the ability to power around 12 million homes. However, as we all know, due to planning rule changes, since 2015 we have had a de facto ban on onshore wind. Just one objection is able to defeat a planning application. Frankly, that is not a sensible way for a planning process to operate. As a result, in England planning permissions have been granted for just 15 wind turbines over the past five years. It is also worth pointing out that, had onshore wind annual build-out rates stayed at the average pre-ban level, an extra 1.7 GW would have been added by last winter. That is the equivalent of powering 1.5 million homes for the entire winter, and it would have avoided between 2% and 3% of the UK's annual net gas imports being burned in our power stations.

John Redwood: Does my right hon. Friend accept, on the cost argument, that we also need to build a new gas turbine station as back-up for when the wind does not blow?

Sir Alok Sharma: We do need a diversified energy system, and I think the Minister set out all the work that is going on on nuclear, for example. However, as we drive forward for greater energy security, we need to change the planning rules to allow more onshore wind. The objectives of new clause 43 are to ensure a more permissive planning regime. The new clause seeks to lift the current planning restriction that in effect means that a single objection can block a development. It also seeks to ensure that local communities willing to take onshore wind developments will receive direct community benefits.

The Government have today responded to new clause 43 by bringing forward a written ministerial statement on onshore wind. I thank the Government for the constructive dialogue we have had over the past days on this issue. I acknowledge that that written ministerial statement, and indeed the accompanying changes to the national planning policy framework, move things forward and will help to deliver a more permissive planning regime for onshore wind.

The de facto ban is lifted. The statement clarifies that the policy intent is not to allow very limited objections or even a single objection to ban a planning application, and it is explicit that local communities willing to host onshore wind farms should directly benefit, including potentially through energy discounts. That is positive, but we do need to see the Government's formal response to their consultation on this issue to understand the detail of the precise mechanism by which the benefits regime will work.

[Sir Alok Sharma]

I also welcome the fact that local plans will not be the only route to delivering more onshore wind, with more agile and targeted routes available. Of course it is now a requirement for local planning authorities to support community-led initiatives for renewable and low-carbon energy. Vitally, those policy changes are effective today.

Angus Brendan MacNeil: The right hon. Gentleman talks about bill payers, but for the previous wind that was built under renewables obligation certificates, there were big profits because the prices were denominated in gas. Under the CfDs, money is not going to the bill payers, but to the Government—it was creamed off the top. The mechanism has to change; I applaud what he is trying to say and do, but there is a missing link on how the bill payer will see a benefit, as they should.

Sir Alok Sharma: The hon. Gentleman will know that onshore wind has been back as part of the CfD process in the last couple of years. I am very happy at a future date to have a detailed discussion on that but, in the interest of time, I will move on.

I understand that some people would like the planning regime for onshore wind to be even more permissive and for onshore wind to be treated like any other infrastructure. I get that, but we also have to recognise that it has been a contentious issue in the past, and it is important that we take communities with us on this journey. That is why the community benefits mechanism will be so vital. Frankly, people respond better to a carrot than to a stick.

Dame Maria Miller (Basingstoke) (Con): My right hon. Friend talks about the importance of taking people with us. More wind power will need more energy storage so that we can smooth out for the times when the wind is not blowing. Does he agree that the sort of lithium ion battery storage plants that are proliferating in our country are in need of proper permitting? My new clause 37, which I have been discussing with my hon. Friend the Minister, will help to bring in that sort of permitting and ensure that lithium ion battery storage facilities are sited in the right places.

Sir Alok Sharma: I certainly agree with my right hon. Friend that we need more battery storage. That is being rolled out and I am pleased that she has had a discussion with the Minister.

In conclusion, I welcome the written ministerial statement because it moves us forward. It is for that reason that we will not seek to press new clause 43 to a Division.

Dave Doogan (Angus) (SNP): I start by paying tribute to my predecessor in this role, my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown), whose work on energy, particularly on access to clean and affordable energy, was exceptional. I base my ambitions in this role on his record. I also note the Minister's kind remarks about my hon. Friend and thank him for them.

I want to highlight the abject abandonment of community-owned energy projects in this Bill. It is patently obvious that any just transition to net zero is simply not possible if local communities cannot sell the energy they produce to local customers. Local energy trading provides manifold improvements, including lower prices, protections against price shocks, enhanced energy security, network redundancy and a return on investment back to communities.

The UK Government kicking this can down the road is a hammer blow to efforts to achieve a just transition, and they are doing so without even trying to disguise the fact. Worse still, they have instead provided a paltry £10 million over two years—the Minister left out the "over two years" bit—to fund feasibility studies in England. That is not seedcorn funding; it is chicken feed served up with extra disdain for Scotland and Wales, as the UK Government have steadfastly refused to apply Barnett consequential to this admittedly pitiful sum.

Fundamentally, this sop to Tory Back Benchers does not—as one of the Minister's Back Benchers said—remove the barriers preventing community energy schemes from selling their power locally. The Local Electricity Bill would have done that, as would amendments made to the Energy Bill had they not been removed by Ministers in Committee in July. Why is this Tory Government so loth to put power in the hands of the people?

Turning to nuclear, English MPs maintain an enduring obsession with nuclear. Their total failure to concede or even rationally acknowledge the catastrophic decommissioning and clean-up costs of that energy source is, by any measure, incredible. As they drag Scotland and Wales along with them for the ride, it is almost as if those English MPs, and indeed the Government, can foresee a time in the not-too-distant future when they will need to buy Scotland's energy rather than just taking it, as they have got used to doing over recent decades. Nuclear is their insurance policy against Scotland's independent future.

New nuclear is a millstone around the neck of our net zero future, consuming disproportionate costs per megawatt-hour. If we contrast nuclear with offshore wind, we see that although construction costs for nuclear continue to spiral out of control, and SMR nuclear continues not to get off the ground, the cost of offshore wind has fallen by 80% in a decade. New offshore wind projects coming online within the next two years will be paid about £45 per MWh, which is half the wholesale power price of £90 per MWh forecast until at least the end of the decade, and 60% less than the £115 per MWh of electricity from Hinkley C nuclear power plant.

Tories and Labour Members alike will cry, "This is all about baseload for when the wind does not blow"—I am surprised they have not done so already. Of course, that is correct; we do need baseload, but it does not have to be nuclear. If successive Westminster Governments had invested nearly as much rhetoric and taxpayers' money creating a renewable energy mix as they have done for nuclear, we would be in a very different place. It would be a place where tidal flow and barrage schemes complement widespread impoundment, pump storage and run-of-river hydro schemes, together with green hydrogen production, battery storage, solar on every appropriate elevation of a domestic or commercial property, and timely delivery of carbon capture, usage and storage.

Angus Brendan MacNeil: The hon. Gentleman makes a point that must be recognised and understood for the future. Before Hinkley Point was commissioned, the question was of providing 6 GW of nuclear baseload

rather than just 6 GW of baseload, and of seeing whether there could be a mix of green energy, as he argues, or if it would have to be nuclear energy. By prescribing the way the Government have in the past while sticking to 2012 index-linked CfD prices, nuclear is a way to make and print money very quickly.

Dave Doogan: My hon. Friend is correct. Over and above the self-evident environmental consequences of nuclear, the way in which this and successive Westminster Governments have fiscally mismanaged the pursuit of nuclear leaves nothing to the imagination.

To continue my remarks, we do not live in that place. We live here in broke, broken Britain. The Bill fails the people on energy once again because it is bereft of strategy and completely loses control of costs. If we want to evidence such calamitous incompetence, we need look no further than auction round 5, or, more specifically, the strike price therein. That price threatens to kill off construction-ready projects from that auction round. At the very best, it will mean even less of the additional supply chain value landing in domestic companies and local workers' bank accounts, further deepening the cost of living crisis. Penny wise, pound foolish.

Contrast that with the strategic ambition of the Scottish Government, who are investing in communities by maximising the economic, supply chain and employment opportunities of onshore and offshore wind, with up to £1.4 billion of developer supply chain commitments on average across Scotland. I have seen the extraordinary investment and opportunity at Montrose port in my Angus constituency with Seagreen, but we need sustained investment to win those crucial multiplier effects and make the just transition a systemic reality for our communities.

4.15 pm

David Duguid: I welcome the hon. Member to his new role and pay tribute to his predecessor, the hon. Member for Kilmarnock and Loudoun (Alan Brown).

The hon. Member gave a whole list of reasons why there would be an absence of baseload in Scotland, but I think I may have missed the point where he suggested how that baseload would be supplemented in the absence of nuclear. Could he clarify that? Does it include a new gas-fired power station in Peterhead with carbon capture, usage and storage?

Dave Doogan: The hon. Gentleman is entirely correct: he did miss me highlighting what would replace that baseload, and I refer him to *Hansard* after today's debate.

The challenges of inflation and interest rates have altered the parameters to such an extent that this Government's pretence that it is business as usual is breathtaking. Have they not seen what happened in the recent auction round in Spain or, conversely, what happened in Ireland when the Irish Government intervened to protect investment in renewables and reaped the benefit and reward for their economy?

If projects do slip from allocation round 5 as a result of an unrealistic strike price, where do Ministers think the supply chain capacity, the skilled workers and the specialist vessels will go? They will not wait around here, waiting for the Department to get its sums right—they will be off to the US and the EU to access commercially cogent incentive packages such as those found in the Inflation Reduction Act or the EU's Net-Zero Industry Act. The stakes could not be higher for both net zero commitments and UK energy prices.

I am proud that the SNP has worked to protect people from the worst effects of the Westminster cost of living crisis with our amendments to the Bill, with steps that would protect the next phase of contracts for difference projects within AR5, properly provide for a comprehensive and complementary mix of energy storage solutions, advance local supply rights and work towards supporting our most vulnerable with the development of a social tariff, especially for those with higher energy use caused by medical conditions. I am pleased that the SNP's new clause 39 will be put to a vote this evening, and I urge all Members to support that provision, which, while modest in scope, would have profoundly positive effects on many in our rural constituencies who live off the grid and have to heat their homes through liquid fuel.

Angus Brendan MacNeil *rose—*

Mr Deputy Speaker (Mr Nigel Evans): Order. Before the hon. Gentleman makes his intervention, I inform the House that there will be a four-minute time limit on Back Benchers introduced from the start.

Angus Brendan MacNeil: The hon. Gentleman mentioned a small issue that makes a big difference. The energy bills support scheme, which was very harsh, ended far too soon and has caused an awful lot of problems. This has been covered by Radio 4, and people have written letters about it—I have a letter here from Stourport, in the constituency of the hon. Member for Wyre Forest (Mark Garnier), who is a member of my Energy Security and Net Zero Committee. People the length and breadth of the UK are feeling the harshness of the Government's penny-pinching and tight deadlines, and those who live in caravan parks or on boats are being especially hammered by this. This Government should listen and make a difference. One of the big things affecting people watching this debate today is that they are not getting that £400 for the last year.

Dave Doogan: I agree entirely, and I echo the calls from my Scottish National party Westminster leader, my hon. Friend the Member for Aberdeen South (Stephen Flynn), who wants to see the £400 support package reintroduced. The idea that the pressure on household budgets from energy prices has somehow gone away is for the birds.

Energy security is not some abstract area of Government policy, nor is the purchase of energy a discretionary one for homes and businesses in our constituencies. Failing to legislate and plan strategically in this area, as Westminster has done in perpetuity, is the very reason people are facing the choice between heating and eating. It is the same reason that businesses across these islands have closed their doors due to energy costs. The exorbitant cost of energy in the UK is a function of supply-side constraint, and this Government have compounded that through incompetence, inaction, lack of ambition, penny-wise, pound-foolish misadventure and their obsession with nuclear.

[Dave Doogan]

Just imagine how much more perilous the situation for energy consumers in England would be if they never had Scotland's energy powerhouse to shore up this Government's incompetence and spaffing money on nuclear left, right and centre. This Bill was an opportunity to make up lost ground and catch up with functioning unions—the United States and the European Union—but as usual, the dysfunctional United Kingdom gets it wrong again, and it is ordinary taxpayers and bill payers who will pick up the pieces and pay the cost. There is one reason why households in energy-rich Scotland are facing fuel poverty and haemorrhaging household budgets on energy costs, and it is sitting in this Chamber: the UK Government.

Mr Deputy Speaker (Mr Nigel Evans): I remind Members of the four-minute limit.

Alicia Kearns (Rutland and Melton) (Con): A core pillar of this Bill is the delivery of a safe, secure and resilient UK energy system, but no energy system can be safe and secure when it risks undermining our food security and contravenes our values by using forced labour throughout its supply chains. We live in a contested world, and there is no doubt that energy security is one of the greatest challenges of our time, but we can have no security when our energy system is riddled with forced labour from a hostile state. The use of forced labour—specifically, Uyghur forced labour—in supply chains not only contradicts our ethical and moral values, but undermines our fight for human rights across the globe. We cannot go green on Uyghur blood-red labour.

Beyond the morals, there are serious commercial and security risks. British and international manufacturers that do not use slave labour—that abide by our modern slavery laws—are being priced out and undercut by Chinese suppliers that do not care. That contravenes all notions of fair market competition and punishes those who play by the rules, supporting only the communist People's Republic of China state-backed enterprises. We are unnecessarily undermining our security when we do not tackle this problem.

Turning to the two new clauses that I tabled, I will not move new clause 48, but I will make the point that it is about moving to a rooftop-first strategy. We must make sure that we stop targeting the best and most versatile land. At my last count, 77 solar plants are currently proposed in Lincolnshire and bordering counties, totalling 38,000 acres of good arable land. That is wrong, but as I say, I will not move the new clause.

Mr David Davis (Haltemprice and Howden) (Con): My hon. Friend is entirely right in her argument, but this is not just about the overall number of sites. Individual projects take up over 3,500 acres in my constituency, industrialising a piece of beautiful English countryside and destroying the lives of five villages. In fact, if anything, my hon. Friend's clause does not go far enough.

Alicia Kearns: I thank my right hon. Friend, who as always makes very valid points. In my own constituency, one village will be 95% encircled by solar that will be 13 feet high, in one of the areas that produces the greatest food in our country.

Siobhan Baillie (Stroud) (Con): These solar farms make absolutely no sense to people when we are in a food security crisis, but also, tenant farmers are being ousted. The landowners often live miles and miles away and could not give two hoots about the land they are selling off, and it does not work. We need a really strong steer from Government, which we were promised in our prime ministerial leadership campaigns last year.

Alicia Kearns: My hon. Friend is absolutely right: farmers want to conserve and to grow the food of this nation. They do not want to turn to solar, which landowners are often doing.

Sir John Hayes: Further to the intervention made by my hon. Friend the Member for Stroud (Siobhan Baillie), meanwhile, solar on buildings is absent. One drives around the country and sees huge warehouses, commercial buildings and office blocks with not a solar panel to be seen. Those panels are going on to land that should be growing food to produce the food security that this country needs. Food security and energy security combined means national resilience.

Alicia Kearns: I absolutely agree. That is why I still urge the Government to bring forward a strategy on rooftop solar—they can do so.

Turning to new clause 47, the UK has tough modern slavery laws. It is evident that we want to do something about that issue, but we cannot outsource the protection of human rights. There are developers who utilise forced labour in their supply chains—who not only violate our ethical and moral values but, as I say, pose a commercial risk. We cannot be reliant on Uyghur slave labour. Alan Crawford and Laura Murphy recently released landmark reports into the use of Uyghur forced labour in solar supply chains. They have made very clear that across the UK, there is just too much. Some 40% of all solar that is built in the UK is affected, and 45% of all polysilicon and solar panels around the world come from Xinjiang—they are made with slave labour. It is shocking to see that five pages of the recent report from Sheffield Hallam were dedicated to just one supplier, Canadian Solar, which is planning to build in this country and is a serial applicant. These same companies are tariff dodging repeatedly and trying to hide the reality of what they are doing.

My new clause 47 is very straightforward: it seeks to increase transparency. When a Minister makes a decision on a proposal of this magnitude, they should have full sight of whether there is forced slave labour within the application. Currently, a Minister making a decision on a nationally significant infrastructure project has no idea if the vast majority of the product to be put on British soil will be made with slave labour. I hope this will deter these companies and force them to finally choose to produce polysilicon without slave labour. There is no onus on the Government, there is no cost implication for them and I am not forcing their; I am asking for transparency, not least given that the US and the EU have both brought forward enormous Bills that deal with forced Uyghur labour in their countries or their areas of influence.

We have done nothing, and the reality is that we never walk the walk, but just talk the talk when it comes to the Uyghur. I cannot think of one piece of legislation

that this Government have brought forward since my election that deals with Uyghur slave labour, yet we go to Beijing and then claim that we have raised it, based on no reality. Unfortunately, I have heard absolutely nothing today to reassure me that we genuinely want to deal with this, and that we recognise that it is not just in solar but across the energy footprint and is not just in China but in other places where components are made with slave labour. Therefore, at the moment I am minded to press the new clause to make sure that we finally deal with the reality of what we are facing and get some transparency within the system for our Ministers.

Sammy Wilson: The hon. Member will have our full support if she does press the new clause. We should add another argument, which is that the countries that use forced labour, especially China, have a commercial advantage, and we are going to find ourselves dependent upon them for energy sources in the future.

Alicia Kearns: I could not agree more with the right hon. Gentleman. That is the exactly the point I would make.

The new clause speaks for itself: this is about transparency and finally dealing with the forced labour being imposed on our countryside. The path we choose today will define not just define our values but the legacy that we leave for future generations and for our children. I hope the House will make the right choice.

Mick Whitley (Birkenhead) (Lab): I rise to speak in support of new clause 51, tabled in my name, concerning tidal range power. In 1966, the world's first ever tidal power station became operational on the Rance river in Brittany. More than 50 years later, the station is less than halfway through its predicted lifespan of 120 years, and is continuing to generate an annual output of approximately 600 GWh of clean energy. Since then, the station has been surpassed in scale and generating capacity by the Sihwa Lake tidal power station in South Korea. The proven success of these schemes over many decades demonstrates the enormous potential of tidal range generation as a renewable, indigenous source of net zero energy. When confronted by the existential challenge of climate collapse and the necessity of decarbonising our energy system, as well as the need to guarantee our energy security in an increasingly volatile global energy market, I believe we now need to be looking with new urgency at the role that tidal range generation has to play in the United Kingdom's future energy mix.

The UK, more than any other country in the world, is uniquely positioned to harness the power of our tides. We have the second highest tidal range in the world, and half of all of Europe's tidal energy capacity is found in Britain. Already well developed plans for tidal range projects across the west coast promise to mobilise and deliver 10 GW of net zero energy, with the potential for 10 GW of additional capacity. In Merseyside alone, the much anticipated Mersey tidal power project could generate enough energy to power 1 million homes, yet we have consistently failed to harness the awesome power of our tides.

While there has been some welcome progress in the development of smaller tidal stream technologies in recent years, leading to tidal stream's inclusion in the fourth allocation of the contracts for difference scheme, the possibilities of large-scale tidal range generation have been largely ignored by the Government since the decision in 2018 by the then Business Secretary to deny funding for the Swansea tidal lagoon. There was only passing mention of tidal in last year's energy security strategy, and tidal range is not covered by this Bill. It has been excluded entirely from the national policy statements on energy infrastructure projects. I am assured that this situation will be rectified when the revised NPS for energy, EN-1, is published later this year.

The aim of my amendment is simple: it seeks to establish funding for an independent and evidence-led study into the opportunities and risks of tidal range generation as the vital first step towards establishing investor and Government confidence in this technology. This study is a central task of the British Hydropower Association, which represents the interests of the UK hydropower community. The study would consider the role of tidal range generation in the UK's future energy mix and the role that tidal range, as a predictable and reliable energy source, has to play in meeting our energy needs at times when seasonal factors and weather systems interrupt supply from solar and wind.

4.30 pm

The study would also consider how tidal range projects in close proximity to major population centres including Merseyside and Bristol can help us overcome the transmission and supply issues that continue to plague our energy grid, which constitute in the view of many experts the biggest stumbling block to the decarbonisation of our energy system. It would also take a whole-system approach to considering how we should best fund new tidal range projects. The most often cited barrier to the development of tidal range installations is the cost of their construction, but with operation lifespans of a century or more, their cost is more comparable to that of new nuclear and even offshore wind. It is vital that we look seriously at how other forms of financing, including the regulated asset base model recently applied to new nuclear, can help us in kick-starting tidal range generation.

George Eustice (Camborne and Redruth) (Con): I support Government new clause 63 and welcome their bringing it forward. I had tabled amendment 8 and new clauses 40 and 50, each of which in different ways sought to give the Government the powers they needed to extend the existing renewable transport fuel obligation so that it might cover domestic heating fuels for off-grid properties. Government new clause 63 achieves that, creating the same power by replicating section 124 of the Energy Act 2004, and therefore I will not press my amendment or new clauses to a Division. I thank the Minister for the work he has put in on this; we have discussed it many times and I know he has worked hard to get a cross-Government consensus.

I also welcome the Minister's commitment to a consultation. Some Members have questioned the timing of it, but we all have to be realistic about how long these things can take and the fact that a consultation needs to be done properly, and we should therefore accept in good faith the undertaking he has given at the Dispatch Box today. So I support that.

I want to address a point raised earlier by the hon. Member for North Antrim (Ian Paisley) and reassure him that I did not hang him out to dry. I am very

[George Eustice]

conscious of the fact that Northern Ireland has 400,000 homes that are off the gas grid, and when discussing the Government new clause proposal last week, I highlighted the fact that Northern Ireland was a special case. The Minister has given an undertaking that conversations are continuing with officials in Northern Ireland, and I hope we can find a resolution to that issue.

My final point is not really a matter for today's Bill: the associated issue of the proposed ban on replacement boilers for off-grid homes currently proposed for 2026. I know that the Government will be looking at that—it is a consequential consideration following an amendment they have put forward today—and I look forward to hearing what Ministers will have to say about it in due course.

Nadia Whittome (Nottingham East) (Lab): I rise to speak in support of new clause 35. My amendment is about funding for decarbonising homes and I hope Members across the House will agree that it is badly needed. Our homes are among the least energy-efficient in Europe and heating them accounts for 14% of all UK carbon emissions. If we do not retrofit around 29 million existing homes in the UK we will not be able to reach net zero by 2050. This is a mammoth task, so we must act now.

However, decarbonising housing is not just about tackling the climate crisis: millions of people are living in freezing homes that are expensive to heat, left at the mercy of the volatile gas market. Poor-quality housing is costing people their health and even their lives. Retrofitting homes would reduce bills, make homes safer and improve people's quality of life. It would also create new jobs in every part of the country, helping build the green economy we so desperately need.

The Climate Change Committee has found that people accept the need to make changes to their homes, but they need well-designed policies to help them to act. The biggest barrier for many will be the up-front cost. The Government have funding to retrofit the homes of people on low incomes, and that is available through the social housing decarbonisation fund and the sustainable warmth fund, but the amount on offer just is not enough, particularly given the rising labour and material costs. In fact, last year, the number of Government-funded energy efficiency measures installed in UK homes dropped by half, year on year. It is now a shocking 97% below 2012 levels.

If the Government had not cut energy efficiency support in 2013, just imagine how many more people might have spent last winter in a comfortable home and how many fewer families would have had to choose between heating and eating. Short-sighted Tory cuts have cost us a decade in a fight we cannot afford to lose. We need long-term consistent funding and a clear road map of how the decarbonisation of housing will be achieved. Local authorities are uniquely placed to understand the needs of their area and to target schemes where they can provide the most benefits. In Nottingham, against the odds, more than 4,000 homes have been retrofitted by the city council in the past decade. Just imagine what more could be achieved by councils across the country with long-term predictable funding for decarbonising homes. The amendment is calling for the Government to undertake an assessment of the benefits of providing this funding to local authorities. I hope the House will invest in our future by supporting new clause 35.

Craig Mackinlay: I suppose that the volume of my amendments probably speaks for itself, but I have a great interest in this Bill. I am aware of the limitation of time this afternoon, so I will keep my observations to the two areas that I think are fundamentally important.

I absolutely despise this Bill. I have been in this House for eight years, and I have rarely seen a Bill of such nature. It is 426 pages, and it has attracted 146 pages of amendments. That means it has a lot of interest, but I want to discuss two of the amendments that I have tabled.

First, amendment 50 relates to clause 152(4) and the hydrogen grid conversion trials. The clause seeks to amend the Gas Act 1986, and I am particularly concerned by subsection (4), which increases the rights and powers available to unknown new inspectors. It includes the

"power to enter premises in the trial location for the purpose of inspecting anything on the premises, or carrying out any tests on the premises, in preparation for or otherwise in connection with the trial."

My amendment, which I tabled with others, would interpose at least a magistrate—a justice of the peace—in that proposal before we start entering people's premises. We accept that in other energy matters. For example, to have a meter changed, it has to go through a magistrates court. I know that well, as I used to sit as one.

Clause 248 causes me the most gross concern. It is the reason that I hope an amendment can be accepted, although I know it was not selected by Mr Speaker. The clause is titled "Sanctions", and I suppose it does what it says on the tin. Subsection (4) states: "Energy performance regulations"—which are unknown and may be put into place in this House in the future by statutory instrument—

"may provide for the imposition of civil penalties by enforcement authorities"

for a penalty of up to £15,000 for not complying with those regulations. Were that not bad enough, all in this House should sit up and take notice of subsection (3) —I know it is a big Bill. It states that energy performance regulations, which are as yet unknown, but are available to be put on the statute book in the future by statutory instrument,

"may provide for the creation of criminal offences"

in relation to various cases, with imprisonment for a term of up to 12 months.

I do not know about other Members in the House, but I rather like "The Shawshank Redemption". It is a great film. I can imagine the old lags in the future having a chat about why they are in prison. One might say, "I've done benefit fraud—£50,000-worth—and I got six months." Another might say, "I had dangerous driving causing an injury—8 months." The businessman talking to them will say, "I had a very good business with 20 people working for me in a factory. They have all been put out of work. My business has closed and my family are on the street." The others will say, "What on earth did you do, sir?" and he will say, "I infringed an energy performance certificate, and I got 12 months."

Sammy Wilson: Does the hon. Member agree that that could be for something as simple as renting out premises without having shown the EPC for them? It is a ridiculous situation.

Craig Mackinlay: My right hon. Friend has it exactly right. Hence I feel that when we in this place are creating criminal penalties that could put our fellow citizens in prison for 12 months for an unknown offence of the future relating to net zero, we have a duty to discuss them properly. This must be the first time we are potentially criminalising people in this country for not adhering to the new code of net zero. We should not be doing it lightly. We should be doing it carefully and with consideration. It should not be done by statutory instrument.

John Redwood: I thank my hon. Friend for highlighting this issue to all in the House. I hope that the Government will take urgent action to get rid of it, because it is completely unacceptable. It also shows how little time we have to discuss fundamental issues.

Craig Mackinlay: My right hon. Friend has put his finger exactly on the pulse. This is a substantial Bill. I say to the Minister that I hope the Government will strip out criminal penalties for not adhering to unknown net zero certification, EPCs and all the rest of it in the future for something as simple as not complying with some of these net zero regulations. This is really serious. I hope that when the Bill returns to the other end of the Palace, consideration can be given to strip out such proposals.

I could have gone on at huge length this afternoon. I tabled many amendments because these are overweening powers trying to push and nudge us and to ban things. All I can imagine is that the Chinese embassy will be looking at the Bill with great enthusiasm, as it will drive even more of our high-energy businesses offshore. China will be pleased that it will be able to sell us more solar panels and wind turbines based on its steel, produced on the back of very cheap coal power. That is what we are doing here: driving our high-energy businesses offshore. This is not a recipe for energy security; this is a recipe for energy disaster.

I could talk at length about what is wrong with the net zero proposals banning cars, banning oil boilers, banning this and banning that. That is not what we do as Conservatives. We actually allow freedoms. We allow the market to decide. The Bill goes in the wrong direction.

Caroline Lucas: There are some elements of the Bill to commend, not least the net zero duty on Ofgem, but overall it fails to deliver the scale of ambition we need or to set out a vision of an energy system free not just from Putin's influence but from expensive and polluting oil and gas in their entirety. My amendments would address that failing.

New clause 29 would prohibit the approval of new oil and gas field developments and the issuing of new oil and gas exploration and production licences. I am sure that the Minister will seek to paint the new clause as somehow incredibly radical and the policy of Just Stop Oil, pretending that it would recklessly turn off the taps tomorrow. He will no doubt trot out the same tired lines about a quarter of the UK's energy continuing to come from oil and gas in 2050. In reality, the new clause is far from radical. It would simply do what the science tells us is necessary if we are to secure a liveable future for ourselves and our children and rule out any new oil and gas licences. In doing so, it would follow the advice of experts including the Climate Change Committee, which in its latest report was clear:

"Expansion of fossil fuel production is not in line with Net Zero."

It acknowledges that while the UK will continue to need some oil and gas until the target is met,

"this does not in itself justify the development of…North Sea fields."

Yet rather than heeding that warning, just one month later we had the former Secretary of State vowing to max out the North sea's remaining oil and gas reserves. The Government re-announced 100 new licences and it was not ruling out the prospect of Rosebank.

However hard they try to obfuscate and evade, Ministers cannot deny the fact that, without additional abatement, the projected CO_2 emissions from existing fossil fuel infrastructure would already exceed the remaining carbon budget for a safe climate. Any oil and gas extracted from the North sea belongs not to us but to multinational companies, which will sell it to the highest bidder on the global market. The majority of fossil fuel projects in the pipeline are for oil, not gas, and will do nothing to boost energy security, given we currently export 80% of the oil that we extract.

4.45 pm

New clause 30, which tackles head-on the frankly obscene duty to maximise the economic recovery of petroleum from the North sea, is an amendment that I would like to press to a vote. It is a legal requirement for companies to pump every last drop of oil and gas while the world around them burns. In the time of climate emergency, that duty has no place on our statute books. The clause would define a new principal objective under the Petroleum Act 1998 that responds to the escalating climate crisis, but which also supports a new positive vision for the North sea. Although it would require the phasing down of petroleum in line with the UK's climate targets, it would also facilitate a just transition for oil and gas workers and communities and, crucially, would require them to be consulted in the process.

I turn to renewables. New clause 31 would require the installation of solar panels on the roofs of all new homes and, crucially, require all new housing developments to be planned to maximise solar gain, thereby unleashing a rooftop revolution to put power into the hands of households.

In the remaining time, let me quickly underline new clause 33, which would require the Secretary of State to publish an energy demand reduction delivery plan. The Bill before us focuses almost exclusively on supply, yet demand reduction is essential for our energy security and the transition beyond fossil fuels. The more energy we use, the harder and more expensive it becomes to decarbonise our supply. That is why I am very happy to support the amendments tabled by the hon. Member for Nottingham East (Nadia Whittome), who made a strong and impassioned speech in favour of energy efficiency and making sure that we can keep people

warm in their homes. I also support the Scottish National party's statements on nuclear power, with which I wholeheartedly agree.

Chris Skidmore (Kingswood) (Con): I draw the House's attention to my entry in the Register of Members' Financial Interests.

The rest of the world has woken up to the reality that the energy transition is here to stay. Investment in fossil fuels is reducing at such a rate that, while 10 years ago capital investment in oil was six times that of solar power, this year for the first time solar received more investment than oil. Last year, UK renewable power generated more electricity than fossil fuels. The cost of those technologies fell faster than ever predicted, with electricity production from renewables nine times cheaper than from gas.

Markets and investors across the world recognise that net zero is the future. Today we can only help or hinder that future, but we cannot stop it. The energy transition is an economic reality that, as legislators, we can either speed up, ensuring that the UK benefits from the economic opportunities and investments that can be ours if we so choose, or we can slow it down. To do so—to delay and hinder the transition—would merely cause the UK catastrophic economic self-harm. Investments will go elsewhere. Companies will locate elsewhere. Jobs will be created not here, but elsewhere.

As legislators, this is the choice we face: net zero and our economic future, or not zero with increasing costs and a loss of growth that will never come this way again. For that reason, I support the Bill, which seeks to maintain progress in the energy transition. However, we can and should go further. Yes, we must expand our use of renewable and clean energy, but the reality is that the UK should commit to phasing out fossil fuels. We do not need new oil and gas fields, which will only become stranded assets far sooner than we think. We do not need new oil and gas exploration licences for fossil fuels that are not ours to keep—as the hon. Member for Brighton, Pavilion (Caroline Lucas) made clear—but are sold on international markets and are rapidly losing market share and demand.

The truth is that, if we are truly serious about tackling climate change and delivering a green industrial revolution in the UK, focusing our finite investments, workforce and time on the energy transition, there is no place for new oil and gas fields or new coalmines. None of my amendments can be considered radical. Legislating to prevent the opening of new companies simply maintains a commitment that the UK sought to make to the rest of the world at COP26. Legislation to remove coal-fired electricity production from the grid simply puts into law a commitment that the Government have made to the ending of coal-fired generation by the end of 2024. Legislating to leave the energy charter treaty, which penalises nations for not maintaining investments in fossil fuels, simply ensures the UK follows the rest of Europe in doing so. Legislating to ban gas flaring and venting by 2025, which is responsible for methane emissions that are 54 times more powerful than carbon dioxide, simply brings forward a commitment from 2030, and is something that Norway has had in place since 1971. And legislating to establish an independent body to advise on when to end new oil and gas licensing in the UK seeks to depoliticise an issue on which we need to find a responsible consensus that can be supported cross-party, for it is too important to seek to divide and play politics with.

Tonight, in that spirit of cross-party collaboration and knowing that this is too important to get wrong or to fall short, I too am willing to back any amendments that I believe will deliver the energy transition more effectively. I hope all Members across this House will consider doing the same.

Clive Lewis (Norwich South) (Lab): I would like to speak briefly to new clause 36, tabled in my name. New clause 36 asks—no, implores—this House to consider a national energy guarantee, which is also known as a rising block tariff combined with a social tariff. It is a system of energy pricing that shows that social and environmental goals can be advanced together. It really does embody a green new deal in action.

There are some in this House who claim that tackling the cost of living crisis and the climate crisis is a zero-sum game; that we can only do one or the other. The amendment blows a hole right through that falsehood. The reality of the current system in use by the Government is that too many people—millions of them and growing—are falling into fuel poverty. It is a system that simply is not fit for purpose. Let us be clear. Higher energy prices are not a blip. They are here to stay. Research from Cornwall Insight shows that energy prices will remain

"significantly above the five year pre-2021 historic average"

until at least the end of the decade. Even though Ofgem's price cap will come down in October, the average bill will still be nearly double what it was in 2021, before prices soared. Millions of households will pay more this winter, given the Government's energy assistance schemes have ended for most.

Up and down the UK, energy debt is soaring. Citizens Advice reports that nearly 8 million people borrowed to pay their bills in the first six months of this year. A quarter of people say that their energy bill is the cost they are most worried about. In my own city of Norwich, the rate of reporting fuel debts has increased by a staggering 300%. Yet by subsidising the unit price, the Government's energy price guarantee disproportionately benefited well-off households and did nothing to incentivise energy demand reduction and decarbonisation.

The national energy guarantee will ensure that everyone can afford the essential energy they need, while cutting carbon. Here is how it works. Everyone gets a free energy allowance that covers 50% of essential needs. Households with higher needs, such as those with children or disabled residents, would get a larger allowance. The next 50% of energy used is charged at a reduced rate, matched to 2021 prices. Beyond that, a carbon-busting premium tariff kicks in. The result is that around 80% of us will have lower bills, while wealthier high-energy users will pay more but can reduce their bills by installing energy-saving measures such as insulation.

In one fell swoop, we will have protected essential energy needs, reduced bills and incentivised a ramping up of decarbonisation of our housing sector—crucial if we are to meet our net zero commitments. I urge and implore the House to support new clause 36.

David Duguid: In the interests of time, I will limit my remarks to carbon capture and storage, and the impact of offshore wind on other commercial activities at sea, specifically fishing. If I have time at the end, I will talk about hydrogen and maybe even the future of oil and gas.

I welcome the announcement on 31 July by the Prime Minister in my constituency confirming the Acorn CCS and hydrogen project; that will mean that four CCUS clusters will be operational by the end of the decade. The Scottish cluster is particularly crucial for my constituency of Banff and Buchan, as well as the whole of Scotland, not just for the estimated 21,000 jobs the project is predicted to support but to enable the construction of a new CCS power station at Peterhead. That power station will replace the existing one, which is currently the only dispatchable thermal power station north of Leeds. It will be critical is providing stable baseload in support of intermittent renewable sources of energy, and will do so in a way that is 95% emission-free.

Again in the interests of time, I am not going to speak about every single amendment that I tabled, but I hope the Minister will bear with me and perhaps respond to the following questions. In respect of clause 2, which deals with licensable activities and their prohibition, can he clarify whether, or why, an economic licence would be required specifically over and above the geological storage licence that would be granted under the existing regulatory regime, namely the Storage of Carbon Dioxide (Licensing etc.) Regulations 2010? Will private operators be able to develop merchant models in competitive transport and/or storage markets in the longer term?

As the Minister will know, the UK has about a third of Europe's entire offshore carbon dioxide storage potential undersea, roughly equal to that of all the other EU states combined. Only Norway has slightly more than the UK in the North sea. This enormous potential to offer CO_2 storage services to European and other countries presents an opportunity for the UK to become a global leader in CCUS, and accelerate the global efforts to prevent CO_2 emissions. How will cross-border transport and geological storage of carbon dioxide be enabled to develop in time, without having to rely on the granting of exemptions to allow private networks to develop? Can the Minister also confirm that it will be possible to facilitate transportation by ship, and any other means of transport other than pipeline, through regulation, and that that is covered adequately by clause 128(1)(a)? I see him nodding.

Finally, may I raise the subject of offshore wind? The fishing industry understands that energy security matters, and that offshore wind has an important part to play in the overall energy mix, but food security matters too. The Minister will be aware of studies which have shown that up to half our seas could be lost to fishing owing to other activities, including offshore wind. Academic studies carried out by Heriot-Watt University, among others, have shown the impact that electromagnetic fields from subsea cables have had on the migration, growth and development—including abnormalities—of crabs and lobsters. The Energy Bill already makes provision for the principle of a levy to address the environmental impact of these new wind farms, which is absolutely right and proper, so what consideration—including engagement with devolved Administrations, as required—has been given, or could be given, to the businesses, industries and coastal communities that will inevitably be impacted by offshore wind operations?

Last month, the think-tank Onward published a compelling paper arguing for statutory payments, from developers, to be made to communities where—if and when—onshore wind was developed. If that principle is fair, payments for actual loss of earnings to other marine business from offshore developments are even more compelling as a principle. I am aware of the various voluntary codes and guidance that are available, but they have so far proved to be insufficient. If the Minister is unable to respond to that last question today, will he agree to meet me, and representatives from the fishing industry, to discuss how best to embed a fair and equitable principle in Government action, that would come at no cost to His Majesty's Treasury?

Wera Hobhouse (Bath) (LD): The UK has a responsibility to deliver an effective net zero strategy. This Energy Bill provided a chance to ensure that the Government's own climate commitments could be met. Some parts of the Bill are welcome, but as it stands, it presents us with many missed opportunities. The Liberal Democrats fully support the establishment of the independent systems operator, and I am pleased that the Government have finally listened and given Ofgem a net zero duty. However, I am disappointed that the Government removed sensible amendments in Committee, such as the amendment to ban new coalmines, and I strongly support new clause 2.

Let me now focus on the Liberal Democrats' new clauses 11, 12, 15, 24 and 28. The aim of new clause 28 is to ban fracking permanently. Fracked fuel is a fossil fuel; it hardens our reliance on expensive gas, and it flies in the face of our net zero commitments. The Government's own experts have said that the seismic activity caused by hydraulic fracking is not safe. It is incomprehensible that the Government ever considered lifting the ban, and it caused huge anxiety among communities across the country. That must never happen again.

Last year, Shell forcibly installed prepayment meters in more than 4,000 homes, while making £32 billion in profits. Those on prepayment meters typically spent about £130 a year more than direct debit customers. Why are so many vulnerable people forced into this? The Government must support my new clause 15 to prohibit the installation of new prepayment meters unless consumers explicitly request them.

Solar is one of the cheapest forms of energy, and again it is incomprehensible that this Government do not give it the support that it deserves. The Climate Change Committee says that UK solar power deployment is significantly behind the Government's target of 70 GW by 2035. The smart export guarantee should incentivise households to invest in solar panels by allowing them to sell the excess electricity produced back to the grid. However, under the current system it will take householders decades to break even and this will not incentivise solar investment. Our Liberal Democrat new clause 11 aims to enhance the reward under the smart export guarantee.

5 pm

Renewable energy production must benefit the communities where it is based. Community energy projects have the potential to power 2.2 million homes and save 2.5 million tonnes of CO_2 every year. However, the barriers to becoming a licensed supplier mean that community energy projects currently cannot sell directly to local customers. The amendment to establish local

energy supply agreed in the other place would have rectified this. Why did the Government remove that important amendment?

On my last amendment, we need to reduce more than just carbon emissions to fight global warming. Methane has 80 times the warming effect of CO_2 and accounts for 13% of global greenhouse gas emissions. The UK signed the global pledge to cut methane levels by 30% but the Government have shown little interest in meeting this. Flaring happens during oil and gas extraction when methane and other hydrocarbons are burned. Venting is the release of uncombusted methane and other hydrocarbons. The International Energy Agency says that UK oil and gas operators could reduce methane emissions by 72% through tackling flaring, venting and leaking.

New clause 12 would prohibit the flaring and venting of methane by oil and gas installations. It would require monthly leak detection and repair inspections to reduce fugitive methane emissions; a measurement, reporting and verification process to quantify methane emissions; and all equipment to be updated to alternative zero or low-emission and low-maintenance versions. My new clause has cross-party support. I thank all Members who have supported it and the Clean Air Task Force for helping to develop it, and I urge all Members of the House to support it.

Richard Drax (South Dorset) (Con): In the short time I have, may I introduce a slight note of caution? I was impressed by the almost Tiggerish performance by the Minister—he is very persuasive on this Bill—but what concerns me is what is guiding Government policy and, dare I say it, the policy of many in this House. The Climate Change Act 2008, and the further legislation in 2019 when our Government increased the cut in carbon emissions to 100% by 2050, introduced targets that in my humble opinion were not really thought through. The practical consequences have not been thought through, and they are becoming more and more evident today as we discuss these difficult issues.

Do not let me mislead people in the House. I, like everyone here, want to break away from fossil fuel and have cleaner air. The green revolution is coming, as my right hon. Friend the Member for Kingswood (Chris Skidmore) said, but we have to be careful not to bring it in so quickly that it is not available, it is not affordable and, when the sun does not shine and the wind does not blow, it does not work. Strategically, we are an island nation and we have to keep the lights on. Our duty as MPs is to say to our constituents, "I can guarantee that when you go to your light switch or to make a cup of tea or cook a meal, the power will be there to do all that, and to drive your car from A to B."

At the moment there is a great drive for electric cars, but they are expensive and the plug-in points and investment are nowhere near ready for that revolution. There are also many questions about where the batteries and the resources for them will come from. We have already heard from my hon. Friend the Member for Rutland and Melton (Alicia Kearns) about the slave labour that applies to many parts of the battery industry.

We are now on our fourth carbon budget—I do not know whether people know that—running from 2023 to 2027, and the Government are being guided by that. The Climate Change Committee advises on the carbon budget, and the Government can be legally challenged once it is in place. The budget is set for five years, so the question now is: what about our democracy? In my humble opinion, we are debating these crucial issues for probably the first time. It was pushed through in 2008 and 2018, and we are now facing the consequences of those decisions. If we have to fall back on the courts to decide on the policies we make in this place, we can recall the anxiety and grief that that caused on the Brexit issue. In my view, that is completely unacceptable.

There are three consequences: in 18 months' time, no new house will be fitted with a gas boiler; in seven years' time, petrol cars will be illegal; and in 12 years' time, people will not be able to replace their boiler like for like.

Ian Paisley: Is it not the case that, after car batteries expire, most of them end up in landfill? This is another significant problem we need to take stock of when these issues are considered.

Richard Drax: It is. I have read many articles, not least by Mr Bean who, as we know, is a car expert. He wrote a very good article in *The Guardian* about why we are not quite ready for battery cars. If my wife or daughter is travelling from A to B, I want her to get there safely, as she can in a petrol or diesel car, without having to wait in a petrol section for some minutes to recharge her car, which then takes half an hour or so.

Our actions have consequences, and I urge the Government to think this through very carefully. We cannot impoverish our country to meet what I would call, in some cases, an almost cultish policy to turn this country into something we cannot afford. When we can afford it, and when it works, that is when we should adopt all these policies. I urge caution as the Government go forward.

Olivia Blake (Sheffield, Hallam) (Lab): I declare an interest, as my husband is the company secretary of Sheffield Renewables, a community benefit society that funds, develops, owns and operates renewable energy systems in Sheffield.

I rise to speak in support of a number of amendments that would be vital additions to the Bill. It was a pleasure to sit on the Public Bill Committee to debate, at great length, many of the issues that have been raised today. I still feel the Bill is missing its intended purpose, as the Government put it, to

"deliver a cleaner, more affordable and more secure energy system for the long term."

We are in a climate and nature emergency, and we are now seeing its effects. We are also facing the worst cost of living crisis in decades. Although I am pleased the Minister has listened to Members on both sides of the House on the hydrogen levy, there is still a lot more to do.

The Bill could have been our opportunity to tackle these issues head on, transitioning away from climate-wrecking fossil fuels while making energy affordable for everyone. Sadly, in its current form, it fails on those fronts. First and foremost, the Bill will fail to make energy more affordable for my constituents. National Energy Action has warned that 6.3 million households could be trapped in fuel poverty this winter, and by 2024 some households will face spending up to a quarter of their income on energy bills.

We need to overhaul our broken energy pricing system, not have more tinkering around the edges. I am proud to support new clause 36, tabled by my hon. Friend the Member for Norwich South (Clive Lewis), which would introduce a national energy guarantee. This idea needs to be considered, as we need to make sure that the burden of the transition does not fall on those who are least able to meet it.

Secondly and shockingly, the Bill fails to deliver any energy efficiency measures. There is nothing about how we will achieve the targets that have been set. The latest CCC report is clear that the Government need to rapidly scale up and accelerate energy efficiency to stand any hope of meeting legally binding decarbonisation targets. Obviously, the greenest energy is energy that is not used, and the more we can do to reduce the need for energy in poor-quality housing the better.

New clauses 33 and 35 aim to correct the current position by making it a legal requirement for the Government to produce an energy demand reduction plan and providing local authorities with funding for the decarbonisation of homes. I thank the hon. Member for Brighton, Pavilion (Caroline Lucas) and my hon. Friend the Member for Nottingham East (Nadia Whittome) for tabling those new clauses, and I urge the Government to support them.

Finally, the Bill fails to decarbonise at speed and scale. Again, the latest CCC report could not be clearer:

"Expansion of fossil fuel production is not in line with Net Zero".

New clauses 2 and 29 would prohibit coalmines and new oil and gas respectively. New clause 30 would phase down UK petroleum, and new clause 59 would decarbonise electricity supply by 2030. They could and should have been central pillars of the Bill. They are about how we can transform our energy system and meet Labour's ambitious plans to be a green energy superpower by 2030. However, the Government have removed many new clauses that were won in the Lords—for example, the one on banning new coalmines—and Ministers are refusing to support any such measures today. Instead, they waited until MPs went home over the summer to give the green light to hundreds of new North sea oil and gas licences, without proper scrutiny, in a damning indictment of this Government's record on climate action. Those are not the only amendments that would help to raise the ambition in this Bill that the Government have removed.

Finally, I wish to mention the importance of new clause 7. The treaty that has been outlined is holding us back and we need to be on the front foot with this. I hope that Ministers will reconsider whether or not we should be part of this treaty in the future.

Dame Andrea Leadsom (South Northamptonshire) (Con): This is a great Bill and I congratulate the Government as it takes us a huge step forward. Back in 2015, when I believe the hon. Member for Southampton, Test (Dr Whitehead) was the shadow Energy Minister, I was Energy Minister and we announced we were taking coal off the system by 2025. I recall that at that time the whole world was up in arms, saying, "Oh no, the lights will go out. This will never happen." Yet by 2020 coal was almost off the system and today there is hardly ever any use of coal. That demonstrates what can happen when a Government set a direction of travel, put the funding behind it and let businesses and investors get on with it. It is a huge accolade for a Conservative Government, who then stand aside and let private investment come in. It is time that we committed ourselves to building new nuclear baseload, as that is vital. We can be proud of our achievements on offshore wind and the commitment now to carbon capture, usage and storage—that has been too long in coming but I am pleased to see it.

Time is tight, but I wish to refer to my new clause 60, which calls for a specific problem to be tackled in a specific way. We all have major concerns in our constituencies, where communities do not wish to see huge electricity pylons, great big wind turbines and great big industrial sites related to energy in their area. Yet we know that we need new onshore wind, lots of solar and lots of electricity pylons. My new clause proposes to make it much easier to build the 600 km of new electricity cabling and pylons that we need by 2030 to meet our power decarbonisation targets alongside major road and rail routes. As things stand, communities understandably object to these huge pieces of kit going through their areas, and then these things get delayed and delayed. In the past eight or so years, we have built only about 30 km of new pylons but we need about 600 km by 2030. We need to get our skates on. The Government can help by making it much easier for planning—

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): I completely agree with the point the right hon. Lady is making. Does she agree that Governments across the UK—transmission infrastructure is a matter where the Welsh Government have competence—should be looking at cable ploughing technology as a way forward? It enables "undergrounding" at a far cheaper cost and in a far more environmental way than traditional undergrounding.

Dame Andrea Leadsom: I have a lot of sympathy with what the hon. Gentleman says, but he will know that over their lifetime it costs over five times as much to put cables underground as overground. While I agree that burying them is better in sensitive areas, that will not offer the faster and cheaper solution that overground cables, alongside major roads and rail tracks, would offer.

5.15 pm

Finally, we have an opportunity now to lean in to providing the decarbonisation that people want and need to see, and to keeping the lights on while keeping bills down. If we think smartly, go with the grain of what communities want—including what is set out in the excellent new clause 48, tabled by my hon. Friend the Member for Rutland and Melton (Alicia Kearns), which proposes that we stop building huge solar farms on agricultural land and put them on brownfield and less sensitive sites instead—put power infrastructure in less environmentally sensitive areas and help communities to earn some money from onshore wind farms that they support in their areas, then we will be truly keeping the lights on, keeping bills down and, vitally, decarbonising, as we have committed to do.

Tonia Antoniazzi (Gower) (Lab): We all want to cut emissions and tackle climate change, but people continue to suffer from the cost of living crisis. It is important that the cost of transitioning to lower carbon alternatives is not left to individuals to shoulder on their own.

[Tonia Antoniazzi]

The Government propose phasing out the use of high-carbon fossil fuel heating from the gas grid by banning the installation of new gas-fuelled boilers from 2026, and they advocate the alternative of heat pumps. While heat pumps have an important role to play in the decarbonisation of home heating, a heat pump only approach risks unfairly burdening off-grid rural homeowners with expensive installation costs. My constituents are rightly concerned at the prospect of being made to install very costly alternative heating systems that are not fit for purpose.

Some 11 million people live in rural areas across the UK, with 15% in off-grid homes. The cost of installing a low-carbon heat pump is around four times more expensive than a replacement boiler. What is more, while a heat pump can technically be installed in all homes across the UK, and it should be in new build housing, in certain property types, such as those in rural and coastal communities like Gower, they will not run efficiently and risk increasing energy bills to unnecessarily high levels for homeowners, above those they currently pay. In some cases, that could increase the overall cost of installation to £25,000, according to the Government's own calculator.

I welcome the fact that the Government are consulting on increasing the grants available for heat pumps in certain homes, as announced last week. However, for some, those increased grants will not go far enough in making the cost of heat pump installation workable. My constituents in Gower, many of whom are off-grid homeowners, want to play their part in reducing emissions. In fact, the majority of people who came to my summer surgeries, while concerned about the cost, wanted to do their bit to reduce carbon emissions.

As has been said in the Chamber today, renewable liquid fuels, such as renewable diesel made from hydrotreated vegetable oil, offer a cheaper alternative. They can reduce net carbon dioxide greenhouse gas emissions from source to end user by up to 90%. At a small cost, existing off-grid boilers can be modified to run renewable liquid fuels, such as HVO, saving the homeowner the extortionate cost of a heat pump replacement.

However, renewable liquid fuels are more expensive than their high-carbon competitor, kerosene. In order to aid swift uptake, the Energy Bill must enable the use of renewable liquid fuels, as well as introducing measures to explore reducing their cost and making them more accessible, such as a renewable liquid heating fuel obligation, mirroring what already exists in transport and aviation. That would help my constituents transition to lower-carbon alternatives and incentivise faster and wider transition, more broadly, among off-grid households. There is some consensus across the House on those measures. An effective transition to cleaner energy must ensure that rural off-grid communities, such as mine in Gower, are not left with an expensive cost burden as we transition to net zero.

To conclude, in light of the consultation on renewable liquid fuels, the Government must review their oil boiler ban. The Minister must ensure that the consultation is expedited so that all our off-grid constituents can benefit before he leaves Government.

John Redwood: The wish to carry through a great electrical revolution will require a lot of good will from the British people. My worry about this legislation is that it may antagonise them by being unduly restrictive, particularly with the threat of civil and even criminal penalties on some of their conduct. We need to persuade people that the green products will be cheaper, better, more acceptable and make a more general contribution, and not try to bamboozle them. I hope that there will be an opportunity to vote on the amendments tabled by my hon. Friend the Member for South Thanet (Craig Mackinlay) to get rid of the threat of criminal and civil penalties over the issue of a proper transition.

For things to take off, the products—the heat pumps and the electric cars—will have to be much more popular. More people will have to believe in their specifications and adequacy, and they will have to be more affordable. I, for example, would be very happy to have a heat pump to heat my rather small London flat, but I am told that there is not one available because I am not allowed to adorn the outside of the block of flats with any of the things that a person would need to make a heat pump system work. There must be practical solutions to these problems. We cannot force the pace by legislation; the markets and the investment have to catch up.

My second worry about this legislation is that energy policy has to achieve three things at the same time. Yes, we have to take considerable environmental issues into account, but we also need affordable energy and we need available energy. In recent years, all main parties have put so much emphasis in their policy making on the environmental that we are missing the obvious, which is that we are no longer guaranteeing security of supply. We cannot guarantee security of supply if we are mainly relying on wind farms. We cannot rely on solar on a dark winter evening when people want to cook their meal and turn the heating up, because there is no solar. We have to look at the relative costs. The unit cost of energy generated by a wind farm that is already built is very cheap on one costing system, but if we have a gas turbine system that is non-operational for most of the time, only kicking in occasionally when the wind does not blow, that is part of the cost of the delivery of the wind power and it is a far more expensive way of running gas turbines than if we use them all the time.

Craig Mackinlay: My right hon. Friend is making an excellent point about the extra energy provision that we need to make renewables work. Has he considered the true environmental cost of the batteries, the digging up of cobalt by children in the Democratic Republic of Congo, the smelting and all the rest of it? That is the real cost of relying on renewables, and we hear very little about the real cost of the batteries.

John Redwood: I am greatly in favour of doing proper, whole-life carbon accounting, taking into account all the CO_2 generated by making the green product—its lifetime use, on which it may be better, and its disposal, on which it may be worse. It is certainly the case that if we acquire an electric vehicle that has generated a lot of CO_2 in its production and then we do not drive it very much, we will have not a CO_2 gain but a CO_2 loss, so there must be realistic carbon accounting. We also should not fall nationally for the fallacy that is built

into the international system. For example, we could say that we have brought our CO_2 down because we are importing things, but that actually generates a lot more CO_2 than had we done it for ourselves.

This is the essence of the argument about our own gas. If we get more of our own gas down a pipe, it produces a fraction of the CO_2 for the total process than if we import liquefied natural gas having had to use a lot of energy compressing and liquefying the gas, a lot of energy switching it back, and a lot of energy on long-distance sea transport. Therefore, we must be realistic in the CO_2 accounting.

Finally, I do not think that the Bill is giving us much guidance. For example, if the electrical revolution does take off, because the really popular products arrive and people find them affordable, how will they get the power delivered to their homes? We are already told that many wind farms cannot be started or cannot be connected to the grid any time soon. There needs to be a massive expansion of green capacity and a big digging-up of roads and re-cabling of Britain. If my constituents are all to adopt an electric car and a heat pump, we need a massive expansion both of electricity generation and of grid capacity. I do not see that happening at the moment. There need to be market reactions and proper investment plans, and this legislation is not helping.

I fear that this Bill adds to the costs. It adds targets that could turn out to be unrealistic and that could be self-defeating, because quite often the actions taken to abate CO_2 end up generating more CO_2 at the world level and mean that we have exported an awful lot of crucial business that we would be better off doing here.

Mr Deputy Speaker (Mr Nigel Evans): We are going to a three-minute limit immediately. The wind-ups will start at 5.50 pm and then there will be multiple votes from 6 pm onwards. I am afraid some people may not get in.

Ian Paisley: Thank you for calling me in this debate, Mr Deputy Speaker. It has not been all jolly hockey sticks, despite the fact that this Bill has taken up quite a considerable amount of the House's time over the last number of years and Sessions.

Northern Ireland has more than 60%, maybe approaching 70%, of its houses heated by solid fuel. As a representative of a constituency with a vast rural section that relies on coal and heating oil, I cannot put my name to something that will say to my constituents, "I don't know what this is going to cost you, but this decision will actually inflict a higher cost on you when there is a suitable and available product there that you can use to heat your home or to drive your car." That presses heavily on me, and it has pressed heavily, I notice, on some other Members across the House, because there are significant cost implications in going down the proposed route.

Northern Ireland is not behind in making change. It is actually front and centre in the hydrogen revolution. It has been making hydrogen products and will be part of the hydrogen hub and the most significant hydrogen manufacturer in the entire island of Ireland. I listened carefully to the points made from the Government Front Bench about the hydro levy, and it will be interesting to see how that follows through.

I was delighted by the comments made by the right hon. Member for Camborne and Redruth (George Eustice). I know he was not trying to hang anyone out to dry today, but it was important that we got from the Minister a clear indication of what is happening, not just in Northern Ireland, with regard to liquid renewables. It is important that the Government must support a variety of heating technologies to give the UK the best chance of hitting the 2050 carbon reduction target, if that is what they wish to do. They must reflect the diverse types of houses that people live in across the entirety of the United Kingdom and do something that is fundamentally fair to people. We cannot inflict this massive cost on people when we have an overreliance on solid fuels, especially in a country such as mine.

We heard some comments from the right hon. Member for Wokingham (John Redwood) on the issue of battery disposal. It concerns me considerably that whenever a battery car has finished its life cycle, the battery largely ends up in landfill. What benefit is that, when there are other technologies out there being explored, utilised and developed that could give us a much better and more user-friendly experience?

A ban on new replacement fossil fuel appliances in homes from 2026 will put a substantial cost on people. I also agree thoroughly with the points made about the disruption to many people and about heat pumps. This Bill needs to have even more thought given to it.

Sir Jacob Rees-Mogg (North East Somerset) (Con): In my point of order earlier I said that this was a 328-page Bill. That was what it was when it came from the House of Lords; it is now a 427-page Bill, which we are expected to debate in detail in three hours, on a day when we had two relatively lightweight statements. That really seems to me not the proper way to have scrutiny in this House. It does not allow this House to do its proper job of looking at the detail of legislation—it is as if we had abdicated it entirely to their lordships.

I have supported my hon. Friend the Member for South Thanet (Craig Mackinlay) in a number of amendments, every single one of which has basically the same aim: to ameliorate the burden this Bill will place on all our constituents. Throughout the Bill, we are creating cost, regulation, penalties and obligations. New clause 42 is there to say that the lowest possible cost should be at the forefront of the mind of the Government in everything that they do, irrespective of how the energy is generated. If that means fossil fuels, let it be fossil fuels. As my right hon. Friend the Member for Wokingham (John Redwood) said, we need to keep people with us, and we risk losing them if we put undue burdens on them.

5.30 pm

What other burdens did we seek to take away? Well, the hydrogen levy, of course. I am all in favour of hydrogen; I think it could be the fuel of the future—I remember that when I was a child, coal was advertised as the fuel of the future. Hydrogen may have a better opportunity, but that cannot be done by levies and imposts, and I hope that what the Government have done will not be a power that they use to create a levy and an impost.

On entering people's homes without a warrant, a warrant is not the protection that one would like it to be—we saw the scandal of warrants just being agreed

by the courts willy-nilly to insist on the installation of prepayment meters—but at least a warrant is some protection. Let us protect our voters. Smart appliance regulations are the EU's approach to regulating rather than the market approach. Surely we on the Conservative Benches believe in market forces determining how things should happen.

Our amendment 67 deals with a Henry VIII clause to try to stop legislation being changed by fiat. Most importantly, on amendment 66, can it possibly be right to criminalise people, and potentially put them in jail for a year, for muddling their energy efficiency certificate? No, it cannot, and we should not do it.

Alex Cunningham (Stockton North) (Lab): The issue of flaring and venting emissions highlighted in new clause 12 is an extremely important one. Any unplanned hydrocarbon releases must be done safely. I know the tremendous concerns of the trade unions, including the National Union of Rail, Maritime and Transport Workers, and of the 49,000 offshore workers, about the Bill's failure to address safety-critical maintenance work on oil and gas installations. I very much agree with the sentiments in the new clause and welcome the fact that flaring and venting emissions have been reduced, but according to industry body Offshore Energies UK, the average safety-critical maintenance backlog on UK offshore oil and gas installations increased by 50% during the pandemic. I hope that the Minister will reflect on that and perhaps meet the unions.

Turning to new clause 22, I see tremendous merit in and need for timely and cost-effective connections to the grid, and for an acceleration of the development of an offshore wind energy grid, both of which are critical for Teesside and the Teesworks site. Given the promise of many more jobs in the industry, connectivity to the electricity grid for the Teesworks site could not be more important. I would be obliged if the Minister updated me on power supplies, which I understand do not currently exist for the site, and on how he will use the new legislation to ensure that Teesside gets the power it needs.

The Government say that the purpose of new clause 52 is to give greater certainty to producers of sustainable aviation fuel. That is undoubtedly necessary, but I take issue with the long lead time. The new clause specifies that

"The Secretary of State must open the consultation within the period of 6 months"

and report to Parliament on progress

"within the period of 18 months".

The industry needs certainty now. I know from talks that I have had with industrialists that the Government's dilly-dallying is already impacting on investment decisions, and not in a positive way.

New clause 34 calls for a price stability mechanism to support the development of a UK sustainable aviation fuel industry. That is what those in the industry want, and they want it now. Alfanar is developing a £1.5 billion waste-to-sustainable aviation fuel facility on Teesside—the largest in the world and the most advanced in Europe. It also plans two more SAF plants in the UK, but—and this is a big but—it needs certainty from the UK Government that they are serious about the industry and will take the brakes off and get on with creating a business environment that will instil confidence.

I very much welcome new clause 56. It beggars belief that the existing linking of renewable and gas prices in the retail market has delivered billions' worth of extra cash to energy companies while our hard-pressed constituents pick up the bill. I hope that Ministers will accept that that is unfair on consumers, and that the new clause will help them to correct that. I would have loved to have talked at length about carbon capture and storage, but suffice it to say that the Government should take on board the amendments tabled by others.

Chris Grayling: I have pushed my new clause 34 to a point where the Government have responded in a sensible way and started what I hope and believe will be a process. It was not for no reason that around 70 Members of Parliament signed that new clause; it was because of a recognition that this transition is going to happen in one of our most important industries, and it is going to happen around the world.

The migration to sustainable aviation fuel is vital as the world decarbonises, not only because it is an essential first step towards decarbonisation, but in the long term—not for short-haul flights, which I think will be powered by hydrogen; by the 2030s, we will start to see short-haul hydrogen planes in operation. However, there is no technological approach yet that will take us to Australia or North America using anything other than sustainable aviation fuel, so it is a vital industry for the future of this country.

There are investors out there waiting to invest in developing plants here, but they need the confidence to know that there is a Government committed to creating a framework that will enable that investment to take place and be sustained. One of the reasons I intervened on the Opposition spokesman, the hon. Member for Southampton, Test (Dr Whitehead), is that over the next 12 months, as we prepare for a general election, investors are looking for confidence on both sides of the House. It is not about a lack of confidence in our ability to win the next general election; it is about delivering confidence to investors right now.

That is why it is important that both the Government and the Labour party are committed to the development of sustainable aviation fuel in the United Kingdom. We want investors to be taking decisions about the deployment of their capital in this country now, preparing to invest and preparing for the end of the process that the Government have started through their new clauses, so that by 2026 they are ready to build plants, develop sustainable aviation fuel and provide an important part of the future of the aviation industry in this country.

I am grateful to the Minister for what he has done and the assurances he has given today, but I say to him and his colleagues in Government that I and others will be holding their feet to the fire in the next 12 months, to ensure that the consultation starts as quickly as possible and that the response to it comes as quickly as possible. By the time we get to the general election, I want there to be a clear route map forward for the development of SAF in this country that has given investors confidence, so that they know as we go into the election campaign that both sides will take this forward and that we have an industry that will be vital to the future of aviation in Britain, which is a crucial industry for all of us.

Alec Shelbrooke: It has been a pleasure to speak on the Bill on Second Reading and in Committee, but I agree with my right hon. Friend the Member for North East Somerset (Sir Jacob Rees-Mogg) that it is a great pity we cannot have a long debate on Report or Third Reading, to expand on issues further.

One of the issues that I wanted to expand on is about some of the alternatives. We keep talking about electric vehicles moving down, but hydrogen combustion vehicles offer a real opportunity to move forward. We also talk about net zero, but this has now moved to zero-emission vehicles. That rules out hydrogen combustion, so again, we are going down a rabbit hole of just having electric vehicles, but an electric vehicle is not a zero-emission vehicle. If it was, the underground would have the cleanest air in London, and it does not, because there are a lot of particulates around it.

My hon. Friend the Member for Rutland and Melton (Alicia Kearns) makes it clear through new clause 47 that we have to look at the sources, and new clause 37 relates to where batteries go. We keep talking about the rare earth metals that are needed. Indeed, the hon. Member for Angus (Dave Doogan) talked about being able to maintain baseload by using various aspects of energy storage. We keep coming back to the need for rare earth metals and materials to enable that, and they come from areas of the world that we do not have an influence over. In the past 18 months, there has been a huge debate about the fact that we cannot be reliant on Russian energy, and yet few Members in today's debate have recognised the fact that we are wholeheartedly moving towards becoming reliant on China to supply our energy needs.

This is a huge Bill. It is a fundamental Bill that we have brought forward as we look to the future, but it is far too big, with far too many aspects to it. It has become a bit of a hodgepodge, saying, "We want electric vehicles. We want electric heating in homes. We want to have arc blast furnaces rather than coal furnaces, so we will ban new coalmines." I promise this House that if we move to just arc furnaces, we will destroy steel manufacturing in this country, because we do not have the ability now to produce the electricity that is needed. We are not going to switch off the lights in people's homes before we switch off an arc furnace, and once it has been switched off, we cannot switch it back on.

That is the big mismatch in the Bill, which is why I regret that we will not have a Third Reading debate to discuss these issues on a slightly wider basis. The rush to renewables is happening quicker than the timeline for making sure we have enough turbines, as my right hon. Friend the Member for Wokingham (John Redwood) pointed out. My hon. Friend the Member for South Dorset (Richard Drax) made very important points as well. Although the aims are there, and I think we all want to follow those aims—not being reliant on foreign energy is highly important—at the moment there does not appear to be a connection between these things as they come online. As such, although the aims of the Bill are good, we have to make sure that we implement them over a consistent timeframe so that we take the public with us.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): The beautiful food-producing farmland in my constituency is a particular target for industrial-scale solar farms, often backed by prospectors who have no personal connection to our area. This raises huge concerns among my constituents about the scale of the projects and the lack of thorough consultation. With the imperative of food security on our minds, we must explore alternatives to covering vast expanses of our productive land with solar panels.

Many people do not appreciate the scale of the issue, so to illustrate the magnitude of this challenge, I will highlight one proposal for a solar farm in my constituency. It aims to engulf a staggering 587 hectares of land, just under half of which is grade 1 to grade 3A farmland—the very best and most versatile agricultural land, the best land for food production. In fact, almost 10,000 acres of my constituency are currently open to planning for solar farms. Those farms will dwarf villages such as Witham St Hughs, Thorpe on the Hill, Bassingham and Holdingham, and will almost encircle villages such as Scopwick, Digby and Ashby de la Launde.

I do not stand against solar panels in principle; I have previously spoken about the unexplored potential of utilising industrial roof spaces for them. However, I do not believe that covering our farmland in solar panels is the right thing to do, and I vehemently object to the lack of food security it could produce. I therefore support new clause 48, tabled by my hon. Friend the Member for Rutland and Melton (Alicia Kearns), which seeks to solve this injustice and put an end to these large-scale projects. Furthermore, I appreciate that that clause also encourages future developments on brownfield sites, which are far better suited to such endeavours. Let us work together to protect our precious farmland, maintain our food security, heed the concerns of our constituents, and chart a more sustainable path for our energy future.

I was also shocked to hear that more than 90% of solar panels may be made by, or have elements that come from, slave labour. As we discuss the slavery of the past, let us do all we can to prevent the slavery of the here and now. I therefore also support new clause 47, which should be pushed to a Division later.

Lincolnshire as a whole produces a vast amount of this country's food, yet 22,500 acres—1.3% of its land area—are currently open to applications for solar panels. As such, I ask the Minister to answer two questions in his summing up. First, what will we eat when our best and most versatile farmland is covered by solar panels? Secondly, what is his assessment of the impact on the environment of growing energy from solar panels instead of food, then importing food from elsewhere?

Peter Aldous (Waveney) (Con): The Bill has an important role to play in ensuring that we meet our 2050 net zero targets, enhancing our energy security and creating new jobs, particularly in coastal communities such as the constituency I represent. In driving forward the measures in the Bill, I urge the Government to have in mind the following parameters.

First, we need to pursue a strategic approach to the provision of infrastructure while maximising the leveraging-in of the enormous amount of much-needed private sector investment that will be required. Secondly, the Bill's framework needs to be sufficiently flexible to allow all regions of the UK to play their full role in the transition. It has been estimated that by 2035, East

[Peter Aldous]

Anglia's renewable and low-carbon energy supply portfolio could power the equivalent of 90% of the UK's homes. In our area, we need a recognition of the role we will play.

Finally, the Government need to rural-proof their policies, as articulated by my right hon. Friend the Member for Camborne and Redruth (George Eustice) and the hon. Member for Gower (Tonia Antoniazzi).

Community energy has an important contribution to make in boosting clean energy generation and in offering people the opportunity to benefit from agreeing to host new energy infrastructure. Therefore, the announcement of the new £10 million community energy fund is to be welcomed. However, it is important that the Government monitor very closely the fund's impact and whether it is successful in unblocking more community-owned projects. If it is not, they need to bring forward further measures, such as the amendments that were proposed in the other place.

5.45 pm

I also take note of the amendments that have been tabled highlighting the need to support vulnerable households and promoting a social tariff. Although this Bill may not be the right place for promoting these policies, that does not mean that the concerns raised are not valid and very real. The cost of living crisis is still with us. We are not out of the woods and I urge Ministers to liaise with their counterparts in the Treasury and the Department for Work and Pensions to ensure that appropriate support measures are in place.

It is not before time that we are considering this Bill. We need to get on with it, get it on the statute book as quickly as possible and then get on with the task of delivery.

Duncan Baker (North Norfolk) (Con): I rise to support the principle of the Government lifting the ban on new onshore wind farms. I have every sympathy with new clause 43, but I want to bring some context as to why and mention the fact that public support on this topic has completely and utterly changed 180° in the last 10 or 15 years.

In 2009, which feels like a long time ago now, I was first elected as a local councillor and, in the very village I grew up in, one of the most controversial and contentious planning applications I have ever seen was put in front of us. It was for a 66-metre—you've guessed it—wind turbine; it was not a very big one, but it was to be built on the Cromer glacial ridge in North Norfolk. The backlash against that proposal was enormous, with 1,500—1,500—objections, genuine protests and councillors elected on the back of the stop the turbine campaign. The applicant went through three planning appeals, two High Court hearings and an application to the Court of Appeal. Finally, the planning inspector granted permission in February 2020, after over a decade of fighting. That turbine went up just a few months ago.

I am telling hon. Members this because the Mack family that went through that process for over a decade must have spent tens and tens of thousands of pounds, but now it has been built, public perception has changed and the complaints against it have been absolutely negligible. What that says, above all, is that people have now changed the general consensus on onshore wind. It has totally changed and, as parliamentarians, we should reflect public opinion. When the mood changes, we should change with it sometimes. People get it now: people get that that one turbine will power 700 homes in the local area. Of course, new applications must be designed to be sympathetic to the surrounding landscape, but people recognise that we need our own energy security, sustainable, clean and green forms of energy to decarbonise and an energy mix that will give us security as well.

Things have clearly changed, and I think this is a very sensible, pragmatic and low-cost way of the Government moving to give us more clean and green energy. That one single application I mentioned shows how public sentiment has changed, which is why I support the Bill today.

Several hon. Members *rose—*

Mr Deputy Speaker (Sir Roger Gale): Order. This will have to be the final two minutes from the Back Benches. I call Jerome Mayhew.

Jerome Mayhew (Broadland) (Con): Thank you, Mr Deputy Speaker. I am just going to talk about one new clause, new clause 29, which I oppose. It seeks to prevent further licences of North sea oil and gas. The reason I oppose it is that we have a plan for the decarbonisation of our economy and it is policed, if I can put it that way, by the Committee on Climate Change. In the path to net zero by 2050, we recognise that we have a continuing need for oil and gas at least until 2035, when more than 50% of our energy needs will still come from fossil fuels, and actually up to 2050 included, because it is net zero, not absolute zero. We have to have oil and gas, so let's get it from the most efficient and environmentally friendly source. The most environmentally friendly source is Norway, but that is not an unlimited resource; the CO_2 equivalent per barrel of oil there is about 7 kg. The additional oil and gas we use comes not from Norway but from Qatar; it is liquid natural gas and the CO_2 equivalent per barrel there is 79 kg, whereas the figure for the North sea is 21 kg—a quarter the level of environmental damage per kilogram of CO_2 equivalent. The consequence of closing down the North sea prematurely would be to increase emissions and make our carbon footprint worse. It would be the triumph of virtue signalling over the practicalities of decarbonisation.

Caroline Lucas: Will the hon. Gentleman give way?

Jerome Mayhew: I will not; I am sorry, but I only have one and a half minutes.

It is logical on environmental grounds, therefore, to support new licences in oil and gas. But there are other arguments. There is the balance of payments—we used to talk about the balance of payments. In 2022, our trade in goods deficit was £63.9 billion. I would rather have our imports of oil and gas coming from the UK and not being imports at all, supporting our balance of payments.

There is the tax income. The Office for Budget Responsibility says that in 2023-24 we are going to get £10.4 billion of tax revenue from North sea oil. That pays for a lot of public goods. We should be supporting that, and we should be supporting business profitability and jobs, because that supports our communities. It also

gives time for the phasing of what is described as the just transition to renewable jobs. There is an irony in that the proponents of new clause 30, led by the hon. Member for Brighton, Pavilion (Caroline Lucas), talk about just transitions, but it is this longer process away from North sea oil and gas, managing decline, that provides the space for a truly just transition to new renewables employment in this country. I do not support new clause 29 as a result.

Several hon. Members *rose—*

Mr Deputy Speaker (Sir Roger Gale): I apologise to those Members who have not been called; a note will be made and a count taken. I call the Minister, Andrew Bowie.

Andrew Bowie: I am delighted to rise. I must apologise in advance of my closing remarks: given the time available, I will not be able to address every single point, question, statement and amendment raised today. *[Interruption.]* That is the first time I have ever been told to speed up my speaking style. However, I will commit to write to every Member who has raised a question, and certainly questions that are pertinent to how we implement some of the regulations that we are presenting here today and which will be subject to discussion in the Lords next week.

On new clause 47, presented by my hon. Friend the Member for Rutland and Melton (Alicia Kearns), we keep all sanctions under review and she knows that we cannot comment on any potential future designations. We have a global rights sanctions regime, which allows us to take action when the necessary legislative criteria are met and we assess sanctions are appropriate. I can confirm to her that we take an interest in the concerns she set out and will continue to act. We have introduced new guidance on the risks of doing business in Xinjiang, enhanced export controls and announced the introduction of financial penalties under the Modern Slavery Act 2015.

Alicia Kearns: I know the Minister has historically been very strong on this point. I am interested in the fact that the Government have raised that point about sanctions and the possibility of sanctions, because we have not heard that before. Both the US and EU have sanctioned those who use slave labour within their supply chains. If the Government—I hope they are saying this today; I know they cannot comment on sanctions designations—are saying that they will bring forward sanctions against companies that are completely complicit in slave labour—we have the evidence both from the US and our own work—that will be incredibly positive because it would send a strong deterrent message across the industry that we will not accept slave labour in our supply chains.

Andrew Bowie: I thank my hon. Friend for her comments and constructive engagement over the past couple of days and months. As I said, I commit to working with her and other interested parties on this matter as we continue to do what we can to combat the existence of slave labour in that market.

The energy efficiency amendments were raised a number of times. I want to be absolutely clear: we are simply seeking to replace the power to amend the energy performance of premises regime, which was lost as we departed the EU. Brexit gives us the power to do that. I can categorically guarantee before the House that we are not creating new offences. In any case, any new offences on anything—as is always the case—would have to be subject to debate, scrutiny and vote in this place, which Brexit has allowed us to do.

My hon. Friend the Member for South Thanet (Craig Mackinlay) raised the issue of a warrant for exercising power of entry with his amendment 50. I assure him that clause 152 modifies the Gas Act 1986 by building on existing provisions concerning the powers of entry. As such, the existing rules on powers of entry will continue to apply, whereby gas transporters must obtain a warrant from the magistrates court before use. I hope that satisfies my hon. Friend.

I thank my right hon. Friend the Member for South Northamptonshire (Dame Andrea Leadsom) for her amendment today. I pay tribute to her for her outstanding work, her support for this Bill during her time as Secretary of State in the Department for Business, Energy and Industrial Strategy and her continued work when she was chair of the departmental Back-Bench committee. I am delighted to be able to confirm that we will continue to work towards what her amendment seeks to do, and I am happy to continue to work with her in pursuance of that, alongside the industry and the Department.

It would be remiss of me not to mention and thank my right hon. Friends the Members for Reading West (Sir Alok Sharma) and for Middlesbrough South and East Cleveland (Sir Simon Clarke) for their close work with the Government over recent weeks. Onshore wind is an important part of our energy mix, and the Government have always maintained that it should be built where there is local support, ensuring that the voices of local communities are heard. In December last year, the Government consulted on changes to national planning policy for onshore wind in England. Through that consultation, the Government have heard the strength of feeling and the range of views on this topic. We continue to believe that decisions on onshore wind are best made by local representatives who know their areas. Nevertheless, the feedback was clear that we need to strike the right balance, and that is why the Secretary of State for Levelling Up, Housing and Communities published a written ministerial statement, as was described earlier, and we look forward to working with colleagues to implement that as we move forward.

I would also be remiss not to mention my right hon. Friend the Member for Basingstoke (Dame Maria Miller) and her comments today and constructive engagement over the past few months. Lithium-ion battery storage systems are a concern for many in this House. The Government acknowledge the concerns surrounding the potential safety and environmental impact of battery energy storage at grid scale. It is a priority for this Government to ensure the existence of an appropriate, robust and future-proofed regulatory framework that protects people and the environment. That is why I am pleased to confirm today that we have sought to provide further clarity through both the planning system and environmental permitting regulations.

The Government have recently updated planning practice guidance, which encourages battery storage developers to engage with local fire and rescue and local planning

[Andrew Bowie]

authorities to refer to the guidance published by the National Fire Chiefs Council. The Government intend to consult on including battery storage systems in the environmental permitting regulations at the earliest opportunity.

The main mechanisms for controlling emissions to air, land and water from industrial installations is through complying with an industrial installations permit. These permits set out mandatory conditions that operators must comply with to protect the health of local communities and the local environment. Installations are then inspected at a frequency according to their level of risk, and regulators have enforcement powers available to them if operators are not complying with their permit conditions. I hope that my right hon. Friend and other hon. and right hon. Members for whom this is an issue of great concern are reassured by those commitments today.

I thank all hon. and right hon. Members for their engagement in this debate, especially my hon. Friend the Member for Banff and Buchan (David Duguid), who is a real champion of the UK's thriving CCUS industry. I thank him for his comments today. The licences issued by different authorities are designed to serve different purposes. The new requirement for an economic licence recognises the monopolistic nature of carbon dioxide pipelines and storage and is designed to protect users of the networks from anti-competitive behaviours, including monopolistic pricing. This is complementary, rather than duplicative of the existing carbon storage licensing framework. I can reassure my hon. Friend that the provision in clause 128(1)(a) is sufficiently broad to cover all methods of CO_2 transportation.

Finally, my hon. Friend spoke about offshore wind. As part of the development consent process, applicants are required to consult with stakeholders, including devolved Administrations where relevant, and consider the impacts of their development on other sea users. However, I am also happy to confirm that I will meet him at any time, as well as representatives of the fishing industry, for whom this is a big issue.

I thank Members across the House for their considered contributions. For the reasons that I have set out, I respectfully ask them not to press their amendments to any votes.

Question put and agreed to.

New clause 52 accordingly read a Second time, and added to the Bill.

6 pm

Proceedings interrupted (Programme Order, 9 May).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 63

RENEWABLE LIQUID HEATING FUEL OBLIGATIONS

"(1) The Secretary of State may by regulations subject off-grid heating fuel suppliers (or off-grid heating fuel suppliers of a particular description) to an obligation in respect of renewable liquid heating fuel that corresponds to or is similar to the obligation mentioned in section 124(2) of the Energy Act 2004 (renewable transport fuel obligation).

(2) The regulations may, for any purpose connected with that obligation, make provision corresponding to or similar to any provision made by, or that may be made under, Chapter 5 of Part 2 of the Energy Act 2004 (powers etc relating to renewable transport fuel obligation).

(3) Before making regulations under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(4) Regulations under this section are subject to the affirmative procedure.

(5) In this section—

"off-grid heating fuel supplier" means a person who, in the course of business, supplies any—

(a) renewable liquid heating fuel,

(b) fossil fuel, or

(c) other fuel, apart from solid fuel,

at or for delivery to places in Great Britain with a view to its being used wholly or mainly for the purpose of heating buildings to which there is no mains gas supply;

"renewable liquid heating fuel" means fuel that is typically supplied or stored in a liquid state and that is—

(a) biofuel or blended biofuel, or

(b) fuel (other than fossil fuel or nuclear fuel) produced—

(i) wholly by energy from a renewable source, or

(ii) wholly by a process powered wholly by such energy;

and "biofuel", "blended biofuel", "fossil fuel" and "renewable source" have the meanings given in section 132 of the Energy Act 2004."—*(Andrew Bowie.)*

This new clause, intended to be inserted after clause 156, allows for the imposition of an obligation on off-gas-grid heating fuel suppliers that corresponds to the "renewable transport fuel obligation" provided for in Chapter 5 of Part 2 of the Energy Act 2004.

Brought up, and added to the Bill.

New Clause 64

REGULATIONS UNDER SECTION 92(1): PROCEDURE WITH DEVOLVED AUTHORITIES

"(1) Before making regulations under section 92(1) that contain provision within devolved competence, the Secretary of State must give notice to each relevant devolved authority—

(a) stating that the Secretary of State proposes to make regulations under section 92(1), and

(b) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to the provision within the relevant devolved competence,

and must consider any representations duly made and not withdrawn.

(2) In this section, "relevant devolved authority", in relation to regulations, means—

(a) the Scottish Ministers, if the regulations contain provision within Scottish devolved competence;

(b) the Welsh Ministers, if the regulations contain provision within Welsh devolved competence;

(c) the Department for the Economy in Northern Ireland, if the regulations contain provision within Northern Ireland devolved competence;

and "the relevant devolved competence", in relation to a relevant devolved authority, is to be construed accordingly.

(3) For the purposes of this section, provision—

(a) is within Scottish devolved competence if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) is within Welsh devolved competence if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) is within Northern Ireland devolved competence if it—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998,

and references to provision being within devolved competence are to provision that is within Scottish, Welsh or Northern Ireland devolved competence."*—(Andrew Bowie.)*

This new clause, intended for insertion after clause 93, requires the relevant devolved authorities to be consulted where regulations under clause 92(1) contain provision that is within devolved competence.

Brought up, and added to the Bill.

New Clause 65

REGULATIONS MADE BY SECRETARY OF STATE: CONSULTATION WITH DEVOLVED AUTHORITIES

"(1) This section applies where—

(a) the Secretary of State proposes to make regulations under section 216 by virtue of any of Parts 3, 4, 5, 7, 8, 10,11 and 12 of Schedule 18, and

(b) the regulations contain—

(i) in the case of regulations made by virtue of Part 3, 4, 7, 8, 10, 11 or 12 of Schedule 18, provision within Scottish devolved competence;

(ii) in the case of regulations made by virtue of Part 5 of Schedule 18, provision within Welsh devolved competence.

(2) Before making the regulations, the Secretary of State must give notice—

(a) stating that the Secretary of State proposes to make the regulations,

(b) setting out or describing—

(i) so far as the regulations are made as mentioned in subsection (1)(b)(i), the provision within Scottish devolved competence,

(ii) so far as the regulations are made as mentioned in subsection (1)(b)(ii), the provision within Welsh devolved competence, and

(c) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to those provisions,

and must consider any representations duly made and not withdrawn.

(3) A notice under subsection (2) must be given to each relevant devolved authority, that is to say—

(a) the Scottish Ministers, if the regulations are made as mentioned in subsection (1)(b)(i) and contain provision within Scottish devolved competence;

(b) the Welsh Ministers, if the regulations are made as mentioned in subsection (1)(b)(ii) and contain provision within Welsh devolved competence.

(4) The Secretary of State need not wait until the end of the period specified under subsection (2)(c) before making regulations if, before the end of that period, each relevant devolved authority to which the notice was given has confirmed that it has made any representations it intends to make with respect to the provision referred to in subsection (2)(b)(i) or (ii) (as the case may be).

(5) The Secretary of State must, if requested to do so by a relevant devolved authority, give the authority a statement setting out whether and how representations made by the authority with respect to the provision referred to in subsection (2)(b)(i) or (ii) (as the case may be) have been taken into account in the regulations.

(6) For the purposes of this section, provision—

(a) is within Scottish devolved competence if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) is within Welsh devolved competence if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006)."*—(Andrew Bowie.)*

This new clause, to be inserted after clause 216, requires the Secretary of State to carry out a consultation process with the Scottish Ministers and the Welsh Ministers so far as regulations under clause 216 make provision within Scottish or Welsh legislative competence.

Brought up, and added to the Bill.

New Clause 66

REGULATIONS UNDER SECTION 292 AND 293: PROCEDURE WITH DEVOLVED AUTHORITIES

"Regulations under section 292

(1) Before making regulations under section 292 that contain provision within devolved competence, the Secretary of State must give notice to each relevant devolved authority—

(a) stating that the Secretary of State proposes to make regulations under that section,

(b) setting out or describing the provision that is within the relevant devolved competence, and

(c) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to that provision,

and must consider any representations duly made and not withdrawn.

(2) The Secretary of State need not wait until the end of the period specified under subsection (2)(c) before making regulations if, before the end of that period, each relevant devolved authority to which the notice was given has confirmed that it has made any representations it intends to make with respect to the provision referred to in subsection (2)(b).

(3) The Secretary of State must, if requested to do so by a relevant devolved authority, give the authority a statement setting out whether and how representations made by the authority with respect to the provision referred to in subsection (2)(b) have been taken into account in the regulations.

(4) In subsections (1) to (3), "relevant devolved authority", in relation to regulations, means—

(a) the Scottish Ministers, if the regulations contain provision within Scottish devolved competence;

(b) the Welsh Ministers, if the regulations contain provision within Welsh devolved competence;

(c) the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, if the regulations contain provision within Northern Ireland devolved competence;

and "the relevant devolved competence", in relation to a relevant devolved authority, is to be construed accordingly.

Regulations under section 293

(5) The Secretary of State may not make regulations under section 293 containing provision within Scottish devolved competence unless the Scottish Ministers have consented to that provision.

(6) The Secretary of State may not make regulations under section 293 containing provision within Welsh devolved competence unless the Welsh Ministers have consented to that provision.

Devolved competence

(7) For the purposes of this section, provision—

(a) is within Scottish devolved competence if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) is within Welsh devolved competence if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) is within Northern Ireland devolved competence if it—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998;

and references to provision being within devolved competence are to provision that is within Scottish, Welsh or Northern Ireland devolved competence."—*(Andrew Bowie.)*

This new clause, intended for insertion after clause 293, is about cases where regulations under clause 292 or 293 contain provision within devolved competence. For clause 292 regulations, it requires the relevant devolved authorities to be consulted. For clause 293 regulations, it requires the Scottish or Welsh Ministers' consent.

Brought up, and added to the Bill.

New Clause 12

PROHIBITION ON FLARING AND VENTING AND ENHANCED MEASURES TO REDUCE FUGITIVE METHANE EMISSIONS

"(1) The Secretary of State must by regulations—

(a) prohibit the practice of flaring and venting by oil and gas installations other than in an emergency within the jurisdiction of the United Kingdom,

(b) require monthly leak detection and repair inspections to reduce fugitive methane emissions,

(c) require a measurement, reporting and verification process to quantify methane emissions, and

(d) require the upgrade of all equipment to alternative zero- or low-emission and low-maintenance equipment, such as electric, mechanical, or compressed air equipment.

(2) In this section—

"flaring" means the burning of methane gas and other hydrocarbons produced during oil and gas extraction;

"venting" means the release of methane gas and other hydrocarbons directly into the atmosphere, without combustion.

(3) Regulations under this section must be made so as to come into force by 31 December 2025."—*(Wera Hobhouse.)*

This new clause would prohibit "flaring" and "venting".

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 192, Noes 316.

Division No. 315] [6 pm

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Clark, Feryal *(Proxy vote cast by Chris Elmore)*
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Creasy, Stella
Cryer, John
Cummins, Judith
Cunningham, Alex
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Dowd, Peter
Dyke, Sarah
Eagle, Dame Angela
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fletcher, Colleen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hillier, Dame Meg
Hobhouse, Wera
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Lloyd, Tony *(Proxy vote cast by Chris Elmore)*
Long Bailey, Rebecca
Lucas, Caroline
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Rayner, rh Angela
Reed, Steve
Rees, Christina

Reeves, Ellie
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Sheerman, Mr Barry
Siddiq, Tulip
Skidmore, rh Chris
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Spellar, rh John
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Thomas-Symonds, rh Nick
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew

Opperman, Guy
Paisley, Ian
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Shannon, Jim
Sharma, rh Sir Alok
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Whittaker, rh Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Noes:
Steve Double and Ruth Edwards

Question accordingly negatived.

New Clause 39

Duties of the Gas and Electricity Markets Authority in respect of off-grid fuels

"(1) Within three months of the passage of this Act, the Secretary of State must by regulation extend the duties of the Gas and Electricity Markets Authority to the distribution and supply of fuels utilised for off-grid home heating.

(2) Regulations under subsection (1) must provide for GEMA to apply a cap on the price of fuel supplied for off-grid home heating proportionate to the cap applied in respect of on-grid homes."*—(Alan Brown.)*

This new clause seeks to extend the duty of Ofgem to regulate off-grid fuels utilised for off-grid home heating and to ensure that a cap is applied for off-grid home fuels that is proportionate to the cap applied for on-grid homes.

Brought up.

Question put, That the clause be added to the Bill.

The House proceeded to a Division.

Mr Deputy Speaker (Sir Roger Gale): Order. I am advised that the bells at No. 1 Parliament Street are not working. I shall extend the Division time by two minutes.

The House having divided: Ayes 235, Noes 306.

Division No. 316] [6.14 pm

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Bridgen, Andrew
Brock, Deidre
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Clark, Feryal *(Proxy vote cast by Chris Elmore)*
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Creasy, Stella
Crosbie, Virginia
Cryer, John
Cummins, Judith
Cunningham, Alex
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Donaldson, rh Sir Jeffrey M.
Doogan, Dave
Dowd, Peter
Dyke, Sarah
Eagle, Dame Angela
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fletcher, Colleen
Flynn, Stephen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Girvan, Paul
Glindon, Mary
Grady, Patrick
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hart, Sally-Ann
Hayes, Helen
Healey, rh John
Hendry, Drew
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive

Lightwood, Simon
Linden, David
Lloyd, Tony *(Proxy vote cast by Chris Elmore)*
Lockhart, Carla
Long Bailey, Rebecca
Lucas, Caroline
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Newlands, Gavin
Nichols, Charlotte
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Paisley, Ian
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Qaisar, Ms Anum
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Robinson, Gavin
Rodda, Matt
Saville Roberts, rh Liz
Shannon, Jim
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Thewliss, Alison
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, rh Sammy
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Marion Fellows and Peter Grant

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David

Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Sharma, rh Sir Alok
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Wheeler, Mrs Heather
Whittaker, rh Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Noes:
Steve Double and
Ruth Edwards

Question accordingly negatived.

New Clause 57

ONSHORE WIND

"(1) The Secretary of State must by regulations ensure that onshore wind installations are treated for the purpose of planning and development as local infrastructure and will be permitted or otherwise as if they were.

(2) Regulations under subsection (1) may amend any primary legislation passed before the passage of this Act."—*(Dr Whitehead.)*

This new clause ensures that onshore wind development proposals in England and Wales are permitted to proceed on the same basis as other local infrastructure projects.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 188, Noes 310.

Division No. 317] [6.28 pm

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Clark, Feryal *(Proxy vote cast by Chris Elmore)*
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Creasy, Stella
Cryer, John
Cummins, Judith
Cunningham, Alex
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Dowd, Peter
Dyke, Sarah
Eagle, Dame Angela
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fletcher, Colleen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gill, Preet Kaur
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Hussain, Imran
Jardine, Christine
Jarvis, Dan

Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Lloyd, Tony *(Proxy vote cast by Chris Elmore)*
Long Bailey, Rebecca
Lucas, Caroline
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Sheerman, Mr Barry
Siddiq, Tulip
Skidmore, rh Chris
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Spellar, rh John
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Thomas-Symonds, rh Nick
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus

Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Opperman, Guy
Paisley, Ian
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Shannon, Jim
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Wheeler, Mrs Heather
Whittaker, rh Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Noes:
Steve Double and
Ruth Edwards

Question accordingly negatived.

New Clause 59

DECARBONISED ELECTRICITY SUPPLY BY 2030

"(1) It is the duty of the Secretary of State to ensure that the supply of electricity in the UK is decarbonised by 2030.

(2) The Secretary of State must, within six months of the passage of this Act, produce and publish a plan which will set out how the duty in subsection (1) is to be achieved."—*(Dr Whitehead.)*

This new clause is intended to provide for the UK's electricity supply to be decarbonised by 2030.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 223, Noes 310.

Division No. 318] **[6.41 pm**

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy *(Proxy vote cast by Peter Grant)*
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Clark, Feryal *(Proxy vote cast by Chris Elmore)*
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Creasy, Stella
Cryer, John
Cummins, Judith
Cunningham, Alex
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Peter Grant)*
Dowd, Peter
Dyke, Sarah
Eagle, Dame Angela
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Fletcher, Colleen
Flynn, Stephen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew

Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hendry, Drew
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Linden, David
Lloyd, Tony *(Proxy vote cast by Chris Elmore)*
Long Bailey, Rebecca
Lucas, Caroline
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonald, Stewart Malcolm
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne *(Proxy vote cast by Peter Grant)*
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John *(Proxy vote cast by Peter Grant)*
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Qaisar, Ms Anum
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tami, rh Mark
Thewliss, Alison
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and Mary Glindon

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Dr James
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren

Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Opperman, Guy
Paisley, Ian
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Shannon, Jim
Sharma, rh Sir Alok
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Wheeler, Mrs Heather
Whittaker, rh Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Noes:
Steve Double and Ruth Edwards

Question accordingly negatived.

New Clause 61

NATIONAL WARMER HOMES AND BUSINESSES ACTION PLAN (NO. 2)

"(1) The Secretary of State must, before the end of the period of 6 months beginning with the day on which this Act is passed, publish an action plan entitled the Warmer Homes and Businesses Action Plan, to set out proposals for delivery of—

(a) an Energy Performance Certificate at band C by 2035 in all UK homes where practical, cost effective and affordable, and

(b) an Energy Performance Certificate at band B by 2030 in all privately rented non-domestic properties, and

(c) the Future Homes Standard for all new builds in England by 2025.

(2) The Secretary of State must, in developing the Warmer Homes and Businesses Action Plan, consult the Climate Change Committee and its sub-committee on adaptation."—*(Dr Whitehead.)*

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 189, Noes 305.

Division No. 319] [6.54 pm

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Sir Chris
Buck, Ms Karen
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Clark, Feryal *(Proxy vote cast by Chris Elmore)*
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Creasy, Stella
Cryer, John
Cummins, Judith
Cunningham, Alex
Dalton, Ashley
Davey, rh Ed
Davies-Jones, Alex
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Dowd, Peter
Dyke, Sarah
Eagle, Dame Angela
Eastwood, Colum
Edwards, Jonathan

Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fletcher, Colleen
Foord, Richard
Foxcroft, Vicky
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Lloyd, Tony *(Proxy vote cast by Chris Elmore)*
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Sheerman, Mr Barry
Siddiq, Tulip
Skidmore, rh Chris
Slaughter, Andy
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Spellar, rh John
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Tami, rh Mark
Thomas-Symonds, rh Nick
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and Mary Glindon

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Double, Steve
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John

Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Opperman, Guy
Paisley, Ian
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Shannon, Jim
Sharma, rh Sir Alok
Shelbrooke, rh Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Wheeler, Mrs Heather
Whittaker, rh Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Zahawi, rh Nadhim

Tellers for the Noes:
Jacob Young and
Julie Marson

Question accordingly negatived.

Clause 1

PRINCIPAL OBJECTIVES AND GENERAL DUTIES OF SECRETARY OF STATE AND ECONOMIC REGULATOR

Amendment made: 180, page 3, line 2, at end insert—

"(aa) the interim targets, as defined in section 2 of that Act;".—*(Claire Coutinho.)*

This amendment requires the Gas and Electricity Markets Authority to have regard to the interim targets set out in section 2 of the Climate Change (Scotland) Act 2009 in carrying out functions under Part 1 of the Bill.

Clause 2

PROHIBITION ON UNLICENSED ACTIVITIES

Amendments made: 131, page 4, line 14, after "repeals" insert "or revocations".

This amendment makes it clear that the amendments referred to in subsection (7)(a) include revocations as well as repeals.

Amendment 198, page 4, line 19, at end insert—

"(7A) But regulations made by virtue of subsection (7)(a) may not make provision amending (or repealing or revoking) any provision of—

(a) an Act of the Scottish Parliament, or an instrument made under such an Act, unless the Scottish Ministers have consented to the making of that provision;

(b) a Measure or Act of Senedd Cymru, or an instrument made under such a Measure or Act, unless the Welsh Ministers have consented to the making of that provision;

(c) Northern Ireland legislation, or an instrument made under Northern Ireland legislation, unless the Department for the Economy in Northern Ireland has consented to the making of that provision."—*(Claire Coutinho.)*

This amendment provides that the Secretary of State may not by virtue of subsection (7)(a) amend the specified devolved legislation without the consent of the relevant devolved authorities.

Clause 6

REVOCATION OR WITHDRAWAL OF EXEMPTION

Amendment made: 181, page 7, line 39, at end insert ", and

(b) consider any representations which are duly made and not withdrawn."—*(Claire Coutinho.)*

This amendment imposes an express duty on the Secretary of State to consider any representations made in accordance with subsection (4).

Clause 8

POWER TO CREATE LICENCE TYPES

Amendments made: 132, page 9, line 10, after "repeals" insert "or revocations".

This amendment makes it clear that the amendments referred to in subsection (2)(a) include revocations as well as repeals.

Amendment 199, page 9, line 14, at end insert—

"(2A) Before making regulations under this section containing provision within devolved competence, the Secretary of State must give notice to each relevant devolved authority—

(a) stating that the Secretary of State proposes to make regulations under this section, and

(b) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to the provision within the relevant devolved competence,

and must consider any representations duly made and not withdrawn.

(2B) For the purposes of this section "relevant devolved authority" means—

(a) the Scottish Ministers, if the regulations contain provision within Scottish devolved competence;

(b) the Welsh Ministers, if the regulations contain provision within Welsh devolved competence;

(c) the Department for the Economy in Northern Ireland, if the regulations contain provision within Northern Ireland devolved competence;

and "the relevant devolved competence", in relation to a relevant devolved authority, is to be construed accordingly.

(2C) For the purposes of this section, provision—

(a) is within Scottish devolved competence if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) is within Welsh devolved competence if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) is within Northern Ireland devolved competence if it—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998;

and references to provision being within devolved competence are to provision that is within Scottish, Welsh or Northern Ireland devolved competence."—*(Claire Coutinho.)*

This amendment requires the Secretary of State to consult the relevant devolved authorities before making regulations under this clause that would deal with devolved matters.

Clause 9

PROCEDURE FOR LICENCE APPLICATIONS

Amendments made: 200, page 9, line 32, at end insert "and

(b) specify a period of not less than 28 days within which representations or objections with respect to the proposed regulations may be made,

and the Secretary of State must consider any representations or objections which are duly made and not withdrawn."

Amendment 201, Clause 9, page 10, line 5, at end insert ", and

(b) sending a copy of the notice to—

(i) the Scottish Ministers, if an activity that would be authorised by the proposed licence is within Scottish devolved competence;

(ii) the Welsh Ministers, if an activity that would be authorised by the licence is within Welsh devolved competence;

(iii) the Department for the Economy in Northern Ireland, if an activity that would be authorised by the licence is within Northern Ireland devolved competence.

(5A) Section 17(4) (activities authorised by a licence: devolved competence) applies for the purposes of subsection (5)(b) of this section as it applies for the purposes of section 17."

This amendment requires the Gas and Electricity Markets Authority to notify the relevant devolved authorities where it proposes to grant a licence authorising activities that are within devolved competence.

Amendment 202, page 10, line 15, leave out subsection (10) and insert—

"(10) For the purposes of this section "appropriate devolved authority", in relation to regulations, means—

(a) the Scottish Ministers, if the regulations contain provision within Scottish devolved competence;

(b) the Welsh Ministers, if the regulations contain provision within Welsh devolved competence;

(c) the Department for the Economy in Northern Ireland, if the regulations contain provision within Northern Ireland devolved competence.

(10A) For the purposes of this section, provision—

(a) is within Scottish devolved competence if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) is within Welsh devolved competence if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) is within Northern Ireland devolved competence if it—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998."—*(Claire Coutinho.)*

This amendment restates the definition of "appropriate devolved authority".

Clause 10

COMPETITIVE TENDERS FOR LICENCES

Amendments made: 203, page 11, line 4, leave out "consult" and insert "give notice to".

This amendment and Amendment 204 impose additional requirements on consultation under subsection (3), including that at least 28 days are to be allowed for representations to be made.

Amendment 204, Clause 10, page 11, line 4, at end insert—

"(a) stating that the Secretary of State proposes to make regulations under this section, and

(b) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations must be made with respect to the proposed provisions,

and must consider any representations duly made and not withdrawn."—*(Claire Coutinho.)*

This amendment requires the Secretary of State to allow a period of 28 days for representations to be made and to consider any representations that are properly made.

Clause 13

MODIFICATION OF CONDITIONS OF LICENCES

Amendments made: 205, page 15, line 34, at end insert "and

(iii) the appropriate devolved authorities (if any)."

This amendment and Amendment 206 require consultation with the devolved authorities in cases where the proposed licence modifications are within devolved competence.

Amendment 206, page 16, line 28, at end insert—

"(12) For the purposes of this section the "appropriate devolved authorities" are—

(a) the Welsh Ministers, if provision making the modifications proposed in the notice under subsection (2) would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(b) the Scottish Ministers, if provision making the modifications proposed in that notice would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(c) the Department for the Economy in Northern Ireland, if provision making the modifications proposed in that notice—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998."—*(Claire Coutinho.)*

See the explanatory statement for Amendment 205.

Clause 19

CONSENTING TO TRANSFER

Amendments made: 207, page 20, line 26, leave out paragraph (b) and insert—

"(b) send a copy of the notice to—

(i) the Scottish Ministers, if an activity authorised by the licence is within Scottish devolved competence,

(ii) the Welsh Ministers, if an activity authorised by the licence is within Welsh devolved competence,

(iii) the Department for the Economy in Northern Ireland, if an activity authorised by the licence is within Northern Ireland devolved competence,

(iv) the Oil and Gas Authority, and

(v) such other persons as the economic regulator considers are likely to be affected by the decision, and".

This amendment and Amendment 208 require the Gas and Electricity Markets Authority to notify the specified authorities before giving consent to the transfer of a licence which authorises activities that are within devolved competence.

Amendment 208, page 20, line 29, at end insert—

"(1A) Section 17(4) (activities authorised by a licence: devolved competence) applies for the purposes of subsection (1)(b) of this section as it applies for the purposes of section 17."—*(Claire Coutinho.)*

See the explanatory statement for the Minister's amendment at page 20, line 27.

Clause 39

FORWARD WORK PROGRAMMES

Amendment made: 209, page 35, line 4, at end insert—

"(5A) The economic regulator must send a copy of any notice given by it under subsection (4) to—

(a) the Welsh Ministers,

(b) the Scottish Ministers, and

(c) the Department for the Economy in Northern Ireland."—*(Claire Coutinho.)*

This amendment requires the economic regulator to draw the draft work programme to the attention of the devolved administrations.

Clause 56

CHAPTER 1: INTERPRETATION

Amendments made: 144, page 50, leave out lines 20 to 23.

This amendment leaves out the definition of "electricity supplier" and is consequential on Amendment 148.

Amendment 145, page 50, line 32, at beginning insert "GB".

This amendment changes the label "gas shipper" to "GB gas shipper".

Amendment 146, page 50, leave out lines 34 to 37.

This amendment omits the definition of "gas supplier" and is consequential on Amendment 148.

Amendment 147, page 51, line 14, at end insert—

""Northern Ireland gas shipper" means a person who holds a licence under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I. 2)) and who in the opinion of the Secretary of State carries on an activity which is similar to an activity that (in Great Britain) may be authorised by a licence under section 7A(2) of the Gas Act 1986;".—*(Claire Coutinho.)*

This amendment provides a definition of "Northern Ireland gas shipper" and is supplemental to Amendment 148.

Clause 62

DIRECTION TO OFFER TO CONTRACT WITH ELIGIBLE HYDROGEN TRANSPORT PROVIDER

Amendment made: 139, page 56, line 7, at end insert—

"(5) Regulations within subsection (4) may in particular make provision by reference to standards or other published documents (as they have effect from time to time)."—*(Claire Coutinho.)*

This amendment makes it clear that regulations defining "eligible" in relation to a hydrogen transport provider may make reference to documents external to the regulations, as the documents have effect from time to time.

Clause 64

DIRECTION TO OFFER TO CONTRACT WITH ELIGIBLE HYDROGEN STORAGE PROVIDER

Amendment made: 140, page 57, line 20, at end insert—

"(5) Regulations within subsection (4) may in particular make provision by reference to standards or other published documents (as they have effect from time to time)."—*(Claire Coutinho.)*

This amendment makes it clear that regulations defining "eligible" in relation to a hydrogen storage provider may make reference to documents external to the regulations, as the documents have effect from time to time.

Clause 66

DIRECTION TO OFFER TO CONTRACT

Amendment made: 141, page 58, line 38, at end insert—

"(5) Regulations within subsection (4) may in particular make provision by reference to standards or other published documents (as they have effect from time to time)."—*(Claire Coutinho.)*

This amendment makes it clear that regulations defining "eligible" in relation to a low carbon hydrogen producer may make reference to documents external to the regulations, as the documents have effect from time to time.

Clause 68

DIRECTION TO OFFER TO CONTRACT

Amendment made: 142, page 60, line 20, at end insert—

"(5) Regulations within subsection (4) may in particular make provision by reference to standards or other published documents (as they have effect from time to time)."—*(Claire Coutinho.)*

This amendment makes it clear that regulations defining "eligible" in relation to a carbon capture entity may make reference to documents external to the regulations, as the documents have effect from time to time.

Clause 70

OBLIGATIONS OF RELEVANT MARKET PARTICIPANTS

Amendment made: 148, page 62, line 4, leave out from "but" to end of line 8 and insert "a description so specified may not include persons other than—

(a) GB gas shippers;

(b) Northern Ireland gas shippers."—*(Claire Coutinho.)*

This amendment limits the persons who can be brought within the definition of a "relevant market participant" to persons holding a licence under section 7A(2) of the Gas Act 1986 and certain persons holding a licence under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996.

Clause 73

POWER TO APPOINT ALLOCATION BODIES

Amendment made: 121, page 64, line 37, leave out "designation" and insert "appointment".—*(Claire Coutinho.)*

This amendment corrects a drafting error.

Clause 76

ALLOCATION OF CONTRACTS

Amendment made: 143, page 67, line 19, at end insert—

"(ba) make provision by reference to standards or other published documents (as they have effect from time to time);".—*(Claire Coutinho.)*

This amendment makes it clear that provision in an allocation framework may relate to published standards or other published documents as they have effect from time to time.

Clause 83

INFORMATION AND ADVICE

Amendment made: 149, page 72, line 3, leave out sub-paragraphs (iii) to (v) and insert—

"(iii) a relevant market participant, or".—*(Claire Coutinho.)*

This amendment is consequential on Amendments 144, 145 and 146.

Clause 84

ENFORCEMENT

Amendments made: 150, page 72, line 24, leave out sub-paragraphs (i) and (ii) and insert "a GB gas shipper".

This amendment is consequential on Amendment 148.

Amendment 151, page 72, line 30, leave out paragraph (b).

This amendment is consequential on Amendment 148.

Amendment 152, page 72, line 35, leave out sub-paragraphs (i) and (ii) and insert

"a person who holds a licence under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I. 2))".—*(Claire Coutinho.)*

This amendment is consequential on Amendment 148.

Clause 85

CONSULTATION

Amendments made: 210, page 73, line 20, leave out "consult" and insert—

"(a) consult the persons mentioned in subsection (1A), and

(b) specify a period of not less than 28 days for the purposes of subsection (1B).

(1A) The persons to be consulted under subsection (1) are—".

This amendment requires that the period of a consultation under subsection (1) is at least 28 days.

Amendment 211, page 73, line 38, at end insert—

"(1B) The Secretary of State must consider any representations that are—

(a) duly made within the period specified under subsection (1)(b) by persons consulted under subsection (1), and

(b) not withdrawn."

This amendment makes it clear that representations that are duly made within the specified time period must be considered.

Amendment 212, page 73, line 38, at end insert—

"(1C) Before making regulations under section 73(1) (power to appoint allocation bodies) the Secretary of State must consult—

(a) the Scottish Ministers, if the regulations contain provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) the Welsh Ministers, if the regulations contain provision that would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) the Department for the Economy in Northern Ireland, if the regulations contain provision that—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998,

and the Secretary of State must consider any representations duly made by persons consulted under this subsection and not withdrawn."

This amendment requires the Secretary of State to carry out consultation before making regulations appointing allocation bodies.

Amendment 213, page 73, leave out lines 40 and 41 and insert—

"(a) consult the persons mentioned in subsection (2A), and

(b) specify a period of not less than 28 days for the purposes of subsection (2B).

(2A) The persons to be consulted under subsection (2) are—

(a) the Scottish Ministers, if the standard terms contain provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

(b) the Welsh Ministers, if the standard terms contain provision that would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);

(c) the Department for the Economy in Northern Ireland, if the standard terms contain provision that—

(i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and

(ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998;

(d) such other persons as the Secretary of State considers appropriate.

(2B) The Secretary of State must consider any representations that are—

(a) duly made within the period specified under subsection (2)(b) by persons consulted under subsection (2), and

(b) not withdrawn."—*(Claire Coutinho.)*

This amendment alters the list of persons who must be consulted before publishing standard terms and requires that the period of a consultation under subsection (2) is at least 28 days.

Clause 89

MODIFICATIONS OF LICENCES ETC FOR PURPOSES RELATED TO LEVY OBLIGATIONS

Amendments made: 153, page 77, line 5, leave out subsection (1).

This amendment is consequential on Amendment 148.

Amendment 154, page 77, line 21, leave out subsection (3).

This amendment is consequential on Amendment 148.

Amendment 155, page 77, line 38, leave out "(1) to" and insert "(2) and".

This amendment is consequential on Amendments 153 and 154.

Amendment 156, page 78, line 2, leave out "(1) to" and insert "(2) and".

This amendment is consequential on Amendments 153 and 154.

Amendment 157, page 78, line 8, leave out paragraph (a).

This amendment is consequential on Amendment 148.

Amendment 158, page 78, line 10, leave out paragraph (c).

This amendment is consequential on Amendment 148.

Amendment 159, page 78, line 14, leave out "(c) and".

This amendment is consequential on Amendment 156.

Amendment 160, page 78, line 15, leave out "those sub-paragraphs" and insert "that sub-paragraph".

This amendment is consequential on Amendment 159.

Amendment 161, page 78, line 17, leave out "(1) or".

This amendment is consequential on Amendment 153.

Amendment 162, page 78, line 23, leave out "(3) or".—*(Claire Coutinho.)*

This amendment is consequential on Amendment 154.

Clause 91

SECTIONS 89 AND 90: SUPPLEMENTARY

Amendments made: 163, page 79, line 35, leave out

"any of subsections (1) to"

and insert "subsection (2) or".

This amendment is consequential on Amendments153 and 154.

Amendment 164, page 80, line 31, leave out from "1986" to "or" in line 32.

This amendment is consequential on Amendments153 and 154.

Amendment 70, page 80, line 37, leave out "Smart Meters Act 2018" and insert "Energy Prices Act 2022".

This amendment results from the passing of the Energy Prices Act 2022 since the Bill was introduced in July 2022.

Amendment 165, page 80, line 39, leave out subsection (14).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 153.

Clause 92

FINANCING OF COSTS OF DECOMMISSIONING ETC

Amendment made: 122, page 82, line 28, at end insert—

""carbon storage installation" has the same meaning as in section 30 of the Energy Act 2008;".—*(Claire Coutinho.)*

This amendment clarifies that the definition of "carbon storage installation" in section 30 of the Energy Act 2008 applies to clause 92.

Clause 94

PROVISIONS RELATING TO PART 4 OF THE PETROLEUM ACT 1998

Amendments made: 123, page 84, line 17, leave out "(5)" and insert "(5A)".

This amendment is consequential on Amendment 124.

Amendment 124, page 86, line 20, leave out subsection (5) and insert—

"(5) In subsection (5), for the words from "falling" to the end substitute "which is or has been maintained, or is intended to be established, for the purposes of an activity mentioned in section 17(2)(a), (b) or (c) to which subsection (6) applies.

(5A) In subsection (6), for the words from the beginning to "it" substitute "This subsection applies to any activity which is carried on from, by means of or on an installation which".".—*(Claire Coutinho.)*

This amendment omits "or has been" before "established" in the words amending section 30(5) of the Energy Act 2008 for greater consistency with subsection (2) of that section. It also clarifies the relationship between section 30(5) (as amended by the Bill) and section 30(6)).

Clause 100

REVIEW

Amendments made: 214, page 94, line 15, leave out from beginning to "before".

See Amendment 215.

Amendment 215, page 94, line 16, at end insert

"the Secretary of State must give notice to the appropriate consultees—

(a) setting out the Secretary of State's proposed decision, and

(b) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations must be made,

and the Secretary of State must consider any representations which are duly made and not withdrawn.

(10A) For the purposes of subsection (10), the "appropriate consultees" are—".—*(Claire Coutinho.)*

This amendment and Amendment 214 provide that when the Secretary of State proposes on a review under this section to leave the strategy and policy statement as it is or to withdraw its designation the Secretary of State must allow at least 28 days for representations to be made and must consider any representations that are properly made.

Clause 127

ACCESS TO INFRASTRUCTURE

Amendment made: 216, page 114, line 6, leave out "consult" and insert

"give to the appropriate consultees a notice—

(a) stating that the Secretary of State proposes to make regulations under subsection (1), and

(b) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations must be made with respect to the proposed provisions,

and must consider any representations duly made and not withdrawn."

(6A) For the purposes of this section the "appropriate consultees" are—".—*(Claire Coutinho.)*

This amendment requires the Secretary of State to allow 28 days for representations to be made about proposed regulations and imposes a duty to consider representations that are properly made.

Clause 128

FINANCIAL ASSISTANCE

Amendments made: 125, page 115, line 6, leave out "and storage".

This amendment and Amendment 126 clarify that the Secretary of State is authorised to provide financial assistance for either or both of transport and storage of carbon dioxide.

Amendment 126, page 115, line 6, at end insert—

"(aa) storage of carbon dioxide;".

See the explanatory statement for Amendment 125.

Amendment 127, page 115, line 8, leave out from "for" to end of line 9 and insert

"any activity mentioned in paragraph (a) or (aa)".

This amendment ensures that the Secretary of State is authorised to provide financial assistance for carbon dioxide capture facilities which operate (or are to operate) in association with facilities for either or both of transport and storage of carbon dioxide.

Amendment 128, page 115, line 11, leave out "and storage".

This amendment and Amendment 129 clarify that the Secretary of State is authorised to provide financial assistance for either or both of transport and storage of hydrogen.

Amendment 129, page 115, line 11, at end insert—

"(e) storage of hydrogen."

See the explanatory statement for Amendment 128.

Amendment 71, page 115, line 27, leave out paragraph (f) and insert—

"(f) may be provided by the acquisition of shares or any other interest in, or securities of, a body corporate;"

This amendment, together with Amendments 72, 77, 80, 81, 92 and 93, seeks to ensure consistency with wording used in other provisions in the Bill that confer powers to provide financial assistance.

Amendment 72, page 115, line 29, leave out

"take the form of investment"

and insert "be provided".—*(Claire Coutinho.)*

See the explanatory statement for Amendment 71.

Clause 133

GRANT, EXTENSION OR RESTRICTION OF GAS TRANSPORTER LICENCE BY SECRETARY OF STATE

Amendment made: 133, page 119, line 23, leave out "subsection (1)" and insert "this section".—*(Claire Coutinho.)*

This amendment corrects a minor drafting error.

Clause 139

CONDITIONS OF GAS TRANSPORTER LICENCES FOR CONVEYANCE OF HYDROGEN

Amendment made: 134, page 125, line 33, leave out

"licences to which this section applies"

and insert "relevant licences".—*(Claire Coutinho.)*

This amendment corrects a minor drafting error.

Clause 150

SCHEME REGULATIONS: PROCEDURE ETC

Amendments made: 217, page 132, line 15, leave out subsection (3).

This amendment removes the requirement for the Secretary of State to consult the devolved administrations so far as regulations under clause 142(1) apply in relation to Scotland, Wales or Northern Ireland. The requirement is superseded by the more detailed provision made by Amendment 218.

Amendment 218, page 132, line 23, at end insert—

"(5) Before making scheme regulations that apply in relation to Scotland, Wales or Northern Ireland, the Secretary of State must give notice—

(a) stating that the Secretary of State proposes to make scheme regulations,

(b) setting out or describing the provisions of the regulations that apply in relation to Scotland, Wales or Northern Ireland, and

(c) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to those provisions,

and must consider any representations duly made and not withdrawn.

(6) A notice under subsection (5) must be given to each relevant devolved authority, that is to say—

(a) the Scottish Ministers, so far as the regulations apply in relation to Scotland;

(b) the Welsh Ministers, so far as the regulations apply in relation to Wales;

(c) the Department for the Economy in Northern Ireland, so far as the regulations apply in relation to Northern Ireland.

(7) The Secretary of State need not wait until the end of the period specified under subsection (5)(c) before making regulations if, before the end of that period, each relevant devolved authority to which the notice was given has confirmed that it has made any representations it intends to make with respect to the provisions referred to in subsection (5)(b).

(8) The Secretary of State must, if requested to do so by a relevant devolved authority, give the authority a statement setting out whether and how representations made by the authority with respect to the provisions referred to in subsection (5)(b) have been taken into account in the regulations."—*(Claire Coutinho.)*

This amendment requires the Secretary of State to consult the devolved administrations so far as scheme regulations under clause 142(1) apply in relation to Scotland, Wales or Northern Ireland.

Clause 160

DUTY TO PROMOTE PARTICULAR OBJECTIVES

Amendments made: 73, page 138, line 29, at end insert "within subsection (5)(a), (b) or (ba)".

This amendment limits the width of the duty of the Independent System Operator and Planner (ISOP) to promote the efficiency and economy objective. The effect is that the duty will apply, broadly speaking, to activities in respect of which the ISOP's predecessors have functions, and to activities in respect of which the ISOP has or acquires functions; but not to activities described in clause 160(5)(c).

Amendment 74, page 138, line 38, at end insert—

"(ba) an activity, other than an activity within paragraph (a) or (b), in respect of which the ISOP has functions;".

This amendment relocates the provision currently at clause 160(5)(d) to earlier in the definition of "relevant activity". It is also consequential on Amendment 75.

Amendment 75, page 138, line 39, leave out "or (b)" and insert ", (b) or (ba)".

This amendment is consequential on Amendment 74.

Amendment 76, page 139, line 7, leave out paragraph (d).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 74.

Clause 163

LICENSING OF ELECTRICITY SYSTEM OPERATOR ACTIVITY

Amendment made: 166, page 142, line 11, leave out subsection (11).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 148.

Clause 173

FINANCIAL ASSISTANCE FOR THE ISOP

Amendment made: 77, page 148, line 31, leave out "in or securities of" and insert "or any other interest in, or securities of,".—*(Claire Coutinho.)*

See the explanatory statement for Amendment 71.

Clause 177

INTERPRETATION OF PART 5

Amendment made: 78, page 150, line 31, leave out subsection (3) and insert—

"(3) For the purposes of this Part, references to the ISOP's functions are to any functions that are exercisable by the person for the time being designated as the ISOP (whether they are exercisable in the person's capacity as the ISOP or in another capacity)."—*(Claire Coutinho.)*

This amendment clarifies that references in Part 5 to the ISOP's functions include any functions that are exercisable by the person for the time being designated as the ISOP, regardless of the capacity in which such functions are exercisable by the person.

Clause 200

COMPETITIVE TENDERS FOR ELECTRICITY PROJECTS

Amendment made: 79, page 165, line 10, at end insert—

"(2) The power conferred by section 325(1) (consequential provision) includes, in particular, power to amend provision inserted in the Electricity Act 1989 by Schedule 15 where the amendment is consequential on the coming into force of paragraph 4 of Schedule 11."—*(Claire Coutinho.)*

This amendment clarifies that the power under clause 325(1) includes power to amend provisions inserted in the Electricity Act 1989 by Schedule 15, in consequence of the coming into force of the amendment of section 4 of that Act by paragraph 4 of Schedule 11.

Clause 212

SMART METERS: EXTENSION OF TIME FOR EXERCISE OF POWERS

Amendment made: 103, page 179, line 3, at end insert—

"(3A) Subsections (3B) and (3C) apply if this section comes into force after 1 November 2023.

(3B) Section 89(1) of the Energy Act 2008 (duty to consult on modifications) may be satisfied by consultation before, as well as by consultation after, 1 November 2023.

(3C) Where—

(a) on or before 1 November 2023 the Secretary of State has, in accordance with section 89(3) of the Energy Act 2008, laid before Parliament a draft of proposed modifications under section 88 of that Act, and

(b) on that date the 40-day period referred to in section 89(4) of that Act has not expired,

in calculating that 40-day period no account is to be taken of the period beginning with 2 November 2023 and ending immediately before the day on which this section comes into force."—*(Claire Coutinho.)*

This amendment makes provision dealing with transitional issues that would arise if clause 212 were to come into force after 1 November 2023 (when the power under section 88 of the Energy Act 2008 ceases to be exercisable).

Clause 216

HEAT NETWORKS REGULATIONS

Amendments made: 219, page 181, line 13, leave out "provisions amending or repealing primary legislation" and insert "—

(a) provisions amending or repealing an Act of Parliament, an Act or Measure of Senedd Cymru or Northern Ireland legislation;

(b) provisions amending the Heat Networks (Scotland) Act 2021 (asp 9)."

This amendment clarifies the primary legislation that may be amended or repealed by regulations under clause 216 (heat networks regulations), where the regulations make consequential, incidental, supplementary, transitional or saving provision. So far as Acts of the Scottish Parliament are concerned, only the Heat Networks (Scotland) Act 2021 may be amended (but not repealed) by such regulations.

Amendment 220, page 181, leave out lines 18 to 24.

This amendment removes the requirement for the Secretary of State to consult the Scottish Ministers before making regulations under clause 216 that contain provision within devolved legislative competence. The requirement is superseded by the more detailed provisions set out in NC65.

Amendment 221, page 181, line 25, leave out "or (8)".

This amendment is consequential on Amendment 220.

Amendment 222, page 181, leave out lines 32 to 36.—*(Claire Coutinho.)*

This amendment removes the definition of "primary legislation", which is no longer needed as a result of Amendment 219.

Clause 217

HEAT NETWORKS REGULATIONS: PROCEDURE

Amendment made: 223, page 182, line 12, leave out

"primary legislation (as defined in section 216)"

and insert

"legislation mentioned in section 216(5)".—*(Claire Coutinho.)*

This amendment is consequential on Amendment 219.

Clause 220

HEAT NETWORKS: ENFORCEMENT IN SCOTLAND

Amendment made: 224, page 184, line 22, at end insert—

"(3A) The Secretary of State may make regulations under this section only if the Secretary of State has also made regulations under section 219(1) (and those regulations are still in force)."—*(Claire Coutinho.)*

This amendment provides that regulations to make provision about monitoring compliance with, and enforcing, conditions of heat networks licences issued under section 5(5) of the Heat Networks (Scotland) Act 2021 may not be made if no regulations have been made designating the Gas and Electricity Markets Authority as the licensing authority for the purposes of that Act.

Clause 246

POWER TO MAKE ENERGY PERFORMANCE REGULATIONS

Amendments made: 182, page 205, line 15, leave out "Secretary of State" and insert "appropriate authority".

This amendment enables energy performance regulations to be made by the Scottish Ministers in relation to Scotland and by the Department of Finance in relation to Northern Ireland.

Amendment 183, page 206, line 17, at end insert—

""the appropriate authority" means—

(a) in relation to England and Wales, the Secretary of State;

(b) in relation to Scotland, the Scottish Ministers;

(c) in relation to Northern Ireland, the Department;"

This amendment defines "the appropriate authority" for the purposes of Amendments 182 and 185.

Amendment 184, page 206, line 19, at end insert—

""the Department" means the Department of Finance in Northern Ireland;".—*(Claire Coutinho.)*

This amendment defines "the Department" for the purposes of Part 10.

Clause 248

SANCTIONS

Amendment made: 185, page 207, line 40, leave out "Secretary of State" and insert "appropriate authority".—*(Claire Coutinho.)*

This amendment enables the amount specified in clause 248(2) (maximum civil penalty for which energy performance regulations may provide) to be amended for the purpose of reflecting inflation by the Scottish Ministers in relation to Scotland and by the Department of Finance in relation to Northern Ireland.

Clause 249

REGULATIONS UNDER PART 10

Amendments made: 186, page 208, line 9, leave out paragraphs (a) and (b) and insert "primary legislation".

This amendment enables energy performance regulations to amend, reveal or revoke provision made by or under an Act of the Scottish Parliament or Northern Ireland legislation.

Amendment 187, page 208, line 10, at end insert—

"(1A) Regulations under this Part containing provision within subsection (2) (with or without other provision)—

(a) if made by the Secretary of State, are subject to the affirmative procedure (see section 327);

(b) if made by the Scottish Ministers, are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10));

(c) if made by the Department, may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly."

This amendment ensures that energy performance regulations that would be subject to the affirmative procedure if made by the Secretary of State are subject to equivalent procedures where made by the Scottish Ministers or by the Department of Finance in Northern Ireland.

Amendment 188, page 208, line 11, leave out from beginning to end of line 12 and insert

"The provision within this subsection is—"

This amendment is consequential on Amendment 187.

Amendment 189, page 208, line 16, at end insert—

"(but excluding provision made by virtue of section 248(7) (inflation-related adjustments))".

This amendment clarifies that provision amending the cap on civil penalties to reflect inflation does not attract the affirmative procedure (or equivalent procedures in Scotland or Northern Ireland).

Amendment 190, page 208, line 17, leave out "an Act of Parliament" and insert "primary legislation".

This amendment ensures that provision amending or repealing provision made by an Act of the Scottish Parliament, an Act or Measure of Senedd Cymru or Northern Ireland legislation is subject to equivalent affirmative procedures in the relevant devolved legislatures.

Amendment 191, page 208, line 18, at end insert—

"(2A) Any other regulations under this Part—

(a) if made by the Secretary of State, are subject to the negative procedure (see section 327);

(b) if made by the Scottish Ministers, are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10));

(c) if made by the Department, are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))."

This amendment clarifies that energy performance regulations that do not contain provision within subsection (2) are subject to the affirmative procedure if made by the Secretary of State and to equivalent procedures where made by the Scottish Ministers or by the Department of Finance in Northern Ireland.

Amendment 192, page 208, line 22, at end insert—

"(4) A power of the Department to make regulations under this Part is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12))."

This amendment is consequential on Amendments 182 and 185.

Amendment 193, page 208, line 22, at end insert—

"(5) In this section "primary legislation" means—

(a) an Act of Parliament,

(b) an Act of the Scottish Parliament,

(c) an Act or Measure of Senedd Cymru, or

(d) Northern Ireland legislation."—*(Claire Coutinho.)*

This amendment defines "primary legislation" for the purposes of Amendment 186.

Clause 259

ESOS regulations: procedure etc

Amendments made: 225, page 218, line 26, leave out from beginning to end of line 32.

This amendment removes the requirement for the Secretary of State to consult the devolved administration so far as ESOS regulations make provision within devolved legislative competence. That requirement is superseded by the more detailed provision made by Amendment 226.

Amendment 226, page 218, line 34, at end insert—

"(2A) Before making ESOS regulations that contain provision within devolved competence, the Secretary of State must give notice—

(a) stating that the Secretary of State proposes to make ESOS regulations,

(b) setting out or describing the provisions of the regulations that contain provision within devolved competence, and

(c) specifying the period (of not less than 28 days from the date on which the notice is given) within which representations may be made with respect to those provisions,

and must consider any representations duly made and not withdrawn.

(2B) A notice under subsection (2A) must be given to each relevant devolved authority, that is to say—

(a) the Scottish Ministers, so far as the regulations contain provision within Scottish devolved competence;

(b) the Welsh Ministers, so far as the regulations contain provision within Welsh devolved competence;

(c) the Department for the Economy in Northern Ireland, so far as the regulations contain provision within Northern Ireland devolved competence.

(2C) The Secretary of State need not wait until the end of the period specified under subsection (2A)(c) before making ESOS regulations if, before the end of that period, each relevant devolved authority to which the notice was given has confirmed that it has made any representations it intends to make with respect to the provisions referred to in subsection (2A)(b).

(2D) The Secretary of State must, if requested to do so by a relevant devolved authority, give the authority a statement setting out whether and how representations made by the authority with respect to the provisions referred to in subsection (2A)(b) have been taken into account in the regulations.

(2E) References in subsection (2A) to provision within devolved competence are to provision that is within Scottish, Welsh or Northern Ireland devolved competence.

(2F) Where the Secretary of State makes ESOS regulations that have effect in relation to the compliance period beginning on 6 December 2019 (see regulation 4 of the Energy Savings Opportunity Schemes Regulations 2014 (S.I. 2014/1643))—

(a) subsections (2A) to (2E) do not apply, and

(b) before making the regulations, the Secretary of State must consult—

(i) the Scottish Ministers, so far as the regulations contain provision within Scottish devolved competence,

(ii) the Welsh Ministers, so far as the regulations contain provision within Welsh devolved competence, and

(iii) the Department for the Economy in Northern Ireland, so far as the regulations contain provision within Northern Ireland devolved competence,

and subsection (2) applies to consultation under paragraph (b) as it applies to consultation under subsection (1)."

This amendment requires the Secretary of State to carry out a consultation process with the devolved administrations so far as ESOS regulations make provision within devolved legislative competence.

Amendment 227, page 218, line 35, leave out subsection (3).

This amendment removes provision that enables ESOS regulations to make consequential provision amending primary legislation. The provision is no longer thought to be necessary.

Amendment 228, page 219, line 18, leave out paragraph (h).

This amendment is consequential on Amendment 227.

Amendment 229, page 219, line 20, leave out subsection (8).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 227.

Clause 283

Financial assistance for resilience and continuity purposes

Amendments made: 80, page 237, line 6, leave out paragraph (d) and insert—

"(d) the acquisition of shares or any other interest in, or securities of, a body corporate;".

See the explanatory statement for Amendment 71.

Amendment 81, page 237, line 8, leave out "investment by".—*(Claire Coutinho.)*

See the explanatory statement for Amendment 71.

Clause 288

Marine recovery fund

Amendments made: 230, page 241, line 9, leave out

"for and in connection with the determination of the extent to which"

and insert

"enabling a determination to be made, by or on behalf of the relevant person, as to whether (and, if so, the extent to which)".

This amendment, together with Amendment 233, provides that regulations under clause 288 may enable a determination to be made, by the person who imposed a compensation condition (as defined by clause 288(5)), of the extent to which a payment into a recovery fund discharges the condition.

Amendment 231, page 241, line 11, leave out "a person" and insert "another person".

This amendment is consequential on Amendment 230.

Amendment 232, page 241, line 14, after "extent" insert "(if any)".

This amendment is consequential on Amendment 230.

Amendment 233, page 241, line 18, at end insert—

"(5A) "Relevant person", for the purposes of a determination made by virtue of subsection (4)(a), means the person who imposed the compensation condition."

See the explanatory statement for Amendment 230.

Amendment 234, page 241, line 31, at end insert—

", where the functions relate to the operation or management of a marine recovery fund".

This amendment makes it clear that only functions of the Secretary of State that relate to the operation or management of a marine recovery fund are capable of being delegated by regulations under clause 288.

Amendment 235, page 241, line 39, at end insert—

"(8A) Regulations made by virtue of subsection (7)(c) must provide that the delegation of a function—

(a) to a Scottish public authority requires the consent of the Scottish Ministers;

(b) to a Welsh public authority requires the consent of the Welsh Ministers;

(c) to a Northern Ireland public authority requires the consent of DAERA."

This amendment provides that regulations under clause 288 that make provision for delegation of functions to a Scottish, Welsh or Northern Ireland public authority must require the consent of the relevant devolved administration.

Amendment 236, page 242, line 4, at end insert—

"(9A) Before making regulations under this section, the Secretary of State must consult—

(a) the Scottish Ministers, so far as the regulations relate to relevant offshore wind activities in Scotland,

(b) the Welsh Ministers, so far as the regulations relate to relevant offshore wind activities in Wales,

(c) DAERA, so far as the regulations relate to relevant offshore wind activities in Northern Ireland, and

(d) such other persons as the Secretary of State considers appropriate."

This amendment imposes a consultation requirement on the Secretary of State before making regulations under clause 288 (including a requirement to consult the devolved administrations to the extent that the regulations relate to activities in their areas).

Amendment 237, page 242, line 6, leave out subsection (11).—*(Claire Coutinho.)*

This amendment leaves out subsection (11) of clause 288, the substance of which has been moved into clause 291 (see Amendment 242).

Clause 289

ASSESSMENT OF ENVIRONMENTAL EFFECTS ETC

Amendment made: 238, page 242, line 22, leave out from "region" to end of line 23.

This amendment removes from clause 289(2)(a) the reference to qualifying Secretary of State functions, as this is not considered necessary in relation to the Scottish inshore region.

Amendment 82, page 243, line 18, leave out sub-paragraph (ii).

This amendment and Amendment 83 remove the ability for regulations under clause 289(1) to disapply or modify rights arising under the Habitats Directive. This is because of section 2 of the Retained EU Law (Revocation and Reform) Act 2023, as a result of which such rights will cease to be recognised or enforceable in domestic law.

Amendment 194, page 244, line 9, leave out sub-paragraph (iii).

This amendment removes provisions of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) from the list of provisions that may be disapplied or modified by regulations under clause 289(1) made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

Amendment 239, page 244, line 29, at end insert—

"(6A) Regulations made under this section by the Secretary of State—

(a) may not provide for a function that is exercisable by a Scottish public authority, a Welsh public authority or a Northern Ireland public authority to cease to be exercisable by that authority, and

(b) to the extent that a function is exercisable by or on behalf of a Scottish public authority, a Welsh public authority or a Northern Ireland public authority, may not provide for the function also to be exercisable to that extent by another person,

but may (subject to paragraphs (a) and (b)) modify such a function."

This amendment clarifies that regulations made under clause 289 by the Secretary of State may not abolish functions that are exercisable by a Scottish, Welsh or Northern Ireland public authority or provide for such functions to be exercisable concurrently by another person.

Amendment 195, page 244, line 31, after "authority" insert "or a specified person".

This amendment enables regulations under clause 289 to authorise the giving of directions by a person specified in the regulations (as well as by the appropriate authority). The regulations could, for example, authorise the giving of directions by the person carrying out an environmental assessment or by a devolved administration.

Amendment 240, page 244, line 33, at end insert—

"(7A) But regulations made by the Secretary of State by virtue of subsection (7)(a) may not enable directions to be given—

(a) to a Scottish public authority by a person other than the Scottish Ministers;

(b) to a Welsh public authority by a person other than the Welsh Ministers."

This amendment prevents regulations under clause 289 authorising the giving of a direction to a Scottish or Welsh public authority by a person other than (as the case may be) the Scottish Ministers or the Welsh Ministers.

Amendment 241, page 245, line 13, leave out "the Scottish inshore region,".

This amendment is consequential on Amendment 238.

Amendment 83, page 245, line 15, leave out from beginning to end of line 21.—*(Claire Coutinho.)*

This amendment is consequential on Amendment 82.

Clause 291

INTERPRETATION OF CHAPTER 1

Amendment made: 242, page 248, line 10, at end insert—

"(3) References in this Chapter—

(a) to a Scottish public authority are to the Scottish Ministers or any other public authority whose functions are exercisable only or mainly in or as regards Scotland;

(b) to a Welsh public authority are to the Welsh Ministers or any other public authority whose functions are exercisable only or mainly in or as regards Wales;

(c) to a Northern Ireland public authority are to a Northern Ireland department or any other public authority whose functions are exercisable only or mainly in or as regards Northern Ireland."—*(Claire Coutinho.)*

This amendment provides a Chapter-wide proposition about the meaning of references to a Scottish, Welsh or Northern Ireland public authority.

Clause 295

MODEL CLAUSES OF PETROLEUM LICENCES

Amendments made: 84, Clause 295, page 253, line 17, leave out "the".

This amendment is consequential on Amendment 102.

Amendment 85, Clause 295, page 253, line 17, at end insert—

"(za) the Petroleum (Production) (Landward Areas) Regulations 1995 (S.I. 1995/1436),

(zb) the Petroleum (Current Model Clauses) Order 1999 (S.I. 1999/160),

(zc) the Petroleum Licensing (Exploration and Production) (Seaward and Landward Areas) Regulations 2004 (S.I. 2004/352),".

This amendment is consequential on Amendment 102.

Amendment 86, page 253, line 19, leave out "("the 2008 Regulations")".

This amendment is consequential on Amendment 102.

Amendment 87, page 253, line 21, leave out "("the 2014 Regulations")".

This amendment is consequential on Amendment 102.

Amendment 88, page 253, line 22, leave out subsections (2) and (3) and insert—

"(2) Where a licence granted (or having effect as if granted) by the Oil and Gas Authority under the Petroleum (Production) Act 1934 or the Petroleum Act 1998—

(a) incorporates model clauses amended by a paragraph of Schedule 21 (whether or not any provision of those model clauses is modified or excluded), and

(b) is in force immediately before that paragraph comes into force,

the licence has effect with the amendments provided for by that paragraph."

This amendment is consequential on Amendment 102.

Amendment 89, page 254, line 5, leave out "2014 Regulations" and insert

"Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014".—*(Claire Coutinho.)*

This amendment is consequential on Amendment 102.

Clause 298

DECOMMISSIONING OF NUCLEAR SITES ETC

Amendments made: 90, page 258, line 6, after "installation" insert

"or a licensed disposal site".

This amendment, together with Amendment 91, ensures, in relation to an installation for the disposal of nuclear matter, consistent determination of when a person's period of responsibility ends irrespective of which regulatory framework (nuclear site licensing or environmental permitting) applies.

Amendment 91, page 258, line 34, at end insert—

""licensed disposal site" means a site that would be, or would at any time have been, a relevant disposal site but for section 7B(5)(a) (nuclear site licence granted in respect of site);".—*(Claire Coutinho.)*

See the explanatory statement for Amendment 90.

Clause 315

FINANCIAL ASSISTANCE

Amendments made: 92, page 272, line 28, after "in" insert ", or securities of,".

See the explanatory statement for Amendment 71.

Amendment 93, Clause 315, line 4, after "in" insert ", or securities of,".—*(Claire Coutinho.)*

See the explanatory statement for Amendment 71.

Clause 325

POWER TO MAKE CONSEQUENTIAL PROVISION

Amendment made: 94, page 281, line 10, leave out "this Act or any provision made" and insert—

"provision made by or under this Act or".—*(Claire Coutinho.)*

This amendment clarifies the drafting of clause 325(2).

Clause 326

REGULATIONS

Amendment made: 243, page 282, line 23, leave out subsection (11).—*(Claire Coutinho.)*

This amendment removes a clarification that is now thought unnecessary.

Clause 328

EXTENT

Amendments made: 176, page 282, line 37, leave out "Chapters 1 and 3" and insert "Chapter 1".

This amendment is consequential on Amendment 178.

Amendment 177, page 282, line 37, at end insert—

"(ca) Chapter 3 of Part 4, except section (Renewable liquid heating fuel obligations);".

This amendment is consequential on Amendment 178.

Amendment 196, page 283, line 2, after "Parts" insert "10,".

This amendment provides that Part 10 of the Bill extends to England and Wales, Scotland and Northern Ireland.

Amendment 178, page 283, line 12, at end insert—

"(da) section (Renewable liquid heating fuel obligations);".

This amendment provides for the new clause inserted by NC63 to extend to England and Wales and Scotland.

Amendment 244, page 283, line 19, leave out subsection (3) and insert—

"(3) Chapter 2 of Part 8 extends to England and Wales only, subject to subsection (5)."—*(Claire Coutinho.)*

This amendment is consequential on Amendment 196.

Clause 329

COMMENCEMENT

Amendments made: 104, page 283, line 32, at end insert—

"(za) in Chapter 1 of Part 2—

(i) section 56;

(ii) sections 57 and 58, so far as relating to hydrogen production revenue support contracts and a hydrogen production counterparty;

(iii) sections 65 and 66;

(iv) section 81(1) to (3), so far as relating to a designation under section 65;

(v) section 83, so far as relating to hydrogen production revenue support contracts and a hydrogen production counterparty;

(vi) sections 85 and 88, so far as relating to the exercise of any power that comes into force in accordance with this paragraph;

and in this paragraph "hydrogen production revenue support contract" and "hydrogen production counterparty" have the same meaning as in that Chapter;"

This amendment provides for certain provisions of Chapter 1 of Part 2 to come into force on Royal Assent, so far as they relate to hydrogen production revenue support contracts.

Amendment 105, page 283, line 32, at end insert—

"(za) section 128;".

This amendment provides for clause 128 to come into force on Royal Assent.

Amendment 106, page 283, line 32, at end insert—

"(za) Chapter 1 of Part 4;".

This amendment provides for Chapter 1 of Part 4 to come into force on Royal Assent.

Amendment 107, page 283, line 32, at end insert—

"(za) section 153;".

This amendment provides for clause 153 to come into force on Royal Assent.

Amendment 108, page 283, line 32, at end insert—

"(za) section 156;".

This amendment provides for clause 156 to come into force on Royal Assent.

Amendment 109, page 283, line 32, at end insert—

"(za) in Part 5—

(i) sections 166 and 167;

(ii) section 171 (including Schedule 9) and section 172 (including Schedule 10);

(iii) section 175(2) and (3), so far as relating to other provisions in force by virtue of this paragraph;

(iv) sections 177 and 178;".

This amendment provides for certain provisions of Part 5 to come into force on Royal Assent.

Amendment 110, page 283, line 32, at end insert—

"(za) section 200 (including Schedule 15);".

This amendment provides for clause 200 and Schedule 15 to come into force on Royal Assent.

Amendment 169, page 283, line 32, at end insert—

"(za) section (Revenue certainty scheme for sustainable aviation fuel producers: consultation and report);".

This amendment provides for the new clause inserted by NC52 to come into force on Royal Assent.

Amendment 179, page 283, line 32, at end insert—

"(za) section (Renewable liquid heating fuel obligations);".

This amendment provides for the new clause inserted by NC63 to come into force on Royal Assent.

Amendment 111, page 283, line 33, at end insert—

"(aa) section 212;".

This amendment provides for clause 212 to come into force on Royal Assent.

Amendment 112, page 283, line 36, after "sections" insert "302,".

This amendment provides for clause 302 to come into force on Royal Assent.

Amendment 113, page 283, line 37, leave out "Chapter 3" and insert "Chapters 3 and 4".

This amendment provides for Chapter 4 of Part 14 to come into force on Royal Assent.

Amendment 114, page 284, line 4, leave out paragraph (b) and insert—

"(b) Chapters 1 to 3, 5 and 6 of Part 2, so far as not already in force by virtue of subsection (2);".

This amendment is consequential on Amendments 104 and 105.

Amendment 115, page 284, line 6, leave out "Chapter 2 of Part 4" and insert "section 152".

This amendment is consequential on Amendment 107.

Amendment 116, page 284, line 7, leave out ", 156".

This amendment is consequential on Amendment 108.

Amendment 117, page 284, line 9, leave out paragraph (g).

This amendment is consequential on Amendment 110.

Amendment 118, page 284, line 10, leave out "212" and insert "211".

This amendment is consequential on Amendment 111.

Amendment 119, page 284, line 14, leave out paragraph (l).

This amendment removes clause 294 from the list of provisions that come into force two months after Royal Assent.

Amendment 120, page 284, line 16, leave out paragraph (n).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 113.

Schedule 8

CARBON STORAGE INFORMATION AND SAMPLES: APPEALS

Amendments made: 95, page 323, line 7, after "decision" insert—

"to terminate the carbon storage licence or".

This amendment adds to paragraph 5(3) of Schedule 8 a right of appeal against a decision to terminate a carbon storage licence.

Amendment 96, page 323, line 32, after "decision" insert "to terminate a carbon storage licence,".—*(Claire Coutinho.)*

This amendment adds to paragraph 5(8) of Schedule 8 a reference to an appeal against a decision to terminate a carbon storage licence.

Schedule 9

INDEPENDENT SYSTEM OPERATOR AND PLANNER: PENSIONS

Amendments made: 97, page 326, line 39, leave out "or rights" and insert ", rights or liabilities".

This amendment aligns the language used in paragraph 6(1)(a) of Schedule 9 with that used in paragraph 8(6)(j) of Schedule 12.

Amendment 98, page 327, line 21, at end insert—

"(2A) Any requirement imposed on a person by a transfer scheme is enforceable by the Secretary of State in civil proceedings—

(a) for an injunction,

(b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988, or

(c) for any other appropriate remedy or relief."

This amendment provides for the civil enforcement of a requirement imposed on a person by a transfer scheme under paragraph 1 of Schedule 9.

Amendment 99, page 328, line 9, leave out

"appointed by the Secretary of State and the transferor".

This amendment removes words that are no longer considered necessary.

Amendment 100, page 328, line 15, leave out sub-paragraph (4).

This amendment leaves out paragraph 8(4) of Schedule 9, which is no longer thought to be needed.

Amendment 197, page 329, line 27, leave out ", land and buildings transaction tax, land transaction tax".—*(Claire Coutinho.)*

This amendment removes land and buildings transaction tax (in Scotland) and land transaction tax (in Wales) from the taxes in relation to which the Treasury may make regulations under paragraph 9 of Schedule 9.

Schedule 10

INDEPENDENT SYSTEM OPERATOR AND PLANNER: PENSIONS

Amendment made: 101, page 336, line 17, leave out paragraphs (a) and (b) and insert—

"(a) such specified pensions information, or

(b) such specified assistance,

as the Secretary of State may reasonably require in preparation for or in connection with the exercise of a power conferred on the Secretary of State by this Schedule."—*(Claire Coutinho.)*

This amendment clarifies that the power to require pensions information may (like the power to require assistance) be exercised where the Secretary of State reasonably requires the information in connection with the exercise of powers under Schedule 10.

Schedule 14

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 6

Amendments made: 135, page 350, line 26, leave out from "in" to "of" in line 28 and insert—

"a notice under section 181(1) of the Energy Act 2023 in relation to a designated central system (within the meaning of Part 6".

This amendment corrects a minor drafting error.

Amendment 136, page 350, line 36, leave out from "in" to "of" in line 1 on page 351 and insert—

"a notice under section 181(1) of the Energy Act 2023 in relation to a designated central system (within the meaning of Part 6".

This amendment corrects a minor drafting error.

Amendment 137, page 351, line 14, leave out from "in" to "of" in line 16 and insert—

"a notice under section 181(1) of the Energy Act 2023 in relation to a designated central system (within the meaning of Part 6".

This amendment corrects a minor drafting error.

Amendment 138, page 351, line 24, leave out from "in" to "of" in line 25 and insert—

"a notice under section 181(1) of the Energy Act 2023 in relation to a designated central system (within the meaning of Part 6".

This amendment corrects a minor drafting error.

Amendment 167, page 352, line 18, leave out paragraph (a).

This amendment is consequential on Amendment 148.

Amendment 168, page 352, line 31, leave out paragraph (d).—*(Claire Coutinho.)*

This amendment is consequential on Amendment 148.

Schedule 21

PETROLEUM LICENCES: AMENDMENT TO MODEL CLAUSES

Amendment made: 102, page 416, line 16, at end insert—

"PART A1

PETROLEUM (PRODUCTION) (LANDWARD AREAS) REGULATIONS 1995

A1 In the Petroleum (Production) (Landward Areas) Regulations 1995 (S.I. 1995/1436), Schedule 3 (model clauses for petroleum exploration and development licences in landward areas) is amended as follows.

A2 After clause 37 insert—

"37A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 37(4)."

A3 (1) Clause 38 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 37A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Petroleum Act 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A4 (1) Clause 38A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 38(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 38(2)(b) occurs which consists of a breach of clause 37A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 38(2)(j) occurs in relation to a change in control of one of those persons (see clause 37A); or

(d) an event mentioned in clause 38(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part A2

Petroleum (Current Model Clauses) Order 1999

Introduction

A5 The Petroleum (Current Model Clauses) Order 1999 (S.I. 1999/160) is amended in accordance with this Part of this Schedule.

Part 2 of Schedule 2

A6 Part 2 of Schedule 2 (current model clauses for controlled waters or seaward production licences deriving from Schedule 2 to the 1964 Regulations and Schedule 4 to the 1966 Regulations) is amended in accordance with paragraphs A7 to A9.

A7 After clause 38 insert—

"38A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 38(4)."

A8 (1) Clause 39 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 38A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A9 (1) Clause 39A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 39(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 39(2)(b) occurs which consists of a breach of clause 38A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 39(2)(j) occurs in relation to a change in control of one of those persons (see clause 38A); or

(d) an event mentioned in clause 39(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 3

A10 Part 2 of Schedule 3 (current model clauses for landward production licences deriving from Schedule 3 to the 1966 regulations) is amended in accordance with paragraphs A11 to A13.

A11 After clause 36 insert—

"36A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 36(3)."

A12 (1) Clause 37 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 36A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A13 (1) Clause 37A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 37(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 37(2)(b) occurs which consists of a breach of clause 36A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 37(2)(j) occurs in relation to a change in control of one of those persons (see clause 36A); or

(d) an event mentioned in clause 37(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 4

A14 Part 2 of Schedule 4 (current model clauses for landward production licences deriving from Schedule 4 to the 1976 Regulations or Schedule 4 to the 1982 Regulations) is amended in accordance with paragraphs A15 to A17.

A15 After clause 37 insert—

"37A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 37(3)."

A16 (1) Clause 38 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 37A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A17 (1) Clause 38A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 38(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 38(2)(b) occurs which consists of a breach of clause 37A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 38(2)(j) occurs in relation to a change in control of one of those persons (see clause 37A); or

(d) an event mentioned in clause 38(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 5

A18 Part 2 of Schedule 5 (current model clauses for seaward production licences deriving from Schedule 5 to the 1976 Regulations) is amended in accordance with paragraphs A19 to A21.

A19 After clause 39 insert—

"39A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 39(4)."

A20 (1) Clause 40 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 39A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A21 (1) Clause 40A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 40(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 40(2)(b) occurs which consists of a breach of clause 39A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 40(2)(j) occurs in relation to a change in control of one of those persons (see clause 39A); or

(d) an event mentioned in clause 40(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 6

A22 Part 2 of Schedule 6 (current model clauses for seaward production licences deriving from Schedule 5 to the 1982 Regulations) is amended in accordance with paragraphs A23 to A25.

A23 After clause 38 insert—

"38A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 38(4)."

A24 (1) Clause 39 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 38A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A25 (1) Clause 39A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 39(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 39(2)(b) occurs which consists of a breach of clause 38A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 39(2)(j) occurs in relation to a change in control of one of those persons (see clause 38A); or

(d) an event mentioned in clause 39(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 8

A26 Part 2 of Schedule 8 (current model clauses for landward development licences deriving from Schedule 5 to the 1984 Regulations) is amended in accordance with paragraphs A27 to A29.

A27 After clause 35 insert—

"35A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 35(3)."

A28 (1) Clause 36 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 35A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A29 (1) Clause 36A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 36(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 36(2)(b) occurs which consists of a breach of clause 35A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 36(2)(j) occurs in relation to a change in control of one of those persons (see clause 35A); or

(d) an event mentioned in clause 36(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 9

A30 Part 2 of Schedule 9 (current model clauses for seaward production licences deriving from Schedule 4 to the 1988 Regulations as they had effect before 16 December 1996) is amended in accordance with paragraphs A31 to A33.

A31 After clause 41 insert—

"41A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 41(4)."

A32 (1) Clause 42 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 41A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A33 (1) Clause 42A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 42(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 42(2)(b) occurs which consists of a breach of clause 41A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 42(2)(j) occurs in relation to a change in control of one of those persons (see clause 41A); or

(d) an event mentioned in clause 42(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 10

A34 Part 2 of Schedule 10 (current model clauses for seaward production licences deriving from Schedule 4 to the 1988 Regulations as they had effect on and after 16 December 1996) is amended in accordance with paragraphs A35 to A37.

A35 After clause 41 insert—

"41A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 41(4)."

A36 (1) Clause 42 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 41A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A37 (1) Clause 42A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 42(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 42(2)(b) occurs which consists of a breach of clause 41A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 42(2)(j) occurs in relation to a change in control of one of those persons (see clause 41A); or

(d) an event mentioned in clause 42(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 13

A38 Part 2 of Schedule 13 (current model clauses for landward appraisal licences deriving from Schedule 5 to the 1991 Regulations) is amended in accordance with paragraphs A39 to A41.

A39 After clause 32 insert—

"32A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 32(3)."

A40 (1) Clause 33 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (h) insert—

"(i) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 32A);

(j) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Petroleum Act 1998;";

(b) in the closing words, after "(f)" insert "or (i) or (j)".

(3) Omit paragraphs (3) to (5).

A41 (1) Clause 33A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 33(2)(c), (d), (e) or (f) occurs in relation to one of those persons;

(b) an event mentioned in clause 33(2)(b) occurs which consists of a breach of clause 32A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 33(2)(i) occurs in relation to a change in control of one of those persons (see clause 32A); or

(d) an event mentioned in clause 33(2)(j) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part 2 of Schedule 14

A42 Part 2 of Schedule 14 (current model clauses for landward development licences deriving from Schedule 6 to the 1991 Regulations) is amended in accordance with paragraphs A43 to A45.

A43 After clause 34 insert—

"34A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 34(3)."

A44 (1) Clause 35 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 34A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act of 1998;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A45 (1) Clause 35A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 35(2)(c), (d), (e) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 35(2)(b) occurs which consists of a breach of clause 34A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 35(2)(j) occurs in relation to a change in control of one of those persons (see clause 34A); or

(d) an event mentioned in clause 35(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Part A3

Petroleum Licensing (Exploration and Production) (Seaward and Landward Areas) Regulations 2004

Introduction

A46 The Petroleum Licensing (Exploration and Production) (Seaward and Landward Areas) Regulations 2004 (S.I. 2004/352) are amended in accordance with this Part of this Schedule.

Schedule 2

A47 Schedule 2 (model clauses for production licences relating to frontier areas — no break clause) is amended in accordance with paragraphs A48 to A50.

A48 After clause 37 insert—

"37A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 37(4)."

A49 (1) Clause 38 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 37A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A50 (1) Clause 38A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 38(2)(c), (d), (e), (ee) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 38(2)(b) occurs which consists of a breach of clause 37A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 38(2)(j) occurs in relation to a change in control of one of those persons (see clause 37A); or

(d) an event mentioned in clause 38(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Schedule 3

A51 Schedule 3 (model clauses for production licences relating to frontier areas — including break clause) is amended in accordance with paragraphs A52 to A54.

A52 After clause 38 insert—

"38A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 38(4)."

A53 (1) Clause 39 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 38A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A54 (1) Clause 39A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 39(2)(c), (d), (e), (ee) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 39(2)(b) occurs which consists of a breach of clause 38A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 39(2)(j) occurs in relation to a change in control of one of those persons (see clause 38A); or

(d) an event mentioned in clause 39(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Schedule 4

A55 Schedule 4 (model clauses for standard production licences) is amended in accordance with paragraphs A56 to A58.

A56 After clause 36 insert—

"36A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 36(4)."

A57 (1) Clause 37 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 36A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A58 (1) Clause 37A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 37(2)(c), (d), (e), (ee) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 37(2)(b) occurs which consists of a breach of clause 36A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 37(2)(j) occurs in relation to a change in control of one of those persons (see clause 36A); or

(d) an event mentioned in clause 37(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)".

Schedule 6

A59 Schedule 6 (model clauses for petroleum exploration and development licences) is amended in accordance with paragraphs A60 to A62.

A60 After clause 35 insert—

"35A Change in control of Licensee

(1) This clause applies if—

(a) the Licensee is a company, or

(b) where two or more persons are the Licensee, any of those persons is a company,

and references in this clause to a company are to such a company.

(2) A change in control of a company is not permitted without the consent of the Oil and Gas Authority ("the OGA").

(3) There is a "change in control" of a company if a person takes control of the company, not having previously been a person who controlled the company.

(4) If a change in control of a company is contemplated, the company must apply in writing to the OGA for consent at least three months before the date on which it is proposed that the change would occur (if consent were given).

(5) The OGA may—

(a) consent to the change in control unconditionally,

(b) consent to the change in control subject to conditions, or

(c) refuse consent to the change in control.

(6) If the OGA proposes to grant consent subject to any condition or to refuse consent, the OGA must, before making a final decision—

(a) give the company an opportunity to make representations, and

(b) consider any representations that are made.

(7) The general rule is that the OGA must decide an application within three months of receiving it, but the OGA may delay its decision by notifying the interested parties in writing.

(8) Conditions as mentioned in paragraph (5)(b) may be imposed on the person taking control of the company (as well as on the company), and may include—

(a) conditions relating to the arrangements for the change in control, including the date by which it must occur,

(b) conditions relating to the performance of activities permitted by this licence, and

(c) financial conditions.

(9) The OGA's decision on the application, and any conditions as mentioned in paragraph (5)(b), must be notified in writing to the interested parties.

(10) In this clause "the interested parties" means—

(a) the company,

(b) the person who (if consent were granted) would take control of the company, and

(c) if the company and another person or persons are the Licensee, that other person or those other persons.

(11) For the purposes of this clause, the question of whether a person has control of a company is to be determined in accordance with the test set out in clause 35(4)."

A61 (1) Clause 36 (power of revocation) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (i) insert—

"(j) if the Licensee is a company, any breach of a condition subject to which the Oil and Gas Authority gave its consent to a change in control of the Licensee (see clause 35A);

(k) if the Licensee is a company, any failure to provide full and accurate information in response to a notice given by the Oil and Gas Authority to that company under section 5D of the Act;";

(b) in the closing words, after "(g)" insert "or (j) or (k)".

(3) Omit paragraphs (3) to (5).

A62 (1) Clause 36A (power of partial revocation) is amended as follows.

(2) For paragraph (1) substitute—

"(1) This clause applies in a case where two or more persons are the Licensee and—

(a) an event mentioned in clause 36(2)(c), (d), (e), (ee) or (g) occurs in relation to one of those persons;

(b) an event mentioned in clause 36(2)(b) occurs which consists of a breach of clause 35A(2) or (4) in relation to a change in control of one of those persons;

(c) an event mentioned in clause 36(2)(j) occurs in relation to a change in control of one of those persons (see clause 35A); or

(d) an event mentioned in clause 36(2)(k) occurs which consists of a failure by one of those persons as mentioned in that provision."

(3) In paragraph (2), for "or (b)" substitute ", (b), (c) or (d)"."—*(Claire Coutinho.)*

This amendment updates the change in control provisions in certain historical sets of model clauses that are incorporated in older licences. The new provisions are substantively the same as those already included in the 2008 and 2014 regulations by virtue of clause 295 and Schedule 21.

Third Reading

King's and Prince of Wales's consent signified.

Question put forthwith (Standing Order No. 83E), That the Bill be now read the Third time.

The House divided: Ayes 280, Noes 19.

Division No. 320] [7.10 pm

AYES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Burns, rh Sir Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cash, Sir William
Caulfield, Maria
Chalk, rh Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, rh Michelle *(Proxy vote cast by Mr Marcus Jones)*
Double, Steve
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir Michael
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Garnier, Mark
Gibb, rh Nick
Gideon, Jo
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harris, Rebecca
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Sir Brandon
Lewis, rh Sir Julian
Liddell-Grainger, Mr Ian
Loder, Chris

Logan, Mark *(Proxy vote cast by Mr Marcus Jones)*
Longhi, Marco
Lopez, Julia *(Proxy vote cast by Mr Marcus Jones)*
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mann, Scott
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David *(Proxy vote cast by Mr Marcus Jones)*
Morris, James
Morrissey, Joy
Mortimer, Jill
Mullan, Dr Kieran *(Proxy vote cast by Mr Marcus Jones)*
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Norman, rh Jesse
O'Brien, Neil
Opperman, Guy
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Randall, Tom
Richards, Nicola
Roberts, Mr Rob
Robinson, Mary
Rowley, Lee
Saxby, Selaine
Scully, Paul
Selous, Andrew
Sharma, rh Sir Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, rh Chloe
Smith, Greg
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Sturdy, Julian
Sunderland, James
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Tuckwell, Steve
Tugendhat, rh Tom
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Wheeler, Mrs Heather
Whittaker, rh Craig
Whittingdale, rh Sir John
Wild, James
Williamson, rh Sir Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Zahawi, rh Nadhim

Tellers for the Ayes:
Jacob Young and Julie Marson

NOES

Bridgen, Andrew
Campbell, Mr Gregory
Davies, Philip
Donaldson, rh Sir Jeffrey M.
Drax, Richard
Duncan Smith, rh Sir Iain
Girvan, Paul
Lockhart, Carla
Mackinlay, Craig
McCartney, Karl
Paisley, Ian
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Robinson, Gavin
Shannon, Jim
Smith, Henry
Swayne, rh Sir Desmond
Wilson, rh Sammy

Tellers for the Noes:
Scott Benton and Mr Philip Hollobone

Question accordingly agreed to.

Bill accordingly read the Third time and passed, with amendments.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

AGRICULTURE

That the draft Agriculture and Horticulture Development Board (Amendment) Order 2023, which was laid before this House on 6 June, be approved.—*(Andrew Stephenson.)*

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

POLICE

That the draft Police Act 1997 (Criminal Record Certificates: Relevant Matter) (Amendment) (England and Wales) Order 2023, which was laid before this House on 19 June, be approved.—*(Andrew Stephenson.)*

Question agreed to.

PETITION

Wilby Way Roundabout

7.22 pm

Mr Peter Bone (Wellingborough) (Con): Wilby Way roundabout separates the village of Wilby from Wellingborough and the large Sainsbury's. It is an extremely dangerous roundabout on a dual carriageway. With more cars coming down it because of the increased housing in my constituency, it needs a proper crossing. If someone was killed, we would have a crossing the next day. Let us have the crossing before someone is killed.

Councillor Lora Lawman has got together a petition with nearly 1,000 signatures on it. It is also supported by Councillor Stephen Borrett and Councillor George Thompson. The petition states:

The Humble Petition of the residents of Wellingborough, Northamptonshire and the surrounding areas, Sheweth, that the Wilby Way roundabout, between the A509, A5400 and the A5128 is extremely dangerous to cross for pedestrians and cyclists; further that the increased volume of traffic due to the housing developments in and around Wellingborough has caused crossing this roundabout to become increasingly difficult and dangerous.

The petitioners pray that your Honourable House urge the Government to work with North Northamptonshire Council to consider the concerns of the petitioners and ensure that measures are implemented which will make crossing the Wilby Way roundabout safe for pedestrians and cyclists.

And your petitioners, as duty bound, will ever pray, etc.

[P002849]

Local Bank Branch Closures

Motion made, and Question proposed, That this House do now adjourn.—*(Andrew Stephenson.)*

7.24 pm

Amy Callaghan (East Dunbartonshire) (SNP): For being the party of the bank and the bankers, the Tories have a shocking record of keeping banks on our local high streets. It speaks to a pattern of this Government prioritising profit over people. This being my first Adjournment debate, I am proud to hold it on a topic important to my constituents, given the state of local bank branch closures in East Dunbartonshire, but I am frustrated and disappointed that this issue is on all our minds.

Despite the severity of the topic, I am very much looking forward to an intervention from the hon. Member for Strangford (Jim Shannon), the highlight of every Adjournment debate, as you will be only too familiar with, Mr Deputy Speaker.

Jim Shannon (Strangford) (DUP): First of all, I commend the hon. Lady for bringing this subject forward. The Scottish National party has been at the fore in headlining the issue of bank closures, and I wish to add my support.

It is an increasing problem back home—Northern Ireland has lost 27% of bank branches in the last three years, according to statistics from the Consumer Council. One of those was a Barclays bank branch in Newtownards, where I have my office. For rural constituents, it means they have to drive up to 40 minutes to the nearest Barclays in the neighbouring constituency, or take a taxi or a bus. Does the hon. Lady agree that bank branches are crucial to the economy, especially the rural economy, and that the frequent closures of local branches are doing more harm than good for customers? The hon. Lady is to be congratulated on bringing this issue forward.

Amy Callaghan: I could not agree more. I welcome the hon. Member's intervention—I kicked him into gear, didn't I? It was much appreciated.

Local bank branches are closing right across Scotland, and at a higher rate than in the rest of the UK.

Mark Eastwood (Dewsbury) (Con): While avoiding the hon. Lady's rhetoric in the opening of her speech, I agree that the closing of banks in localities—particularly in Dewsbury, Mirfield and Ossett in the area I represent—is a big issue. The banking sector is bringing forward a number of initiatives, one of which is a banking hub, which brings banks together in a town centre building. Has she considered that as an option, and would she be in favour of it?

Amy Callaghan: I will answer the hon. Member's question in a second, but it is certainly not rhetoric to say that the Tory Government have not stepped up anywhere near enough to support our communities and people who are struggling through the cost of living crisis. We need local bank branches. Hubs are an alternative, though they are not good enough, but I welcome his point of view.

We would be lucky to have as many bank branches open in our constituencies as have closed in the recent years. At least 265 local branches are set to close this year alone, and 62 parliamentary constituencies are down to one or no local banks. The UK has lost over half its bank network since 2015, which speaks volumes after 13 years of Tory rule. How many more banks do we have to lose before the Minister kicks into gear?

Richard Foord (Tiverton and Honiton) (LD): On the point about having lost over half the banks in the UK since 2015, I would like to go over the figures. Does the hon. Lady recognise that over 5,700 branches have closed since 2015 or are set to close, leaving only 4,000, at a time when banks are pulling in record profits?

Amy Callaghan: What is most despicable about this situation is that banks have record profits, but are not investing them in our communities. Our constituents, particularly those who are vulnerable, need banks to maintain their presence on our local high streets. It is incumbent on Government to act and to incentivise banks to have a high street presence.

Brendan O'Hara (Argyll and Bute) (SNP): I thank my hon. Friend for securing this debate. The support she is getting from across the House is quite telling.

Rural Scotland has been battered by bank and post office closures in recent years. The Bank of Scotland plans to close its Dunoon branch on 5 December. We have seen how this works: the banks close a branch, they advise us to use the post office and, all too often, the post office closes. I have made my feelings very clear about that particular closure, but will my hon. Friend join me in congratulating the people of Dunoon, particularly Dinah McDonald, who from her shop Bookpoint is leading the community fightback by gathering 1,000 local signatures to petition Lloyds to reverse this ill thought out and ill conceived idea and decision?

Amy Callaghan: I welcome my hon. Friend's intervention and throw my full weight behind the campaign of the people of Dunoon. We know good folk come from Argyll and Bute, so I am very happy to support that campaign.

My constituents in East Dunbartonshire have suffered from this trend, watching bank after bank close its doors. Seven local banks have closed since 2020, most recently Barclays in Kirkintilloch and the Bank of Scotland in Bearsden—similar to my hon. Friend's experience. Fortunately, a Bank of Scotland branch remains in Milngavie, but for how long? I will continue to set out the need for action and Government intervention as I progress my case for the continued need for high street banks, but I will start with a couple of questions for the Minister. I would appreciate some comment from him on them when he gives his response.

What are the Government doing to incentivise banks to maintain a high street presence? Do the Government recognise why that is important and necessary, and if they do, why the hesitance to intervene? That hesitancy is to the detriment of our constituents, particularly those who are vulnerable.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I am grateful to my hon. Friend for giving way. It is about eight weeks since I introduced my ten-minute rule Bill, the Banking and Postal Services (Rural Areas) Bill, to Parliament and the Government

[Drew Hendry]

have done nothing. They talk about banking hubs as some kind of solution, but there are a handful of them only and delivery is absolutely glacial. The point my hon. Friend is making in her excellent speech is that these facilities for local people will be closed down, especially in rural areas, before there is any substitute for them to provide the services that people need. Does she not agree?

Amy Callaghan: I completely agree with my hon. Friend, and I welcome that intervention. It is to the detriment of our constituents, because the banks and the Government are not stepping up quickly enough or at all to support those who need these vital services.

Many constituents have been in touch with me in the run-up to this debate flagging up the particular impact local bank branch closures have on those who are vulnerable. Elderly people and those with physical or mental disabilities may struggle with online banking, and will be particularly affected by having to travel greater distances to access in-person banking services.

Dave Doogan (Angus) (SNP): I am very grateful to my hon. Friend for giving way when she is making such an excellent speech. On vulnerable people and their access to cash, does she believe that Government inaction is in part to blame for the hiatus that happens when the last bank closes, like the Bank of Scotland did in Brechin last year? The entire community then has to wait not to see when but if they will get a banking hub.

Amy Callaghan: I thank my hon. Friend for that intervention. It is the hesitancy and uncertainty that has such a detrimental impact on communities such as Brechin.

For vulnerable people, the internet often feels like an unfamiliar and unsafe place to handle their money. For them, the advice and reassurance they can only get from an in-person bank teller is vital. For them, the extra miles to the next nearest bank branch might be too far to travel.

Peter Grant (Glenrothes) (SNP): On the question of the additional distance to travel, may I flag up the experience of my constituents in Buckhaven when TSB closed a branch there a few years ago? It very kindly produced a wee map showing the location of the nearest TSB bank in High Street, Methil. The only problem was that it was not in High Street, Methil; it was in High Street, Leven—not only a different town, but a different constituency. The address it gave in High Street, Methil was part of the old high street that was demolished 40 years ago to make way for housing. Does my hon. Friend agree that it is just an insult to constituents and to communities when a bank that has taken the decision to close a service is so ignorant that it cannot even be bothered to send somebody to walk the distance to make sure the bank it is directing people to actually exists?

Amy Callaghan: I thank my hon. Friend for that. That is a frustration we share. The maps sent out by many a bank branch are complicated and sometimes not relevant to the communities that they are being sent to, so I completely agree.

Just last night it was flagged to me that an elderly constituent of mine living in Kirkintilloch with a brain injury has been struggling to access banking services since the closure of Barclays in the town centre. The shift to centralised bank hubs like Barclays in Glasgow brings with it a litany of issues, such as the confusion and accessibility issues my constituent is experiencing.

With every local bank branch closure I am assured of two things upon meeting with the bank in question: there will be no forced redundancies, and all vulnerable customers have been contacted and bank staff will work with them to have a seamless transition to their next closest bank. But my constituency casework is proof that for far too many people, that is just not enough.

Ms Anum Qaisar (Airdrie and Shotts) (SNP): My hon. Friend is making an excellent speech, and is being extremely generous with her time.

The closure of local bank branches has an impact on Members in all parts of the House, as we have heard this evening and as I said when I spoke about the subject in my first Adjournment debate last year. On that day, HSBC had announced that it was closing 69 branches across the four nations. Since then the Government have introduced what is now the Financial Services and Markets Act 2023, but it has failed to address the issue of bank branch closures. I receive numerous complaints from my constituents about the fact there are no banks left, and about the limited access to free-to-use ATMs. In fact, just this afternoon I received an email about that from a constituent. Does my hon. Friend agree that more action must be taken to ensure that our high streets do not become banking ghost towns?

Amy Callaghan: I completely agree with my hon. Friend. There are cash deserts across Scotland now, and the Government should reflect on that and take new action.

Chris Stephens (Glasgow South West) (SNP): As my hon. Friend will know, the Bank of Scotland wants to close its branch in Glasgow's Govan ward, which means that 30,000 people will be without a bank; but there is another problem. When a bank closes, its ATM closes as well, and in my experience when a bank closes its ATM, the other ATMs that were free start charging. That is another attack on vulnerable customers, is it not?

Amy Callaghan: It is as if my hon. Friend had read my mind. That is exactly what I was about to mention. People on low incomes often use cash to budget, and more and more of our constituents will be doing so as the cost of living crisis worsens. Evidence from Which? indicates that there are 130 of those cash deserts in Scotland—places where there is no access to either a branch or an ATM within a reasonable distance.

Darren Henry (Broxtowe) (Con): I thank the hon. Lady for allowing me to intervene, and for initiating this important debate. It is clear that online banking is not for everyone, and that we must have physical banking services in towns. I am delighted that Stapleford, in my constituency, is to have a new banking hub, which is on

track for delivery in January 2024, but there is concern about towns in Broxtowe such as Beeston losing these vital services. Does the hon. Lady agree that we must continue to ensure that communities have access to physical cash and banking services?

Amy Callaghan: I agree that it is vital for communities to have access to cash and localised banking services. It is hardly surprising that a Tory MP has a banking hub coming to his constituency, but I thank the hon. Gentleman for flagging that up, because it is part of the problem that we are experiencing in Scotland.

Depriving people, many of whom may already be near the end of their financial tether, of access to cash heaps one more thoroughly unwelcome stress on their lives. It is entirely unreasonable to expect the entire population to bank online. There is also an argument to be made about fundraising charities and organisations, which often rely heavily on cash donations and payments. The lack of a local bank for cash deposits places an additional security risk on volunteers, causing extra pressure for both charities and individuals.

Given the finding of Citizens Advice that 90% of the population use a bank branch at some point and 40% use a local bank branch at least once a month, keeping banks on high streets should not be in question. With each closure come the expected platitudes and reassurances from the bank concerned. We, as constituency Members, engage in good faith and fight for our constituents to have access to local banking facilities, but the fact is that there is no incentive for banks to maintain a high street presence, and without that incentive, banks are gradually shifting to a far less localised business model.

I return to my earlier point that in the absence of a Government incentive, the number of local bank branches will continue to erode. Given that banks, and local bank branches in particular, provide an invaluable service for our communities, it is incumbent on the Government to act and ensure that banks do not entirely withdraw from our high streets. I have even heard from constituents across East Dunbartonshire who have switched banks so they can continue to have a local bank branch, only to find that their new bank has closed its doors months later.

The point that I and others make with each of these bank branch closures is that the banks' suggestion of post offices and banking hubs replacing local bank branches does not stand up to scrutiny, as my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) said in his intervention. Local post offices are under considerable pressure and are also exiting high streets and town centres at an increased pace, including the closure of our local post office in Milngavie precinct. Post offices are not banks; nor are they a suitable alternative to a bank. It is time the Government recognised that. Our constituents are going to great lengths to access local banking facilities, so why are the Government not helping them? Another issue relating to the closure of local banks is the notable decline in the provision of free-to-use ATMs. There are more than 14,000 fewer than there were five years ago—a steep decline of 27%—which again particularly impacts those who are vulnerable.

We all know the arguments that banks make for the closures. They say that cash use is down by 65% since 2015 and that that decline makes their cash access networks, including local branches and ATMs, less profitable. But I think we all understand that banks are not charities; they are extremely profitable corporations whose profits have increased by 87%, or £17.4 billion, since 2015. With that massive windfall they can easily afford to maintain a basic cash access network—a service that our vulnerable constituents cannot afford to lose—but that is exactly what we are seeing and the Government are doing nothing to stop it.

This is yet another in a long list of examples of how this Union is failing Scotland. We on these Benches look forward to Scotland regaining her independence—[Hon. Members: "Hear, hear!"] I thank Members for their support. Independence, when we will no longer have an unkind, uncaring Westminster Government, who we have not voted for, eroding our living standards and our high streets. Scotland's streets and Scotland's banks are safe in Scotland's hands. The time has come for Scotland's people to take back our self-government and build a brighter future.

7.41 pm

The Economic Secretary to the Treasury (Andrew Griffith): I thank the contributors on both sides of the House, including my hon. Friends the Members for Dewsbury (Mark Eastwood) and for Broxtowe (Darren Henry), and of course the hon. Member for East Dunbartonshire (Amy Callaghan) for securing this debate, which has rightly given her constituents a voice on something that they feel very strongly about. I know there is real strength of feeling across the House about this subject, but it falls to me to be clear that the nature of banking is changing.

As in so many other areas of the modern world, the long-term trend, whether we like it or not, is towards greater use of digital or telephone services. According to UK Finance, last year only a third of UK adults had carried out any banking activities face to face in a branch. The hon. Lady talked about Kirkintilloch, but 94% of those who use that branch also use the app, mobile or telephone services. The bank asserts—whether this is right or not I do not know—that fewer than 10 people were regularly using the branch. In the same period of time last year, nine out of 10 UK adults banked online or through a mobile app. More than nine in 10 of us are now using contactless payment methods, including throughout this House, and only 6% of people are now solely using cash. That is not limited to any particular demographic: 80% of adults aged between 65 and 74 use online and mobile banking as well, and less than a third of that age group regularly use a branch.

Peter Grant: Given that the Minister and most of his ministerial colleagues are so fond of online services everywhere else, can he explain why in these first two days back in Parliament Members have spent about three hours doing nothing while trooping through the Lobbies to vote when we could have on voted online in about two minutes flat? Why is doing things in person the right thing to do here but the wrong thing to do everywhere else?

Andrew Griffith: In the interest of time I will stick to the topic, but I am delighted that the hon. Member is here in person, as indeed are you, Mr Deputy Speaker.

[Andrew Griffith]

Change is not comfortable, but it does happen. Let us consider payphones. It would not surprise me if *Hansard* had records of similar debates about the decline of payphones. At one point, at their peak in the 1990s, there were almost 100,000 payphones in this country. Today there is just a fraction of that number. Technology has moved on, and nearly everybody has access to either a landline or a mobile phone.

By the same token, it would make little sense to force a business to keep a physical branch open when developments in the market mean that eyeballs and footfall have moved elsewhere. Nor would our high streets be particularly well served by bank branches gathering dust and lying essentially unused. We need to find new uses for them—perhaps the aspiration of the hon. Member for East Dunbartonshire for independence will produce new uses for these bank branches—in the same way that so many of our communities and villages today have a Blacksmith's Arms public house.

Brendan O'Hara: What responsibility, if any, does the Minister think the Government have for these closures? This idea that we can all be digital by default might work well in London, Glasgow, Edinburgh or wherever, but digital by default does not work in rural communities. There needs to be a solution for those who cannot access these systems, as he would have us all do.

Andrew Griffith: This Government take responsibility, and I was just about to explain how, for the first time, we have taken the statutory right to protect the use of cash. That has been on the statute book for a number of weeks after the House passed the Financial Services and Markets Act 2023. It is also why we support the very rigorous guidance given by the Financial Conduct Authority in cases where bank branches are closing.

Jim Shannon: Will the Minister give way?

Andrew Griffith: I will take an intervention. We are on the Adjournment and should be mindful of time.

Jim Shannon: Rural communities are probably the larger part of my constituency, and I have lost 12 or 13 rural banks. Every one of them was a focal point for customers, which hits on the important point made by the hon. Member for Argyll and Bute (Brendan O'Hara). At the same time, every one of those banks has made extra profit and extra fees, which just does not add up. Why not keep them open and share some of that dividend with all the customers who need the banks?

Andrew Griffith: The hon. Gentleman is working his way towards one of the potential answers. Colleagues have mentioned the banking hubs. When a bank seeks to close a branch, the FCA process normally includes consultation with the local Member of Parliament. The financial sector now has a consumer duty to think about putting customers' needs first, which is one of their weighty duties. As we deal with this significant change, a number of alternatives are in place. One is the local post office, and I believe there are still nine post offices in East Dunbartonshire. As the banks' business traffic coalesces, they can help to support the economics of a post office in a particular area. That is one opportunity. Some 99% of personal banking customers can transact in their local post office, and there are over 11,000 post offices across the United Kingdom.

Drew Hendry: A few moments ago, the Minister mentioned the Government's move to protect the right to use cash. What is the point of that right if people cannot access cash in their community?

Andrew Griffith: I do not know whether the hon. Gentleman is deliberately failing to understand, but the protection of access to cash and the ability to deposit cash—that is important if we want businesses to continue to use and accept cash—has a requirement that people will have easy, convenient access to a free ATM within 3 miles in rural areas and within 1 mile in urban areas. That is the guidance we issued a matter of weeks ago.

Chris Stephens: Will the Minister give way?

Andrew Griffith: I will take one final intervention, but hon. Members would learn more if they allowed me to make some progress.

Chris Stephens: I thank the Minister for being most generous; as he knows, I have been trying to intervene for a while. There is an important issue about free ATMs and those that charge. Is he monitoring that? When a branch closes, there is clear behaviour whereby the ATMs around and about start charging.

Andrew Griffith: I would be interested to see evidence of that. The paid-for ATMs simply do not count in any way towards the provision of free access to cash. In the constituency of the hon. Member for East Dunbartonshire, there are 51 free-to-use ATMs. Only those, not the ones that charge for withdrawals, will count towards that condition of making sure our communities have decent and continued access to cash.

I understand that access to cash is just one thing and that an ATM does not provide the full range of banking services—the post offices do—but we have started to talk about banking hubs and more than 80 have been announced to date. I know that relatively few have been delivered but they are a relatively novel feature. If hon. Members who are to have a banking hub would like to see that delivery, they should work with their local planning authorities, as the biggest single impediment to opening these new banking hubs is getting through the planning process. I know that my right hon. Friend the Member for Pendle (Andrew Stephenson) is looking forward to a banking hub in his constituency. I made it a priority earlier this year to visit London's first banking hub, in Acton, and I recently visited the Brixham hub. The hon. Member for Ealing Central and Acton (Dr Huq) is certainly not a Conservative, but I will be happy to work with colleagues to put in place these state-of-the-art hubs, which allow people not just to withdraw and deposit cash, but to carry out a much wider range of community banking services. That is very important.

Amy Callaghan: I am getting frustrated with the Minister's response—

Andrew Griffith: I will carry on then! *[Laughter.]*

Amy Callaghan: If the Minister wants to grow the frustration, that is fine; it feels as though that is becoming a common pattern. It feels as though the Government and the Minister are trying to place this into the hands of everyone else to deal with and that there is a lack of Government intervention to try to solve this problem.

Andrew Griffith: Nothing could be further from the truth. This Government have, for the first time in history, legislated for citizens of this country, including our good friends in Scotland, to have a legal, statutory right to access to cash. Moreover, we have brought forward the practical, sustainable alternative of banking hubs, to protect the ability of communities to access a wider range of banking services. We have conducted agreements for almost every bank in the country and in Scotland to be able to conduct their business through the post office network, thereby helping and saving the post offices in the communities too.

I think I have been clear. I understand that change is happening and people are not always comfortable with change. We are in the middle of a big technological shift. We all agree that people should have access to good-quality banking services. I contend that the Government are taking the appropriate action and taking this matter extremely seriously.

Question put and agreed to.

7.53 pm

House adjourned.

Westminster Hall

Tuesday 5 September 2023

[Mr Clive Betts *in the Chair*]

Climate Finance: Tackling Loss and Damage

[Relevant documents: Seventh Report of the International Development Committee, Debt relief in low-income countries, HC 146, and the Government response, HC 1393; Second Report of the International Development Committee of Session 2021–22, Global Britain in demand: UK climate action and international development around COP26, HC 99, and the Government response, HC 1008; and oral evidence taken before the International Development Committee on 18 July 2023, on UK Small Island Developing States Strategy, HC 1298.]

9.30 am

Chris Law (Dundee West) (SNP): I beg to move,

That this House has considered climate finance for tackling loss and damage.

July was the hottest month in global history. In three months the world will gather in one of the hottest regions of the world for COP28. All summer we have heard about and seen the impacts that climate change is having—impacts that will only get worse—and the need for urgent action could not be clearer. Simply put, this is the biggest, most existential threat to humanity and our planet, and I put it on the record that I am utterly disappointed that not one MP from the governing Conservative party is here other than the Minister.

The international community has come together in recent years to recognise the urgent need for financial support to combat climate change. Prominent milestones at various COPs over have established ambitious targets for climate finance. However, a fundamental problem persists. It is crucial to acknowledge that, despite the pledges and commitments, a substantial gap remains between promise and fulfilment, perhaps illustrated most starkly by the collective goal of mobilising $100 billion a year by 2020 for climate action in developing countries, agreed in Copenhagen at COP15 in 2009. This has still not yet been achieved.

To date, climate finance to developing countries has been focused on mitigation—namely, efforts to reduce and prevent the emission of greenhouse gases and adaptation—and adjusting to and building resilience against current and future climate change impacts. However, harms and losses will still be experienced by communities and ecosystems due to climate change that cannot be effectively mitigated or adapted to.

Loss and damage funding refers to the financial assistance provided to countries and communities dealing with the irrevocable consequences of climate change. It encompasses the destruction of infrastructure, the displacement of communities, the erosion of cultural heritage and, heartbreakingly, extensive loss of life.

At COP27 in November 2022 we witnessed a historic turning point in our global commitment to address loss and damage. An agreement was reached to establish a dedicated fund aimed explicitly at supporting vulnerable nations and communities grappling with the irreversible effects of climate change. The agreement underscored the urgency of recognising that climate finance is not solely about reducing emissions and adapting to changing conditions. It is also about providing financial redress to those who bear the brunt of climate impacts, often with the least historical responsibility for causing the crisis.

Caroline Lucas (Brighton, Pavilion) (Green): I congratulate the hon. Member on securing this important debate. When it comes to finance for loss and damage, does he agree with me that that finance has to be new and additional, not redirected from existing budgets? If we are looking for places where we might find such new and additional finance, if we put the polluter pays principle at the heart of this debate, we could, for example, look at the grotesque profits of the oil and gas companies, which amounted to a staggering $134 billion globally last year, or the billions that go into fossil fuel subsidies. Does he agree with me that that would be a good place to start to get the money we need for such a vital fund?

Chris Law: Not only do I completely agree, but I suspect my papers have been leaked because I was about to come on to that point. I completely agree that new and additional finance is key and I look forward to what the Minister will say. I will touch on that topic in more depth shortly.

There is no doubt the UK has contributed significantly to the climate emergency through its historical greenhouse gas emissions. From 1750 to the present day it is the seventh highest CO_2 emitter with just over 3% of estimated historical emissions. In contrast, the entire continent of Africa has a 3% share of cumulative CO_2 emissions and Oceania only 1%—two of the regions already the most devastated by the climate catastrophe.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I congratulate the hon. Member on securing this essential debate, because this is a global question. We know that the United Nations framework convention on climate change has recognised that responsibility must lie with developed countries, and finance must therefore come in the form of grants not loans, but I beg the Minister to consider, given that the UK Government lay so much emphasis on addressing immigration, the impact of climate change on the likely future movement of populations. We have a duty to put our money where our mouth is and address some of the causes, the drivers, of migration. That in itself is something that I would expect the Government to respond to in a most serious manner.

Chris Law: I thank the right hon. Member for a really valuable intervention. She reminds me of the startling numbers that I was given in 2017, at the first COP I attended, by a climate scientist called Dirk Messner. He described how, if we continue on the trajectory that we are on now, by 2050 1 billion people will be on the move because of displacement by climate change. A current figure is that more than one third of people on the move right now are on the move as a result, directly or indirectly, of climate change. Therefore the right hon. Member makes a very valuable point.

[Chris Law]

Not only has the UK made a massive contribution to the destructive impacts of climate change through its emissions, but it has benefited from the competitive advantage that its early adoption of fossil fuels and industrialisation brought and it continues to profit from the extraction of oil and gas from the North sea. The UK therefore has a moral obligation to recognise this historical responsibility and lead by example in addressing loss and damage. That cannot be denied or ignored. As we prepare to embark on the critical climate conference that will be COP28 in Dubai, it is paramount that the UK takes a bold and principled stance in addressing the devastating impacts of climate change, and encourage similar action from others as we collectively tackle the biggest global challenge facing the planet today.

Deidre Brock (Edinburgh North and Leith) (SNP): I congratulate my hon. Friend on managing to get this debate on such an important issue. Does he agree that this Government's credibility on climate finance will continue to be fundamentally undermined until the UK's official development assistance budget is restored to at least 0.7% of GNI and the cuts are no longer threatening the many projects currently supporting vulnerable communities?

Chris Law: I thank my hon. Friend for a really valuable point. When I go out in the world today and speak to organisations and bodies in both Europe and the US, they are, frankly, disappointed at the UK's position in recent years on the reduction in relation to GNI. It is a shame—it is our collective shame—and it needs to be altered radically. And for sure, money for loss and damage should not come from existing ODA budgets, which have already been shrunk.

To understand the imperative for loss and damage funding, we need to examine the profound, real-life and often irreversible impacts of climate change. At various COP meetings that I have attended, I have heard harrowing testimonies from citizens of small island states whose homes are disappearing underwater because of climate change. I recently watched devastating footage from the Solomon Islands, where sea level rise rates have been nearly three times the global average. Data shows that sea levels around the islands have risen at the alarming rate of between 7 mm and 10 mm a year—well above the global average of 3 mm a year. As a result, many coastal areas have been inundated, displacing communities and leading to the loss of arable land. Indeed, whole islands have tragically vanished beneath the rising waters.

The disappearance of islands such as Kale, Zollies and Kakatina is not only a stark statistic but a poignant testament to the reality of climate-induced loss and damage. I say this to the Minister: just imagine for a second that it was the United Kingdom that was facing disappearing—the entire nation disappearing under the waters that surround us. We would be acting very differently from how we are now. Those communities in the Solomon Islands have lost their homes, their ancestral lands and their way of life. The impact of climate change in the Solomon Islands extends beyond the numbers and statistics, reaching into the heart of the nation's communities.

In east Africa, agriculture, reliant on timely and predictable rainfall, is a cornerstone of the economy; the region is highly vulnerable to climate shocks such as droughts and floods. Widespread crop failures and significant loss of livestock have led to vast economic losses that destroy livelihoods and deepen poverty and inequality. One person is likely to be dying every 28 seconds because of acute hunger and famine-like conditions as a result of climate change. This has been accelerated by an unprecedented series of failed rains, causing prolonged droughts, or places being hit by destructive flash floods, devastating people's crops and livelihoods. Emergency humanitarian aid is simply not enough; the humanitarian system is not appropriate to address the increasing impacts of climate change. A loss and damage fund is needed, and needed now.

In Malawi, floods and droughts are on the increase. Events include Cyclone Ana, which in January 2022 affected almost 1 million people, of whom 190,000 were displaced, and Cyclone Freddy, which displaced more than half a million people, destroyed crops and livelihoods and caused almost 700 deaths. The World Bank estimates that climate change could reduce Malawi's GDP by up to 9% by 2030, which is only seven years away. That means that, despite continued work and increasing resilience to climate-induced shocks in Malawi, the impacts of climate change continue to erode development gains, particularly for vulnerable populations.

I recently learned of the impact of initial loss and damage funding from the SNP Scottish Government to projects in Malawi to support safe housing construction and provide psychological support for victims. This is a small-scale community-led initiative that needs to go much further and be supported by a global fund. Funding the loss and damage fund is not a matter of charity; it is an act of justice.

The SNP Scottish Government have embedded the concept of climate justice in their international development framework, launching a climate justice fund in 2012, which is due to increase by £24 million over the next three years. That was the first of its kind in the world. Crucially, it paved the way for others when it again became the first in the world to commit funding to loss and damage at COP26 in Glasgow. The whole world was there to listen and the whole world wanted to see that movement forward.

The Scottish Government's role in providing funding for loss and damage is characterised by deep commitment to climate justice, concrete financial contributions, active participation in global climate efforts and a dedication to innovative and collaborative solutions. Scotland's global climate leadership credibility is reinforced by its domestic action. It is concerning that the UK's reputation could be undermined by the current Government's decision to grant hundreds of new oil and gas licences and, I am afraid, the Labour party's weakness in watering down its £28 billion green prosperity plan.

Scotland is now seen as a trusted global partner when it comes to climate loss and damage. I hope the Minister will agree with me that the Scottish Government should be empowered to do more on the international stage, rather than be restricted or put back in their box, as some of his Foreign, Commonwealth and Development Office colleagues have suggested. Because where Scotland has led, others have followed: Denmark, Germany, Austria, Belgium, Ireland, New Zealand and Canada have all now pledged loss and damage funding.

The Scottish Government did not hang about and wait for others to act first. They did not create excuses to give themselves reason to delay making a commitment.

They saw the urgent need for this funding and acted upon it. Although these funds are small, they are already making a difference, both in practical terms and in how they have prompted others to follow suit. I sincerely hope the UK Government will see the value in that and act without unnecessary delay.

Although Scotland has contributed to important progress, it is not happening fast enough globally. The UK and other Governments around the world have a responsibility to come together and ensure that the practicalities of the loss and damage fund are agreed at COP 28, and implemented as soon as possible thereafter. At present, there has been no agreement on what the financial size of any loss and damage fund should be and how it should operate through the Transitional Committee agreed at COP 27, which has been tasked with establishing the institutional arrangements and has been working over the past year.

Several areas of contention are still being debated and need to be resolved before the committee's plan is considered at COP 28. One of those is whether the loss and damage fund should be housed within existing climate finance mechanisms, or operate as an independent entity. The Alliance of Small Island States has called for a

"fit-for-purpose multilateral fund designated as an operating entity of the UNFCCC Financial Mechanism".

I stumbled across that fairly mighty quote. It has been echoed by other vulnerable states and civil society that wish to see a flagship dedicated fund. Let me make this point clear. This cannot be about relabelling existing money, a point the hon. Member for Brighton, Pavilion (Caroline Lucas) made earlier. Loss and damage funding needs to be new money going to new places—the places already experiencing the devastating effects of climate change—now.

Furthermore, if we are to embed the concept of climate justice properly in our approach, the voices of developing and vulnerable states must be listened to and acted upon, equalising power in this currently unequal relationship. Loss and damage funding should be tailored to their needs, rather than a top-down approach from those who do not share their experiences. It is also incumbent on developed countries to ensure that they do not divide consensus on the need for a loss and damage fund.

Existing climate finance arrangements are based on a 1998 list of 155 developing countries and 43 contributors. It has been suggested that not all developing countries should be eligible for support, as not all of them are particularly vulnerable and in need of urgent loss and damage funding. It has also been argued that countries such as China, India and countries in the middle east should be expected to contribute to the fund and that there should be a narrower definition, with recipients restricted to those countries with the least capacity to cope and adapt, alongside their susceptibility to harm and to be adversely affected.

While that does not seem overly unreasonable, many developed countries have not lived up to their climate finance obligations, and it is incumbent on them to ensure that these are met before expecting others to do so. This debate should not be used as a convenient excuse to stall progress on the establishment of the fund. Given that the UK is one of the 24 members of the Transitional Committee, it needs to be a champion for the dedicated fund, for firm commitments from developed countries and for transparent governance ahead of the committee presenting its plans at COP28. I look forward to hearing the Minister's detailed statement of where he stands on this later in the debate.

Climate finance agreed under the United Nations framework convention on climate change was intended to provide new and additional resources for lower-income countries to tackle the additional challenges brought by climate change. Despite that, the UK has failed to provide climate finance in addition to its ODA budget. The current commitment of £11.6 billion in international climate finance from 2021 to 2026 is welcome. I would like to be absolutely assured that that will continue, but it is under pressure due to the UK Government's reckless decision to cut their ODA budget from 0.7% to 0.5% of GNI at a time of escalating need—a point that has already been made.

There is concern that the UK will seek to delay climate finance commitments due to these significant aid cuts. Will the Minister confirm that that will not be the case? I am also eager to hear from the Labour Front Bench on this. Back in July, on reports that the commitment was being dropped, the Labour party refused to comment on whether it would commit to the £11.6 billion funding pledge, so I hope to hear whether the Labour party will obediently do as it is told by the Tories and follow every fiscal decision made by them, or will it recognise the severity of the climate crisis and ensure the pledge is met.

The UK Government must ensure that the money attributed to loss and damage is new and additional to existing climate finance commitments, and not diverted from existing ODA budgets. Climate change is a global crisis that requires a global response—one that should not come at the expense of other essential development initiatives. Current estimates place the cost of loss and damage in developing countries alone at approximately half a trillion dollars by 2030. Christian Aid has estimated that the UK's fair contribution to this fund could be 3.5%, equivalent to between $10 billion and $20 billion. It would simply not be possible to absorb that in the current climate finance commitments or to cut other aid spending further to fund it.

To raise the necessary funds, we must explore innovative financing mechanisms, which must be based on the polluter pays principle, as touched on earlier. Those responsible for a significant share of emissions must bear a corresponding share of responsibility for the damage this is causing. It is not unreasonable to look to the fossil fuel industry to pay a proportionate share of those costs, particularly given the level of profit and excessive profits they are making and the subsidies they receive. The figures required to cover the costs of loss and damage are high, but they are dwarfed by the billions in subsidies that the fossil fuel industry receives and the profits it makes.

To understand that, the excess profits of the five largest oil and gas companies alone amounted to $134 billion last year, and the United Nations Development Programme estimates that global fossil fuel subsidies are now at a staggeringly $423 billion a year. If we put those figures together, we are into more than half a trillion dollars per year, showing that there is no shortage of money, rather it is concentrated in the wrong hands.

[Chris Law]

Analysis by Christian Aid has shown that £6.5 billion could be raised by a wealth tax to support loss and damage. New forms of wealth taxes that are broad based and that take into account different forms of wealth could help significantly in ensuring that money is available for loss and damage. If both the Conservative and Labour parties are serious about adequately tackling this global climate emergency, they need to take bold action, instead of being hand in hand in timidly ruling these options out.

Will the Minister commit to ensuring that loss and damage finance is provided in the form of grants, not loans? Vulnerable nations and communities should not be burdened with debt or struggle to recover from the ravages of climate change. The UK Government's contribution to loss and damage funding should not be merely seen as a financial transaction; it should be a declaration of values, a commitment to climate justice and a recognition of the profound responsibility we bear in the face of this global crisis. We are truly in this together, and we cannot walk away now.

To conclude, I have made it clear that we have a moral and historical obligation, as well as an obligation in our own self-interest, to act in the face of this climate emergency. When we talk about loss and damage funding, we are talking about humanity's response to one of the greatest challenges of our time. The urgency of this crisis demands swift and decisive action, and the financial commitments made by developed nations must reflect the severity of the situation.

It is our duty to ensure that those commitments are translated into tangible support for those vulnerable communities most affected by climate change. Without such support, we will see the climate crisis create resource scarcity and poverty, cause disease and displacement, and lead to conflict and, as we touched on earlier, mass migration. That will affect all of us in this Chamber. It will affect our children and our children's children's children to come. It is in our enlightened self-interest to ensure that loss and damage funding is there as an essential lifeline for those who find themselves on the frontlines of a crisis that they did not create.

It is our collective responsibility as good global citizens to ensure that we act boldly and decisively, in order to make sure that the most vulnerable receive the support they need to rebuild their lives and to make sure that by co-operating together we protect all of our futures.

Several hon. Members *rose—*

Mr Clive Betts (in the Chair): Order. We have three Members indicating that they wish to speak in the debate. I will start up the wind-ups just before 10.30 am, so that leaves around 10 minutes for each Member who wishes to speak.

9.51 am

Sarah Champion (Rotherham) (Lab): It is a pleasure to serve under your chairship today, Mr Betts, as it always is.

I congratulate the hon. Member for Dundee West (Chris Law) on securing this much needed debate. He spoke about urgency, and he is absolutely right to focus on that. We continue to see extreme weather events occurring across the globe and the principal polluters—both historically and currently—burying their heads in the sand, pretending that it is not a problem they need to address, and hoping it will go away. It will not go away; it is urgent and it is severe.

Let me give an example. The prolonged drought in east Africa has pushed almost 60 million people into food insecurity, which is a dramatic increase from the 37 million people affected in the middle of last year, when the emergency was first declared. In some areas across the globe, the weather has swung to the other extreme. Last month, excessive rainfall in the Himalayas caused flash floods, landslides and rockfalls, which have killed dozens of people and destroyed homes and buildings. Such events prove that climate change continues to pose an increasing threat to the health of people and indeed the health of the planet.

We are seeing more frequent extreme weather events, such as wildfires and floods, which are destroying economies and infrastructure, with severe consequences for human life across the globe. Slow-onset events, such as increasing temperatures and sea level rises, are not receiving the attention they deserve but are a cause for serious concern.

I chair the International Development Committee, and I am grateful that the hon. Member for Dundee West is such a leading light on the Committee, pushing us to do more on climate change. The Committee has undertaken work on the impact of climate change. Evidence submitted to us has shown clearly that climate change does not have an equal impact on all countries. In our report on debt relief, we found that lower-income countries are more vulnerable to loss and damage from climate change than high-income ones. Lower-income countries are less likely to have the funds to invest in climate change mitigation and adaptation, but without such investment the loss and damage from climate shocks will be more severe. The cost of the response and reconstruction is then higher, reducing the future funding available to invest in climate change adaptation.

As part of the Committee's inquiry on the effect of climate change on small island developing states, or SIDS, we heard that SIDS are particularly at risk from climate shocks. For example, in 2015 Dominica was hit by Tropical Storm Erika, which caused loss and damage amounting to 90% of its GDP. It then faced Hurricane Maria in 2017, which caused further loss and damage that amounted to 226% of its GDP.

My Committee has also heard about the threat of sea level rises, coastal erosion and, in some cases, the potential submergence of SIDS by climate change. Within this century, two SIDS are likely to disappear because of rising sea levels. Communities in low-lying atoll countries, such as the Maldives and the Marshall Islands, are at most risk. Climate change poses an existential threat for SIDS—one that is largely being overlooked.

Climate change will also put even more pressure on the most vulnerable and marginalised people. The World Bank has estimated that between 68 million and 135 million people will fall back into poverty due to climate change by 2030. Those who are already poor are likely to lose more when faced with climate shocks, even while having less to begin with.

The World Bank states that only one tenth of the world's greenhouse gases are emitted by the 74 lowest income countries, yet it is those countries that will be

the most affected by climate change. Lower-income countries are being forced to pay for damage they did not cause, despite having the least ability to pay for it. That is not just, it is not equitable, and it must be addressed. The UK could and should play a greater role in preventing and treating the suffering caused across the globe from climate change.

Loss and damage finance remains the most underfunded form of climate finance. At COP27, the Sharm el-Sheikh implementation plan was agreed, which included the establishment of the loss and damage fund. It is essential that the UK Government pledges new and additional funding for addressing loss and damage as part of their commitment to the most vulnerable people in the world.

To that end, I welcome the fact that at the first Africa climate summit the Minister for Development, the right hon. Member for Sutton Coldfield (Mr Mitchell), reaffirmed the UK's commitment to double its international climate finance to £11.6 billion between 2021 and 2026. Ahead of COP26, though, the UK Government also committed to support the Santiago Network for Loss and Damage, which is meant to provide technical assistance to lower-income countries vulnerable to climate change. However, it was only at COP27 that the institutional arrangements to operationalise the network were agreed. As my Committee has previously recommended, the Government must urgently work to support the Santiago Network to be operational and to live up to its prior commitments.

My Committee has also made other core recommendations for meaningful action on climate change. We recommend that the Foreign, Commonwealth and Development Office should work closely with the least developed countries and small island developing states in developing practical measures to address loss and damage. We also recommend that the FCDO hosts a climate and development ministerial with climate-vulnerable countries every year to follow up on its previous work. I was pleased to hear yesterday that the Government will be co-hosting the third climate and development ministerial, but it is vital to hear the voices of lower-income countries and small island developing states on how that finance can be most effectively used.

Without concrete and concerted action, the most vulnerable countries and the most vulnerable people in them will continue to suffer. As a lead contributor to climate change, and as a high-income country, the UK Government have a moral responsibility to act now. I look forward to hearing what the Minister has to say on that.

9.57 am

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairship, Mr Betts. I congratulate the hon. Member for Dundee West (Chris Law) on securing this debate, and the Backbench Business Committee on enabling it. It is a pleasure also to follow two such powerful speeches, including, of course, from the Chair of the International Development Committee.

"We do not own the world, and its riches are not ours to dispose"

were the words that a constituent wrote to me, which were taken from an old Quaker testimony. I only occasionally reference my Quaker faith or background in this place—or indeed on Radio 4, as I did yesterday—but the climate crisis is one area where my faith, and many other faiths, drives that ethos. We have all heard and seen so many moving testimonies about how the climate crisis impacts communities and ecosystems across the world, and we know that this devastation will only accelerate.

There is also the particular concern and worry facing island nations, whether the Maldives or the Solomon Islands. We know that island nations are on the frontline of the climate crisis. It is not academic for them; it is a matter of survival. The establishment of a loss and damage fund at COP27 is a landmark agreement and one that has come only after years and years of the most climate-vulnerable countries pushing for change.

I could talk at length about the particular challenges, but I want to focus on just why it is important for us in the UK to proactively support, and to take leadership on this. First, it is a matter of basic principles and humanity. We have a duty to help those across the world who are at risk. We are already seeing the personal impact of the climate crisis on communities, whether it is those in Africa facing prolonged drought, or those in countries such as Pakistan and Bangladesh seeing record floods. We cannot ignore the reality in front of our eyes. All of us have a duty to work to tackle this crisis. Many of my constituents will have close links to those communities through family, friends or shared ancestors.

Secondly, we have seen in the past that global leadership can and does work. One example is when the UK—and yes, Margaret Thatcher—led the way in signing the Montreal protocol, which was a global agreement that regulated and phased out substances that were damaging the ozone layer. This shows that global action works. The regenerated forests that have resulted are the visible testimony to that agreement. But why, when looking for examples, must we go back 40 years? Surely this is an area where the world and the UK should be stepping up again.

Thirdly, the climate emergency causing droughts and floods across the world means that whole communities are losing not only their homes but their food sources and livelihoods. They are having to move in mass migrations that put further pressure on the areas they arrive in, which are also vulnerable themselves.

Finally, it is in the UK's interests to ensure that we take the lead on global action to fight the climate crisis and protect communities who will be hit the hardest. I was lucky enough to attend COP26 in Glasgow. I still remember the powerful and moving testimonies from world leaders and communities who will be, or already are, on the frontline of the climate crisis. These are the communities whose lives will be changed or ruined, and who will see, or already are seeing, the scars of the climate crisis.

Afzal Khan (Manchester, Gorton) (Lab): It is estimated that there will be 1.2 billion climate refugees in the next 25 years—individuals who are made refugees in their own country, often within a matter of hours. One year ago, as my hon. Friend mentioned, we saw unprecedented floods in Pakistan. Millions were displaced and thousands killed, and the recovery is ongoing. I put on the record my thanks to the British charities for their amazing work. In the coming weeks I will be visiting, together with Islamic Relief, to examine some of that work. My question is: is it vital that the Government make a serious commitment to climate finance for loss and damage at COP28, which is coming up?

Ruth Cadbury: My hon. Friend references the crisis—those terrible floods—that we all saw last year in Pakistan, which so many of our community members and charities such as Islamic Relief stepped up and took a lead on. Yes, our Government did help, but it sometimes felt like the charities and volunteers were in there first, and the Government followed. The floods in Pakistan are just one example of the climate crisis.

We have heard much about the support funding for nations because they, and the UK in particular, need to take a lead on this. It is important that we support countries in ensuring that they can access clean and green energy sources for domestic energy. As an example, many island nations are reliant on expensive imports, especially fossil fuel generators, to provide domestic heat and light. Surely one area where the UK can and should be leading is on the export of green, clean energy sources. That will not only help to tackle the crisis, but support well-paid and green jobs both in the UK and around the world.

In conclusion, the UK needs to be a leader in supporting and assisting countries around the world. I look forward to hearing from the Minister about what the UK is going to do to ensure that we protect the world's most vulnerable communities from this crisis.

10.3 am

Dan Carden (Liverpool, Walton) (Lab): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for Dundee West (Chris Law) on securing this debate and his excellent contribution. I also congratulate the Chair of the International Development Committee, my hon. Friend the Member for Rotherham (Sarah Champion), and my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) on their powerful contributions.

This is an important debate. In March this year, I was proud to be elected president of the Forum of Young Parliamentarians of the Inter-Parliamentary Union, which is like a United Nations of legislatures. It represents 180 national Parliaments around the world. I vow to use the position to make young people's voices heard on the world stage. I hope my contribution will be a small part of fulfilling that promise, because young people will be not only the victims of climate change but the greatest contributors to action against it. It is a profound injustice that those least responsible for causing the climate emergency will suffer the worst of its consequences. At the same time, debt burdens and increased food and energy prices mean that many climate-vulnerable countries have less fiscal capacity to deal with those consequences—for adaptation, mitigation, loss and damage, or the resulting harms to health, the environment and ways of life.

I welcome the confirmation, in an answer to my written question, that it remains the Government's intention to deliver £11.6 billion of UK international climate finance between April 2021 and March 2026. I hope, however, that the Minister will stand up to those in his own party who would like to see the UK abandon that commitment. I urge him to take the opportunity today to clarify how the UK will meet its commitments within the existing timeframe, including front loading climate finance and showing how that climate finance will be new and additional.

To meet our commitments, however, we need to go further. We must properly tax the big polluters; we know that fossil fuel corporations knew the harms their products were causing. They covered up the science for years, funded disinformation and spread doubt, delaying action that could have saved countless lives. Those very same companies are currently raking in obscene, record-breaking profits, predominantly due to the effects of the war in Ukraine. Polluters must begin compensating for the destruction they have caused to our environment and to the lives of the people who have done the very least to cause the climate emergency.

Research from Greenpeace has shown that the fossil fuel industry made enough in profits between 2000 and 2019 to cover the costs of climate-induced economic losses in 55 of the most climate-vulnerable countries nearly 60 times over. It is the responsibility of the richest countries, which set global tax rules, to make that a reality. The importance of doing so could not be clearer. Estimates have shown that the world's most vulnerable countries can expect to suffer an average GDP hit of 19.6% by 2050 and of 63.9% by the beginning of the next century. Even if global temperature increases are limited to 1.5 °C, vulnerable countries face an average GDP reduction of 13.1% by 2050 and 33% by 2100.

Even if 1.5 is kept alive, a properly functioning loss and damage mechanism is urgently needed. Failure to do that will be felt particularly acutely across the continent of Africa, with eight of the top 10 worst affected countries being there. In the first six months of 2022, there were 119 climate and weather related events in developing countries, causing £26.2 billion worth of losses in the countries affected. That shows the scale of the challenges we face as part of an international community.

My colleagues have made the case for a moral responsibility for loss and damage. It is also in our economic self-interest, however, to take greater action now. We must build on the breakthrough agreements of last year's COP. Now is the time to operationalise the loss and damage fund—to put the money in and to get it working—in order to direct finance to those communities with the greatest need. I will continue to make those calls, alongside colleagues, and I will be proud to make them at COP28, which I hope to attend in my new role later this year. The Minister should rest assured that young people will continue to make those calls until they are listened to.

Mr Clive Betts (in the Chair): We now move on to the Front Benchers. I think they may have worked out that there is more time than their allotted 10 minutes, although they are not required to take longer and I would like the mover to have a bit of time at the end to wind up.

10.10 am

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Mr Betts. Although Members may not have used all the time available, all the contributions have been substantial and this has been a worthwhile debate, which I warmly congratulate my hon. Friend the Member for Dundee West (Chris Law) on securing. I recognise his commitment to, and passion for, climate justice over many years. I think he has the distinction of attending the most UN framework convention on climate change conferences of parties of

any serving MP—if not, he is certainly close to the record—so he speaks with an experience and authority to which we all, especially the Minister, ought to listen.

We have just returned from a summer recess during which the UN Secretary-General said:

"The era of global warming has ended; the era of global boiling has arrived".

Only a very small minority of people anywhere in the world would now be prepared to argue that the extreme weather being experienced across the globe is not evidence of the impact that human-driven carbon dioxide emissions since the industrial revolution have had on the planet's climate. Sadly, some of that minority still inhabit the Conservative Back Benches—although none of them has been brave enough to come to this debate to articulate that—and that has regrettable consequences for Government policy.

As every Member who has spoken in this debate has said, the reality is that climate change poses an existential threat—not necessarily to all human life, but certainly to the lifestyles to which we in the west have become accustomed and to which we encourage others elsewhere in the world to aspire. In 2015, when my hon. Friends and I were first elected, we would come to Westminster Hall debates and say that climate change threatened to undo the progress that had been made towards meeting the millennium development goals and driving down global poverty. Eight years later, we can say with certainty that climate change is undoing that progress and is in fact driving up hunger, poverty and disease in many parts of the world. That is why addressing the issue of loss and damage is so important.

The concept of loss and damage and the need for additional finances to repair loss and damage caused by climate change is not new; it dates at least to the early 1990s when the Alliance of Small Island States first brought it to the table of the existing UN framework. The hon. Member for Brentford and Isleworth (Ruth Cadbury) spoke powerfully about the threat that small island states face. They are among the first to experience the impact of climate change and face the prospect of their islands being literally wiped off the face of the earth by rising sea levels or becoming uninhabitable as marine ecosystems break down. My hon. Friend the Member for Dundee West asked the Minister to imagine if this country was threatened with being swamped—it is! Not far away, there is a tidal barrier that increasingly cannot cope with the tidal surges and rising sea levels, so this country is going to be affected. Low-lying areas of this island will be affected by climate change.

We all need to act, and that is what loss and damage is about. It recognises that some of the impacts of climate change will be literally beyond repair and certainly beyond prevention and mitigation. That in turn means that support for people and places affected by loss and damage also has to go beyond existing support. If climate change is undoing progress towards the sustainable development goals and poverty reduction, by definition the support to make up for it will have to be additional to what has already been pledged or assessed as required.

In 2022, the Vulnerable Twenty, or V20, which is a group of the Finance Ministers of countries vulnerable to climate change, estimated that

"Climate change has eliminated one fifth of the wealth of the V20 over the last two decades: initial evidence shows that the V20 would have been 20% wealthier today had it not been for climate change and the losses it incurred for poor and vulnerable economies."

Therefore, there is an important economic argument. Free marketeers and capitalists who see trickle-down economics as the rising tide—ironically—that floats all boats should be paying attention to this. It reminds me of Lord Stern's description of climate change in 2006—17 years ago—as

"the greatest and widest-ranging market failure ever seen."

So let the free marketeers come up with their solutions if they want to—some of that has been addressed, and we will come back to it. It is crucial to understand that this issue must not be ignored. A price has to be paid to deal with the impact of climate change. The question is, who will pay it and how?

The hon. Member for Liverpool, Walton (Dan Carden) made important points about the role of future generations and our responsibility towards them. He was right to say that those who have done the most to cause climate change, and who have benefited from the extraction of the earth's resources and the pumping of pollution into the atmosphere, now have a moral responsibility to support those who are most affected by climate change. That is the concept of climate justice, which has been adopted by the Scottish Government, and many other Governments and climate campaigners around the world, but the UK Government conspicuously avoid even acknowledging it, let alone accepting or committing to it. We will wait, I suspect again in vain, to hear the Minister say that the UK Government accept that climate justice is an important concept that exists and ought to be lived up to.

The important symbolism around the concept of reparations and reparative justice should not be allowed to get in the way of the urgent need to mobilise new additional funding to support countries and communities experiencing loss and damage from climate change. One key point that everyone has made today is that that funding has to be additional, which is also why we have to consider new and innovative ways of leveraging funding. Private sector companies, particularly those that make vast fortunes from the extraction and consumption of fossil fuels, clearly have to be a source, either through direct contributions to global funds or through taxation or levies at a country or international level. That is the "polluter pays" principle, which was raised by the hon. Member for Brighton, Pavilion (Caroline Lucas) and others who have spoken. There have been long-standing calls for a financial transaction tax, or Robin Hood tax, which could raise additional capital for fighting climate change.

It is particularly important that funding is disbursed in the form of grants and not loans; the right hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) made that point. There might be other ways, including insurance-based models—there is a lot of innovative thinking in this area—but we must not drive developing countries even further into debt.

Deidre Brock: Indeed. Those most likely to be affected by the adverse impact of climate change are already burdened by debt, which cripples their economies. My hon. Friend agrees that loss and damage funding should be additional and in the form of grants, not loans, but does he support the proposal that finance should be mobilised through the cancellation of existing debt? The SNP has spoken about that for a long time.

Patrick Grady: Yes, that is a hugely important concept. We think of all the work done around the Jubilee 2000 campaign, 23 years ago, and the huge global effort and consensus about the need to take action because developing countries were being crippled by the debt they had incurred. That is not good for anyone; it is not good for us either. Progress was made, but again we seem to be going backwards on a lot of that, and the changing climate seems to be a driver. That has to factor into the discussions. The work begun at the most recent COPs, including COP26 in Glasgow and the commitments made last year in Sharm el-Sheikh, must be followed through, and a new governing instrument must be agreed at COP28 this year. The hon. Member for Rotherham (Sarah Champion), the Chair of the International Development Committee, made important points about the Santiago Network and some of the other mechanisms that exist.

What is needed above all is political will: decision makers who are prepared to take bold and innovative action. As my hon. Friend the Member for Dundee West said, that is exactly what the Scottish Government have done: first, way back in 2012, when they established their climate justice fund in addition to the international development fund; then at COP26, when Nicola Sturgeon pledged £2 million for loss and damage, making the Scottish Government the first western Government to do so; and now just recently when they committed a further £24 million over the next three years to respond to climate change in Rwanda, Malawi and Zambia. Malawi's President, His Excellency Dr Lazarus Chakwera, said in February that the Scottish Government's loss and damage fund for projects in his country

"has made huge differences in the people and their livelihoods because they are given a hand up, so the resilience we talk about becomes a practical issue."

He went on:

"This fight belongs to all of us and I believe that this example will serve as a prototype of what could happen."

Perhaps now the UK Government will start to play their part. Perhaps they will begin to see, as my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) said in an earlier contribution, that the savage cuts to the aid budget are a false economy. All the evidence that we have heard in this debate shows that more funding is needed, but this Government are determined to spend less. In the end, it will cost more. The hon. Member for Manchester, Gorton (Afzal Khan) and others spoke about population movements. Home Office Ministers themselves stand at the Dispatch Box and say that hundreds of millions of people are on the move and that they all want to come to the United Kingdom, but instead of—

Sarah Champion: I apologise for interrupting the hon. Member in full flow. He is making a strong speech and is absolutely right to make this point, because the ODA spend is designed to help people stay safe and prosperous in their own homes, which is what they want. The Minister is taking away the money that would enable people to stay at home and then spending it secondarily when they turn up on our shores.

Patrick Grady: Yes, the hon. Lady is exactly right. Rather than housing people in barges or hotels, or chasing them back into the sea, it would be considerably cheaper if we helped to build resilience in their countries of origin against climate change that we have caused and that our lifestyles are continuing to make worse. That would save money in the long run.

I do have to say that there is also a challenge here for the Labour party. It would be useful to hear the shadow Minister, the hon. Member for Leeds North East (Fabian Hamilton), commit to the principle of climate justice and a return to the 0.7% target, because voters, particularly in Scotland, will be listening carefully.

The Scottish Government's actions have already shown that it is possible to make decisions and show leadership in this area and to encourage others to follow suit. In an independent Scotland, 0.7% would be the floor, not the ceiling, for our spending responsibilities to the poorest and most vulnerable people around the world. It would be the morally right thing to do, as others have said, but it is also in our enlightened self-interest.

Normally I would make a point about the spending being preventive, but the whole point of loss and damage is that it is now almost impossible to prevent some of the effects of climate change that we are already experiencing. Even as we speak, it is unseasonably warm; it is the start of September and we are once again experiencing record temperatures outside. But we can prevent loss of life and livelihoods with the right kind of investment and support for those who need it most. If we do not, it will cost more in the long term and we will all pay the price.

10.21 am

Fabian Hamilton (Leeds North East) (Lab): It is a pleasure, as always, to serve under your chairship this morning, Mr Betts. I congratulate my friend—I hope he does not mind me calling him that—the hon. Member for Dundee West (Chris Law) on securing the debate. We have always got on well and I always like listening to him. He has introduced perhaps one of the most important issues that this Parliament will ever have to contend with, but this is sadly not the first debate that I, nor my hon. Friends in this room, have attended from which Government Members have been absent. I am delighted that the Minister is here, but where are his colleagues? It is really sad. This is not a party political issue. It is a matter for us all, as parliamentarians representing our constituents, to try to stop the greatest catastrophe that faces humanity on this planet. We need to work together.

The hon. Member for Dundee West reminded us that July 2023 was the hottest month in history, and said that there is an urgent need for climate finance to fight climate change and that at COP27 an agreement was made on loss and damage finance. He said that financial redress to countries worst affected must be new and additional finance, not redirected from existing budgets. I do not think anybody can disagree with that. He also reminded us that by 2050 it is estimated that there will be 1 billion migrants looking for somewhere else habitable to live because of climate change—*[Interruption.]* Will they all, as the hon. Member for Dundee West asks from a sedentary position, be coming to the UK? Some might argue that; I doubt it very much, but they will be travelling across the globe, seeking refuge. It is important that we stop that happening in the first place. That would be at least one answer to the small boats challenge.

If nothing is done to mitigate climate change, it will have a devastating effect on human livelihoods. The hon. Member for Dundee West said that loss and

damage funding is needed now. He was followed by an extremely powerful speech from my hon. Friend the Member for Rotherham (Sarah Champion), the Chair of the International Development Committee, which I am glad still exists even if the Department has been abolished, because we need to be reminded that development is not just a luxury. It is not something that we cannot afford to do; it is something we have to do, and in the interests not just of the most vulnerable across the world, but of all of us—even in this country. Prolonged drought, she said, in sub-Saharan Africa has put many into further food poverty, and the International Development Committee produced work on the impact of climate change, loss and damage.

We then heard from my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury), who also gave a very powerful speech, on an issue that she is passionately committed to. She mentioned her Quaker faith. In my Front-Bench role over these last few years, I have always found the Quakers to be hugely supportive, not just in fighting climate change but in peace and disarmament, the principal role that I currently hold. Sometimes, she said, it seems that charities are ahead of Governments in financing the cost of climate change. She asked what we can do in the United Kingdom to export clean green energy—a very good question, it seems to me.

We then heard from my hon. Friend the Member for Liverpool, Walton (Dan Carden), who has been elected president of the Inter-Parliamentary Union's forum of young parliamentarians, which is an incredibly good position from which to campaign for something so vital to all people on earth, but especially younger people. He said that it was a profound injustice that those least responsible for the causes of climate change suffer the greatest damage. It should be the polluters who pay; I do not think anybody could disagree with that.

Ruth Cadbury: Every time I visit a school, the first and most powerful question that I am most frequently asked, as I am sure other Members are—everyone else is nodding—is: "What are you going to do to stop the climate crisis?" Young people are going to inherit the world we leave them. They continuously, repeatedly tell us to do something about it. I congratulate my hon. Friend the Member for Liverpool, Walton (Dan Carden) on his election.

Fabian Hamilton: I thank my hon. Friend for that intervention, because that is exactly the point. I am now privileged to have two grandsons, the youngest of whom is three and a half years old. He is not quite knowledgeable about climate change yet, but the seven-year-old is. It is something they study at school, and my hon. Friend is absolutely right. At every primary school that we visit—we all do it—the first thing they raise is: "What are you going to do to stop this planet becoming uninhabitable because of our own actions and history?" We have to answer to them. They will inherit the Earth, not us.

My hon. Friend the Member for Liverpool, Walton went on to say, as other Members did, that Africa will be the biggest continental victim of climate change globally, and—as others also said—that loss and damage support is in our own self-interest.

I again thank the hon. Member for Dundee West for securing this debate. As we know, the climate emergency is the greatest challenge the world faces. Where are the Government Members, who should also be talking about this? The UN has warned that our planet is on course for a catastrophic 2.8° of warming, in part because the promises made at international climate negotiations have not been fulfilled. As we know, this would have devastating consequences for our natural world, and dangerous and destabilising effects on all countries, not least, as I think the hon. Member and my hon. Friend the Member for Rotherham mentioned, many of the islands of the Caribbean. Indeed, the CARICOM ambassadors have lobbied me as shadow Minister for the Caribbean, which is one reason I am winding up on behalf of the Opposition today.

As we know, 2.8° of warming would usher in an era of cascading risks, as the uncontrolled effects of global heating result in more frequent extreme heat, sea level rises, drought and famine. We have seen devastating examples of extreme weather this summer, as heatwaves and wildfires have caused devastation and loss of life. As has been said this morning, this will end up hitting us in the UK as well. We are seeing its effects already, with floods and heatwaves becoming the norm, not the exception. As the SNP spokesperson, the hon. Member for Glasgow North (Patrick Grady), said just now: look outside; it is quite unseasonable. I returned from a holiday in Majorca on Friday. It is warmer here today than it was when we left Majorca. That is quite wrong.

This will end up, of course, hitting us in the UK, too. We are seeing the effects already. Global heating will hurt us all. But the truth is that developing countries and people living in poverty are the most exposed to the worst consequences of the climate emergency. At COP27 in Egypt last year, the issue of loss and damage was front and centre of the discussions. Like the UK Government, we supported the recognition of the issue of loss and damage at COP27. The agreement to create a new fund was an important step forward in recognising the consequences of the climate crisis for the world's most climate-vulnerable countries.

This is a matter of solidarity, and the reality is that those most likely to be affected by climate change are the least able to afford to adapt to it. Every speaker today has made that point. The UK Government already support poorer countries to cut emissions and to adapt to climate change. Loss and damage, however, is about coping with its disastrous effects. This is not about mitigating or preventing; it is about helping the poorest countries to cope with the effects that have already happened.

Supporting poorer countries is not only the right thing to do, but in our self-interest. We need all countries to act on climate and reduce their emissions and the destabilising effects of climate breakdown, which will end up coming over here, including, for example, in the risk of climate refugees, as we said.

But on the necessary actions to keep global warming to 1.5°, yet again we hear the unmistakable sound of the can being kicked down the road. As a result, that is now at grave risk, as the UN has said. It appears that even those on the Government Benches do not trust their Government to act on these issues. On 30 June, the Minister for the International Environment, Zac Goldsmith, resigned, accusing the Prime Minister of being "simply uninterested" in climate action and the environment. We can see why he might think that.

[Fabian Hamilton]

It is now 14 years since a promise of $100 billion of finance was made to developing countries to help them to fight the climate crisis. There is growing recognition of the urgent need to reform how multilateral development banks and the international finance system can support climate action and unlock resources. Earlier this year, there was a major summit of world leaders on a new global financial pact, hosted by President Macron, but the Prime Minister chose not to bother turning up.

We now hear that the Prime Minister is not even planning to attend the UN General Assembly this year, where climate change will be top of the agenda, as it should be. That is a lamentable and short-sighted snub, an illustration of how the Government are squandering Britain's potential for international leadership. That comes as the Government's statutory climate advisers warned this month that the Government are missing their targets on almost every front. They said:

"The UK has lost its clear global leadership position on climate action."

The Minister of State, Foreign, Commonwealth and Development Office, the right hon. Member for Sutton Coldfield (Mr Mitchell), has committed to publishing this year how the Government will meet their £11.6 billion climate finance target. During recent FCDO questions in the House, he said that he would do so "probably in September". I therefore press the Minister present today on whether he is still committed to that and whether he will publish the ODA allocations for international climate finance in 2022-23 and 2023-24.

We need a Government who can step up on climate action, delivering cheap, home-grown zero-carbon power at home so that we have the credibility to pressure other countries to fulfil their obligations and play their part. A Labour Government would put addressing the climate crisis at the heart of our foreign policy—every single foreign policy. Central that will be Labour's proposed clean power alliance of developed and developing nations committed to 100% clean power by 2030, just over six years away. That will be a positive version of OPEC, positioning the UK at the heart of the single most significant technological challenge and opportunity of the century. Alongside that, we will push for climate action to be recognised as the fourth pillar of the UN, increase our climate diplomacy in key states and work with international partners to press for a new law of ecocide to prosecute those responsible for severe, widespread or long-term damage to the environment.

For the sake of every human being on the planet, all the creatures that live on this planet and all of our children, including my two grandsons, Britain should never be a country that absents itself from the world stage, particularly not when it comes to the climate crisis—the biggest long-term issue we face. A Labour Government would certainly once again lead at home and abroad.

Mr Clive Betts (in the Chair): I call the Minister to respond. He has a reasonable amount of time, but would he leave at least a couple of minutes at the end for the mover to respond?

10.34 am

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Leo Docherty): It is a great pleasure to be here, Mr Betts. I am responding on behalf of the Minister for Development and Africa, my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell). He would have taken this debate, but he is currently in Kenya attending the Africa climate summit, appropriately enough. It is my pleasure to respond in his place.

We are all grateful to the hon. Member for Dundee West (Chris Law) for securing this important debate. I pay tribute to him for to his ongoing work on the International Development Committee. We have heard a series of powerful, interesting and passionate speeches this morning, and I am grateful for all of them.

As the debate has highlighted, floods, heat, storms and droughts triggered by climate change are increasingly threatening lives, homes and livelihoods. Poor, vulnerable and marginalised communities around the world, and women, girls and disabled people in particular, are disproportionately affected. The loss and damage are immense. As we discussed, last year's devastating floods in Pakistan claimed 1,700 lives, put a third of the country underwater and left more than 20 million people in need of humanitarian assistance. That is why, at COP27, the UK and international partners agreed to set up a new funding arrangement for loss and damage, including a new dedicated fund, in response to concerted calls, especially from our colleagues in the small island developing nation states and least developed countries, for greater global action.

There is now widespread recognition of the scale of the need arising from climate impacts, and that new ways of working and new solutions are needed. This debate is very timely: we are only three months away from COP28, where the transitional committee on loss and damage established at COP27 will report its conclusions. As a member of the committee, the UK has been actively and closely engaged in this process, alongside colleagues from developing and developed countries. The third meeting of the committee, in the Dominican Republic, has just wrapped up, and there is one more to go before parties meet in Dubai.

Within and beyond the COP process, the UK has played a leading role in tackling climate change, recognising the absolute necessity of reducing emissions to avert loss and damage. We have decarbonised faster than any other G7 country and signed net zero by 2050 into law. We are supporting international efforts and ambition to decarbonise through key initiatives, including the just energy transition partnerships, and we are funding a broad range of activities that avert, minimise and address loss and damage.

At COP27, the Prime Minister reaffirmed the UK's £11.6 billion climate finance pledge to vulnerable countries across the world and announced that the UK will triple climate adaptation funding to £1.5 billion in 2025, alongside the £1.5 billion we are investing in protecting the world's forests and £3 billion to protect and restore nature. This funding will help countries as they build their resilience, prevent biodiversity loss and reduce emissions, all of which are vital as we attempt to prevent and address loss and damage.

Sarah Champion: I am grateful to the Minister for outlining all the pledges that have been made, but is he able to say how much of the money has delivered, and whether it is new money or coming out of the existing ODA budget?

Leo Docherty: It is of course part of the ODA spend.

The UK invested £2.4 billion worth of international climate finance between 2016 and 2020 into adaptation, including investments in areas relevant to loss and damage—the subject of this debate. That included about £196 million on financial protection and risk management, £303 million on humanitarian assistance, and £396 million on social protection. To give a specific example, I mentioned the dreadful floods in Pakistan last year, and the UK offered significant support in the aftermath of that disaster. This included support for water, sanitation and hygiene, to prevent waterborne diseases, nutrition support, and shelter and protection for women and girls. In total, the UK provided £36 million in support following the flooding, on top of the £55 million we had already pledged for climate resilience and adaptation in Pakistan.

The UK is doing what it can to help avert, minimise and address loss and damage from climate change, but given the scale of the challenge, we know we have to be more creative in the ways we support countries to manage the impacts, and that includes developing new financial mechanisms to provide support. An example of this is the Taskforce on Access to Climate Finance, launched by the UK in partnership with Fiji. The taskforce is working to make it easier for the most vulnerable countries to take advantage of the climate finance that already exists.

The taskforce was launched following the UK-hosted climate and development ministerial in 2021. I am pleased to see that there will be a third climate and development ministerial held this year, with the UK, UAE, Vanuatu and Malawi co-hosting an event on how better development and climate actors can work together, which will build on the success of the first two.

On top of that, at the summit for a new global financing pact in Paris in June, the Minister of State, Foreign, Commonwealth and Development Office, my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell), announced that UK Export Finance had started discussions with 12 partner countries in Africa and the Caribbean to add climate resilient debt clauses to new and existing loan agreements. That builds on the announcement at COP27 that UKEF would be the first credit export agency to offer those clauses, which allow Governments to delay their debt repayments and free up resources to fund disaster response and recovery.

Chris Law: I am listening to an exhaustive list of the things that the Government claim they are doing, but I have not once heard that there is any new additional money for loss and damage outwith the budgets already in existence through ODA. After all, that is what the debate is about. Will the Minister tell us whether there is new finance? Or will he follow the suggestion made by several Members regarding the polluter pays principle, and consider financing it out of the more than half a trillion a year of subsidies and excess profits for fossil fuel companies?

Leo Docherty: I grateful for that question and it is, of course, too early for the UK to say whether or how much we might commit to any dedicated loss and damage fund, because the work of the transitional committee has not yet concluded. We will assess the value of the contribution once the modalities of the fund are set. It is too early to say, and I am sure the hon. Gentleman appreciates that.

The UK also provides significant support to disaster risk finance—prearranged finance that is disbursed automatically to Governments and first responders such as the UN and NGOs if an event exceeds a pre-agreed magnitude. Through disaster risk financing programmes, we have provided over £200 million since 2014. With partners including Germany, the UK has set up regional insurance schemes in Africa, the Caribbean, south-east Asia and the Pacific that help countries get reduced premiums by buying insurance as a group. Those schemes often pay out significant sums that help countries get back on their feet following a disaster. That is just some of the work the UK is doing to avert, minimise and address loss and damage, providing official development assistance and delivering reforms that help countries cope with climate change. The work of the transitional committee and the new loss and damage fund will build on the steps taken so far, and I look forward to their recommendations to parties at COP28.

In conclusion, the UK recognises that the impacts of climate change are leading to loss and damage, and that is likely to get worse. More needs to be done at global, regional and local levels to help countries and communities avert, minimise and address these catastrophes. We are playing our part, with our £11.6 billion ICF commitment, the fastest emissions reduction in the G7 and support for countries across the world as they reduce their emissions and build resilience.

When loss and damage occurs, the UK is regularly one of the first nations stepping up to provide support, enabling countries to bounce back quickly. COP27 was a major milestone for loss and damage. The UK is working with countries across the world to make sure that the new funding arrangements deliver for the most vulnerable, and we look forward to making further progress on that at COP28.

10.43 am

Chris Law: I am not quite sure where to begin, because we covered such a range of points, so let me begin with how I feel. I feel insecure, scared and concerned for the generations of today and tomorrow and for generations to come. I do not feel reassured by what I am hearing from the Minister. There are 352 Conservative MPs in this House and only the Minister is here to talk about the biggest existential threat we have to our planet and humanity. I find that astonishing. I have listened to a lot of the points made about where the UK has done some good work. Zac Goldsmith was mentioned and I would like to credit him; I was at COP27 last year when he asked me to go and talk to Pacific island states and to get an agreement on loss and damages. I deeply regret that he is no longer at the helm, because, frankly, he was really helpful and understood what has been going on.

The Minister with responsibility for international development, the right hon. Member for Sutton Coldfield (Mr Mitchell), who I had hoped would be here today,

[Chris Law]

said recently to the all-party group on extreme poverty, which I chair, that he was losing sleep at night about the realities of climate change. It is disappointing that he is not here today, but the existential threat and crisis is with us now.

The hon. Member for Rotherham (Sarah Champion) —my hon. Friend, in that we are both on the International Development Committee—said that this issue is not going away. It is utterly disappointing that not a single Member of the UK Government party that is in power and who can steer events at the next COP and all the meetings ahead is here. By the way, the rest of us in the Chamber all want to be with the Government on this. This is not about competition or a political foray; it is about getting it done together. I cannot sleep either when I think about speaking about this to my nieces or in schools in my constituency. What am I supposed to say? I have been to every single COP since 2017 and whenever I go, the issue of time gets more pressing.

The hon. Member for Brentford and Isleworth (Ruth Cadbury) used a fantastic quote from the Quaker faith:

"We do not own the world, and its riches are not ours to dispose of at will."

That is right; we are responsible. We are all guardians of this one Earth together. Frankly, if the Prime Minister is a billionaire, good luck to him, but he needs to be front and centre on this issue, not avoiding going to the next UN General Assembly.

I also thank the hon. Member for Liverpool, Walton (Dan Carden), who I have had the great privilege to work with over the years. As a young parliamentarian, he is the future, along with many other young people here and out there looking at what the future holds. As for the generation behind them, the first thing that I heard from Labour's Front Bencher, the hon. Member for Leeds North East (Fabian Hamilton), is that one of his two grandchildren, the seven-year-old, is learning about climate change now. I do not remember growing up like that. The hon. Member for Liverpool, Walton probably did not have to grow up like that, but children are today. This issue is utterly, utterly pressing, and the time has run out.

The hon. Member said that fossil fuel companies knew about the harms but spread disinformation. Wake up—smell the CO_2 emissions. We need to harness that and realise what has happened. We can correct the wrongs now, because the future will not be protected unless we do this now.

On a slightly lighter note, I studied social anthropology at university and I remind the few of us who are here of Margaret Mead's very famous quote:

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

This is my plea to those in this room, in this Parliament, and to our parliamentarians and those out there in the world: the UK can lead and it will be done through these thoughtful, committed citizens. It is our responsibility to do it.

Question put and agreed to.

Resolved,

That this House has considered climate finance for tackling loss and damage.

10.48 am

Sitting suspended.

Turing Scheme

11 am

Wendy Chamberlain (North East Fife) (LD): I beg to move,

That this House has considered the Turing Scheme.

It is a pleasure to serve under your chairmanship, Mr Betts. Education, exchange of knowledge and empathy for others are vital for young people today as they become our citizens and leaders of tomorrow. That is what the Turing scheme says it aims to provide—as did the Erasmus scheme, sadly lost as a result of the Government's Brexit deal, which removed the scheme unexpectedly at a late stage in negotiations.

As our world becomes smaller but remains so divided, it is important for our young people and children to look outwards. There is nothing like being immersed in a new country to expand one's mind. It might be possible to learn Arabic on a computer program, but that is a world away from learning how to use Arabic among its native speakers. We have the technology to chat with people on the other side of the world, but that cannot be compared to what is gained by ordering a coffee every day, picking up the local news and making lasting friendships with others of the same age. I may be over-optimistic, but if we want to tackle the strategic and global issues facing the world, cross-border friendships, knowledge-sharing and cultural ties are an important place to start.

Although I am sad that we are in this position, Mr Betts, you would expect me to be a fan of the Turing scheme, and in principle I am. I want those in education in North East Fife and everywhere else to benefit from it and for it to work as well as possible. As a Scottish MP, I would like the Scottish Government to move beyond their pilot to replace the Erasmus scheme and to just get on with it, as the Welsh Government have done with Taith. However, as a supporter of schemes that allow our young people to travel, I am now, with regret, going to list all the ways that the Turing scheme is not working.

Let me start with the funding cycle. On a very basic level, if a student is going to travel abroad for study or work experience, they expect the funding to be in place before they go, but that does not appear to be happening. I will give the example of one of my constituents, Aria, who is a student at the University of St Andrews, but let me be clear that her case is not an anomaly. This is the experience of pretty much every student.

Aria is a third-year student doing Chinese studies and Spanish. She went through the internal processes to arrange her study abroad programme in autumn last year, and was told to apply for funding in February this year. The application is made to the university, which makes an assessment of all the funding it needs for the year and makes its application to the Turing scheme accordingly. The funding decisions were not made by the Turing scheme and passed back to students until 18 August—the middle of summer, although I would argue, from the Scottish perspective, that that is the end of summer, given that schools go back then. That is the best part of six months later.

The official guidance says that decisions will be made in the summer and payments made in September for the new academic year. I did not think we would need to point this out, but not all countries have academic years that start in September. Indeed, Aria had to be in Uruguay before 1 August for a compulsory in-person orientation at the university. She sensibly flew out a few days before in case of delays and to give herself time to settle into her accommodation. It seems incredibly short-sighted of the Government to assume that all other countries across the world using the Turing scheme would follow the same calendar as the UK.

Carol Monaghan (Glasgow North West) (SNP): This is a really important debate, and the hon. Member has started with the powerful example of her constituent Aria, who sensibly flew out to Uruguay. She will appreciate that, if Aria had not had funds behind her, she would not have been able to do that. This scheme, which is supposed to get rid of disadvantage and be inclusive, supporting all, actually puts a massive barrier in the way of those from disadvantaged backgrounds if funding is not in place.

Wendy Chamberlain: Absolutely. I thank the hon. Member for her contribution. I entirely agree that it may not be intention of the scheme, but that is how it is happening in practice and impacting on students.

Jim Shannon (Strangford) (DUP): Further to that point, I commend the hon. Lady for bringing forward the debate. It is an important issue, which the hon. Member for Glasgow North West (Carol Monaghan) also clearly outlined in her intervention. Does the hon. Lady agree that the funding offer needs to take into consideration the massively increased cost of living that we are all experiencing, and the fact that although offers are be being made to more students, the associated necessary costs are putting off low-income households from taking up this incredible opportunity? If low-income households have been affected, the Minister has to respond.

Wendy Chamberlain: As always, the hon. Member anticipates what I will go on to say. When the funding provided under Erasmus and the funding provided under Turing are compared, there can be no doubt that there has been a real-terms cut—and that is before we take the cost of living into account. I will go on to talk about that.

Even if term starts at the beginning of September, it does not follow that students need cost of living funding to arrive in their bank accounts only on day one of classes. Students have to travel to the country, pay up-front rent costs, buy books, get medical checks and, in some circumstances, get visas. Aria told me that she was quite lucky; although she does not come from a particularly well-off family, they were able to help her find the money for her flight. She has been able to find a cheap flat, and she has been living off some savings from a part-time job last year. Uruguay does not require students to have special visas on arrival, although other countries require proof of funds checks, which Aria tells me she probably would not have passed without the Turing funds.

To come back briefly to flights, I am sure that the Minister will point out that the Turing scheme offers some funds to students from less well-off backgrounds. When I asked Aria about that, she said that she did not

[Wendy Chamberlain]

know about it, but in any case she could not see how it would have helped her, given that she had to travel before the funding decisions were announced. It is a good idea in theory, but it is poor in practice.

I have three other points to make on the funding model. First, there was a decision to make funds available to institutions on a single-year cycle. That means that when universities and colleges are encouraging students to apply for places abroad, they can only tell them what sort of places might have funding, but not what sort of places actually have funding. That leads to the sort of uncertainty that Aria felt as she travelled to the other side of the world on her own, without any knowledge of whether she would in fact receive financial support, and indeed to the uncertainty she continues to have, as she still has no word on whether she will receive funding for next term, which she is due to spend in Taiwan. As a parent, I cannot imagine the stress that her family must have felt. A 24 or 36-month project cycle would allow institutions to plan partnerships, provide certainty to students and, importantly, ensure wider access for all. That is surely the intention of the Turing scheme, right?

Secondly, I would like the Minister to comment on the amount of funds provided. In response to a written question that I tabled earlier this year, the Minister's Department set out that countries are determined to have a high or low cost of living with reference to data from the World Bank, Erasmus and the OECD, but it did not explain how the references to each of those data sources impacted the groupings. I find some of the groupings totally baffling. Group 1, the highest cost of living group, contains most of North America, New Zealand and Australia, but the only European country is Switzerland. Group 2, on the other hand, contains most of Europe—equating the cost of living in the Czech Republic with that in Denmark, or that in Antarctica with that in Ireland. It feels a bit like a one-size-fits-all category that has not been properly targeted to the reality of the cost of living overseas, as the hon. Member for Strangford (Jim Shannon) pointed out. Given that the Government are always quick to say that inflationary issues are a global issue and not simply an issue for the UK Government, I find that strange.

Worryingly, the amount allocated per student has fallen regardless of which country a student travels to. Under Erasmus, the maximum a UK student travelling to a European country in 2021 would receive each month was £415, or £600 for students from disadvantaged backgrounds, but the Turing equivalent is £380 and £490. We have simply fallen behind what Erasmus offers, and the Government must review that at the next spending review.

That brings me on nicely to noting that Turing funding is guaranteed only until the 2025 spending review. If institutions are to build long-lasting relationships, and if the Government are serious about offering education to our young people, funding needs to be guaranteed long into the future; it cannot just be a short-term sticking plaster to pacify those of us who saw the benefits of EU membership and did not want to leave. The situation certainly shows how short-sighted it was to decide, late in the Brexit negotiations, to leave Erasmus.

Finally, there are delays in getting funds to institutions and out to students. I have been dipping in and out of Aria's story. I mentioned that she found out that she would receive funding on 18 August, some six months after applying and weeks after having to travel to her placement. It is now 5 September, and when my team spoke to her yesterday she had still not received the funds. She is getting her usual student funding, which helps with rent, but there is very little left for day-to-day living. Those sorts of delays clearly put students, who ought to be at the heart of the programme, at risk.

To touch on an important but not particularly exciting element of the debate, I have to tell the Minister that the project reporting tool being used by Capita—and presumably approved by the Department—is terrible. To put it in slightly better language, universities are required to provide updates and make requests for funds to be released, but whenever universities do so, the system locks and they cannot use it again until approved by Capita. That creates an administrative headache and is clearly adding to the payment delays I just mentioned. There is no proper audit trail of what funds have been released and when, and universities are being left to make repeat requests. I urge the Government to engage with universities, Universities UK and the Russell Group to see how the process can be streamlined for everyone's benefit.

The last point I will touch on is the Government's short-sightedness regarding the scheme. Even if we ignore the benefit to each and every young person of having the chance to live and learn abroad, the Turing scheme is meant to be a core part of global Britain and how we present ourselves on the world stage. The problem is that those relationships are not one sided, yet the Turing scheme decidedly is. It does not offer any element of reciprocity, which has made it incredibly difficult for institutions to set up longer-term partnerships. That is worsened by the exclusion of professional staff from the scheme. Where previously UK education and research was promoted and strengthened through staff exchanges, now we are left in the cold. It is about being at the forefront of cutting-edge research and development, about tackling the next pandemic and responding to the climate crisis.

Layla Moran (Oxford West and Abingdon) (LD): My hon. Friend is making a powerful speech. She talks about the lack of reciprocity and the inability to form a cohort of students across the world who have connections and then go on in their professional lives to keep in touch. They are what is sorely missing from the Turing scheme. We have heard nothing from this Government about how they are going to address that. The scheme was never just about money, as woeful as that is; it is about making those connections. How are we going to foster them?

Wendy Chamberlain: I absolutely agree with my hon. Friend. From a reciprocity perspective, for all that we do not necessarily want to talk just about money, there is an economic disbenefit to universities and constituencies such as mine. Students who previously came under the Erasmus scheme may not come under Turing, with a resulting economic loss to both the university and the wider community.

On a more practical level, good working relationships with international institutions are vital to the Turing scheme, given that the decision to apply or waive fees

for UK students abroad sits with the host university. There are additional steps the Minister could take to make global Britain a reality and to boost our soft power. It currently costs over £1,000 to sponsor an intern coming to the UK from Europe, and that is now only available to degree students. As Universities UK put it,

"The UK is essentially closed to inbound interns, resulting in a loss of skills to UK business and damage to partnerships, while implicitly expecting other countries to facilitate visas to take in UK outbound interns."

The relationships between medical, veterinary and health science institutions have been put under immense strain as a result of the Government barring incoming students from treating patients and therefore from taking part in clinical electives. There is no reason for those partnerships to keep going if we cannot provide equal opportunities. An urgent amendment to the visa rules is needed to allow the supervised treatment of patients by visiting students. Coupled with the ongoing uncertainty regarding the future of the Horizon programme, the failings in the strategic intent of Turing means that we continue to retreat from the global stage.

At the other end of the education spectrum, but no less important for our soft power, Brexit has caused a sharp decline in the number of European children who are able to visit the UK on school trips. My party's policy is to seek to negotiate passport-free travel for UK and EU schoolchildren on a reciprocal basis. I hope that is something the Minister can agree with as a common-sense measure, with a benefit disproportionate to any costs.

I will end by reading something that Aria said to me:

"I never thought I would have the opportunity to study or travel abroad like this and feel incredibly lucky and grateful to be able to do so. However it has been incredibly stressful. I have never travelled outside of the UK before, and don't have external financial support if anything goes wrong. More communication from the scheme administrators and earlier decision making would make such a difference to students like me."

Surely we can all agree on that?

11.14 am

The Minister for Skills, Apprenticeships and Higher Education (Robert Halfon): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for North East Fife (Wendy Chamberlain) on securing this important debate. I share her passion for international placements. I do not accept completely the picture that she set out. I am not saying the Turing scheme is perfect, but I am proud of it and am working hard in the Department to ensure that it is a success, and I want to set out the good things that it is doing. I will try to answer some of the points she raised, and I will be happy to write to her after the debate about those that I do not answer.

The Turing scheme is a global programme for students to study and work abroad. It provides students, learners and pupils across the UK with the chance to gain vital international experience and to boost their employability. It is worth remembering that the scheme is named after Alan Turing, who taught and studied internationally. Participants can develop a wide range of soft skills, language skills and a better understanding of other cultures.

The hon. Lady may recall that my predecessor announced the second opening of applications for the Turing scheme at the University of St Andrews in her constituency. It is a beautiful university; I went there many years ago on a visit. I am sure that she will be as pleased as I am that St Andrews has been successful in its application to the scheme for the third year running, and that organisations right across Scotland have been awarded funding for almost 4,000 participants, nearly 600 more than last year.

Carol Monaghan: The Minister talks about the funding that has been allocated, but a recent *Financial Times* report stated that universities that applied to the scheme received only 35% to 45% of the money they felt they required to support their students.

Robert Halfon: I will set this out further, but the hon. Lady, for whom I have huge respect, will know that the Turing scheme is not just for university students; we have expanded it significantly for students in future education and in schools. If we look at it in the round, as I said, organisations across Scotland have had funding for almost 4,000 participants, nearly 600 more than the previous year.

My three objectives for the Turing scheme are, in essence, social justice, enhancing skills and securing value for money. I am sure that the hon. Members for North East Fife and for Glasgow North West (Carol Monaghan) will know that the Turing scheme is extending the ladder of opportunity for over 40,000 students and learners across the UK to spend time studying or working abroad, 60% of whom will be from an under-represented or less advantaged background. The hon. Member for Strangford (Jim Shannon) is no longer in his place, but there is more money for living costs and additional costs, such as for passports. I have met people in my own constituency from disadvantaged backgrounds who have benefited from the Turing scheme, and they are not from universities; they are from FE.

There is good evidence, as we know, that time spent studying or working abroad can be transformational for students, improving graduate outcomes and employability and building skills and confidence. Universities UK says—the hon. Member for North East Fife will agree with this—that graduates who participated in an international placement are less likely to be unemployed, more likely to have achieved a first or 2:1, and more likely to be in further study. Those in work are more likely to be in a graduate-level job, and on average they earn 5% more than their peers.

I see the Turing scheme as a remarkable vehicle for helping to improve the skills pipeline and helping people into high-quality jobs. Universities, colleges and schools will share almost £105 million of funding to offer placements to their students. No matter what kind of course students are on, whether they are studying for a degree in foreign languages, doing a T-level or an apprenticeship—the scheme was not open to apprentices before—or a school pupil, opportunities made possible through the Turing scheme can have a hugely positive impact on their studies and their skills development.

Layla Moran: Will the Minister give way?

Mr Alistair Carmichael (Orkney and Shetland) (LD): Will the Minister give way?

Robert Halfon: I will in a moment; because of the time, I want to get on a bit and try to answer some of the questions from the hon. Member for North East Fife.

This year saw significantly higher interest in the scheme from colleges and schools, including a nearly 50% increase in the number of successful applications in the further education sector. I think that technical education and training routes should have parity of prestige with academic routes, and I want to see even more FE learners and apprentices offered Turing scheme opportunities.

Layla Moran: I do not disagree with anything the Minister says—40,000 students is wonderful—but we cannot help but make a comparison with Erasmus+, from which 55,000 students were able to benefit. We have heard about the impact on the wider economy and, as he says, students' ability to access better degrees and a better life outcome. Has the Department looked at how much money we have potentially lost as a result of the lower number of students engaging in such activity?

Robert Halfon: Actually, the number of students is comparable, and it is a new scheme. It is also worth remembering that the Erasmus scheme is not value for money. The UK was putting way more taxpayer money into the scheme than we got out of it. The Erasmus+ scheme was also available for teachers to go overseas. We have decided to focus on students, which I think is a very good thing.

Mr Carmichael: On the subject of those who can access study here, I invite the Minister to address the point raised by my hon. Friend the Member for North East Fife (Wendy Chamberlain) in relation to those studying medicine and veterinary medicine. Such is the nature of teaching in modern courses that those are almost entirely clinically based. Does the Minister not understand that—I suspect the problem lies with the Home Office rather than his Department—exclusions around the facility to teach in fact exclude those students from any international exchange of this sort?

Robert Halfon: Obviously, visas are a matter for the Home Office, as the right hon. Gentleman recognises. We are expanding medical places and we have international students in our medical schools. We have expanded hugely, as per recent announcements, the number of nurses, doctors and doctor apprenticeships. That is different from the Turing scheme, which is about ensuring that students from this country—from FE and apprenticeship backgrounds as well as universities—can go abroad and take part in that important scheme. Previously, 50% of students from disadvantaged backgrounds had access to these schemes; I have increased that to 60%, because I want more disadvantaged people to benefit. The scheme provides enhanced funding for students who need it, as I have mentioned.

It is also my aim to ensure that the Turing scheme is value for money. It was introduced because a fair and proportionate deal could not be found for our continued participation in Erasmus+. It was designed from the start to deliver an improved benefit to the UK taxpayer. As I have said, it was right to prioritise funding for students, learners and pupils at UK organisations rather than non-educational placements for staff or inbound placements in the UK for students in other countries. I do not think taxpayers' money should be taken for granted because of the competitive annual application process of the Turing scheme. High-quality, deliverable and impactful international placements that improve skills and employability are essential to both the learners and the taxpayer.

I know that the Turing scheme draws comparisons with its predecessor, Erasmus. Direct comparison between the Erasmus+ programme and the Turing scheme is not possible, given that European Commission data for Erasmus+ does not specify the number of student participants for education sectors other than higher education. Although Erasmus+ included some staff mobility, the Turing scheme, as I have said, is focused on student placements. We can be confident that the Turing scheme is expanding opportunities for UK students. This goes back to the point made by the hon. Member for Oxford West and Abingdon (Layla Moran). Erasmus+ participant numbers for higher education ranged from just under 16,000 to just over 17,000 each year from 2015 to 2020. The Turing scheme is funding over 22,000 students this year, and it funded more than 23,000 HE placements last year and around 28,000 in 2021-22. The schemes operate very differently.

On the funding delays, I am working hard to ensure that students do not have the difficulties that the hon. Member for North East Fife highlighted. I am happy to look at the individual case that she mentioned. Education providers have had to make some complex changes to their projects within the allocated funding, because we had to reduce their requested allocation in order to manage the high demand in the '23-24 Turing scheme. There have been issues in navigating the new processes for payment requests. Capita has offered webinars and one-to-one support where needed to help education providers understand the process, and I am working closely with Capita to collect and act on feedback from the sector to ensure the scheme works as it should for all students. Applicants were informed of their application outcomes on 3 July. We are working to bring that date forward in future years, so that there are not the difficulties that the hon. Lady highlighted.

In conclusion, we will of course carry on evolving the scheme and making improvements, including by expanding opportunities for apprentices, which I care about deeply. I cannot confirm funding well in advance—as the hon. Lady will know, funding is always confirmed ahead of the next fiscal event—but the sector should embrace the Turing scheme, as it has done by submitting competitive bids, adapting its approach to delivering international mobility, and maximising opportunities for less advantaged and unrepresented students.

Wendy Chamberlain: Will the Minister give way one more time?

Robert Halfon: Very briefly, because I want to conclude.

Wendy Chamberlain: I am grateful to the Minister for outlining some of the strategic challenges, but it is very

difficult for institutions to think about embracing a scheme when they have no certainty of its long-term future.

Robert Halfon: I guarantee that the Turing scheme has a long-term future. I am not the guy from the Treasury and I cannot say how much it will be funded each year, but it will be funded properly and well, and we are determined that it will be a great success and that we will iron out some of the problems that she rightly highlighted. I am not saying that there have not been difficulties. I want to try to make it work.

The Turing scheme is a relatively new, demand-led scheme that was introduced at considerable pace. It has been shown to be a success and a remarkable skills development and career opportunity for people across the UK. I believe it will increase skills, enhance social justice and ensure good jobs for participants. I am pleased to be here today to champion the scheme and I look forward to working with higher education, further education, apprenticeship bodies and apprentices to realise its potential and enable students around the country to benefit from it regardless of their background. As I said, I have increased from 50% to 60% the proportion of students from disadvantaged backgrounds who will benefit from the Turing scheme. That is right, because we should ensure that the most disadvantaged can benefit from this brilliant opportunity. I sincerely hope that Turing scheme alumni are proud to have participated and recognise that having done so will stand them in good stead for their current studies and their future careers.

Question put and agreed to.

11.28 am

Sitting suspended.

Non-disclosure Agreements in the Workplace

[Rushanara Ali *in the Chair*]

2.30 pm

Dame Maria Miller (Basingstoke) (Con): I beg to move,

That this House has considered the use of non-disclosure agreements in the workplace.

It is a great pleasure to serve under your chairmanship this afternoon, Ms Ali, for this important debate on the use of non-disclosure agreements in the workplace. I will start by talking about the importance of every one of us—each and every citizen of our country—to the productiveness of our society.

Working to support ourselves creates wealth. For those who are older or younger, it is an essential part of a vibrant and successful economy. We in Parliament agonise over producing laws to remove the barriers that can stand in the way of people going to work. We stop people being made redundant simply because they are pregnant, being fired for being too old, or being denied a job because they have a disability, and we stop employees suffering sexual abuse because of an abuse of power at work.

Yet we know from the evidence collected by organisations such as Pregnant Then Screwed, Maternity Action, WhistleblowersUK, Can't Buy My Silence and many more that employers routinely use non-disclosure and confidentiality agreements to stop workplace wrongs being talked about, punished and put right. They use NDAs to silence employees who are fired or made redundant unlawfully. They stop them from seeking medical support for the psychological trauma that they have experienced, from taking action through employment tribunals, and in some cases from taking cases of criminal wrongdoing to the police. They remove people from their jobs with an exit agreement that includes a silencing clause, creating fear that talking about even illegal acts might mean they find themselves on the wrong side of the law, with the additional fear of having to pay back any payment they might have received when they departed from their job.

We know that there is a need for confidentiality at work. Routinely when we sign our contracts of employment there is a standard condition of confidentiality in the initial employment agreement. Some people therefore dismiss concerns about non-disclosure agreements because they know that NDAs can be unenforceable if they are put in place at the end of an employment contract. But most people are not legal experts. They cannot take the risk of being on the wrong side of the law and having to pay back any settlement agreement money, and employers know that.

The lawyers are part of the problem. The Solicitors Regulatory Authority has reminded all solicitors of their duty to uphold professional standards when dealing with NDAs. It issued a warning notice in 2018 that was updated in 2020. The SRA has been proactive and is to be applauded, but in reality the questionable usage of NDAs continues, first, because the SRA found that more than a third of law firms were not even aware of the 2018 notice—something that I am sure they are putting right—and secondly, because so many NDAs

[Dame Maria Miller]

are drawn up by people who are not regulated by the legal profession, or maybe not regulated at all, and this is set to grow.

When I asked my office manager to ask ChatGPT to write me a standard UK severance contract after discrimination at work, a clause was automatically inserted that reads:

"Confidentiality: Both parties agree to maintain the confidentiality of this Agreement and not to disclose any details related to the discrimination claim or this Agreement to third parties, except as required by law",

but no further details. How many people are now using these formula contracts as a matter of course? This might be the future of accessing legal expertise for many people, so we cannot rely on professional legal ethics and regulation to ensure that employers act in the right way. We need the law to be clear, too.

Mr Gregory Campbell (East Londonderry) (DUP): I thank the right hon. Lady for giving way and commend her on securing this topical and timely debate. Does she agree with me about the costs? No matter where it occurs in what sector, when we get into the public sector, public moneys are expended by some large employers. The likes of the BBC employs NDAs against employees and then subsequent former employees to try to buy silence over an agreed contract.

Dame Maria Miller: The hon. Member makes an important point about the use of NDAs by large public bodies. He mentioned the BBC, and I could go on to mention other media organisations. Indeed, NDAs have been used routinely in this place in the past. Mr Speaker and others, however, have ensured that that practice has stopped—it is possible to stop such things, if there is a will from the top.

The Government already know the importance of that point. The Secretary of State for Science, Innovation and Technology, my right hon. Friend the Member for Chippenham (Michelle Donelan), with the backing of the Department for Education, put in place a voluntary university pledge to stop the use of NDAs in university settings. It became law under the Higher Education (Freedom of Speech) Act 2023, through an amendment made on 7 February, so Parliament has had its say and the Government have accepted that say, but only in connection with universities.

The pledge, when it was introduced, protected students, staff and others from the use of NDAs in cases involving sexual harassment, discrimination and other forms of misconduct and bullying. If such a ban is good enough for universities, I hope that the Minister will agree that we can see no reason why employees in other sectors should not be protected in the same way.

The Government must look at how they could provide the same safeguards as the universities now have across every workplace in Britain against agreements drawn up by lawyers and those not drawn up by lawyers, which I believe to be the vast majority. As part of the pathway that the Government will follow in the coming months to achieve that sort of change, I hope that they will also support my amendment to the Victims and Prisoners Bill, which would recognise people who have signed NDAs as victims too, for consistency.

NDAs are of particular concern to Parliament and parliamentarians, because they are disproportionately used to silence women and minority groups, flying in the face of anti-discrimination laws, which have been in place for decades. Women report signing NDAs at six times the rate for men, black women at three times the rate for white women, and, interestingly, at 40% of the rate for people with disabilities. People with disabilities suffer such NDAs far more than anyone else.

A third of the respondents to the Can't Buy My Silence data collection in the UK are believed to have signed an NDA. Perhaps worse, another third did not go ahead with seeking the justice they were owed, because they anticipated having to sign an NDA and did not want to—for fear of the consequences perhaps. In their 2020 sexual harassment survey, the Government themselves, through the Government Equalities Office, reported that 48% of those who reported workplace sexual harassment were asked to sign a confidentiality agreement about their experience, whether staying at the organisation or exiting it. The Government are aware of the scale of the problem and they have legislated already, as a result of actions taken here in Parliament. We cannot let the status quo stand.

Given the nature of NDAs—their silencing properties and the secrecy that surrounds them—only as a result of the bravery of some who have endured NDAs do we know the damage that they are causing. I pay tribute to all those people—such as those in the Public Gallery and those Members—who have spoken out bravely publicly or privately on this matter. That includes the public reporting of the Independent Television News newsroom incidents, including multiple reports of NDAs by "Channel 4 News" and "Channel 5 News".

A particular concern—the hon. Member for East Londonderry (Mr Campbell) has already made the point about media outlets—is that organisations that provide news for millions of viewers are using NDAs to cover up allegations of sexual harassment, disability discrimination, maternity discrimination and much more. Even after public reporting, those are yet to be resolved. The concern is that we rely on such news organisations to expose the truth, and yet all summer we have seen more and more media reports about the toxic environments that have flourished.

I too have been approached by a number of whistleblowers at a number of ITN newsrooms. Why? Because of the lack of transparency and the fear of speaking up created by the use of apparently legal confidentiality clauses or NDAs. I believe that NDAs have no place in British workplaces if they stop people from freely exercising their rights under the law.

Peter Grant (Glenrothes) (SNP): I commend the right hon. Lady on an outstanding speech; I have no doubt that the rest will be equally outstanding. Does she agree that it is utterly hypocritical for the owners of news agencies, whether in broadcast or print media, to hide behind secrecy when it comes to how they treat their own employees? They make a living from exposing the things going on in other companies and from getting information from Governments that Governments do not want to disclose.

Dame Maria Miller: The hon. Gentleman brings up an important point. How employees are treated goes to the very heart of the culture of an organisation; we can judge an organisation on how it treats the people who work for it.

My strong feeling is that we need to show leadership on the issue of NDAs. We need to make it clear from this place that such agreements have no place in the British workplace. It is regrettable that some organisations appear to be using NDAs to silence their employees. I sometimes wonder how transparent that is to the management of the organisations. Senior managers need to be asking some serious questions of their HR departments about how such agreements are drawn up.

Ms Harriet Harman (Camberwell and Peckham) (Lab): I thank the right hon. Member for her initiative in bringing forward this debate; I absolutely agree with every word that she has said and how she has put the case. I say to the Minister that if he does what the right hon. Member is asking, we will give our full support. At this stage in a Government it is sometimes difficult to do good, but if he accedes to the right hon. Member's proposals he could do a major piece of good.

Non-disclosure agreements are unfair on the individual. As the right hon. Member said, backed up by figures, they double down and are a ratchet on discrimination. As she also said, they are perilous for the organisations, as covering up wrongdoing introduces rot. Whatever words, written by the civil service, are in the Minister's extremely good brief, he should have a think about doing this. He will get wholehearted support from us. The right hon. Member is putting forward a really sensible case, and I thank her for that.

Dame Maria Miller: I thank the right hon. and learned Lady, the Mother of the House, for those kind words of support. This is not a political issue; that is really important.

I couched my opening statement in terms of productivity because what really offends me to the core is that good people are being put out of employment for the wrong reasons. That often undermines their confidence and career in a way that they find it difficult to come back from, although there are notable examples of when that has not been the case.

I am thinking in particular of the evidence given to the Women and Equalities Committee for our maternity discrimination report, in which the hon. Member for Birmingham, Yardley (Jess Phillips) played a part. We heard about people being pushed out of employment simply because they were pregnant. They then found it very difficult to get back into work afterwards. The issue has real consequences for our economy. I know that the Minister feels strongly about the importance of productivity; what we are discussing is part of the piece that we need to get right.

Can't Buy My Silence, the organisation that brought in the universities pledge, is working on a similar voluntary agreement for businesses to stop using inappropriate NDAs; perhaps that fills a vacuum created by the many consultations going on at the moment, in both Government and other organisations. That business pledge is to be welcomed. The organisation has been shown to be powerful in turning its words into law. The pledge commits a business not to using non-disclosure agreements or clauses to silence people who raise complaints of sexual harassment, abuse or misconduct, discrimination, retaliation, bullying or other harassment, at the point of hiring, at termination or at any other stage. The organisation, very ably led by Zelda Perkins, has secured its first supporters, including a law firm, which I think shows the strength of the way the pledge has been put together and put to businesses.

When the Secretary of State for Science, Innovation and Technology, in her time as Minister responsible for higher education, brought in the universities pledge, she said of the use of NDAs that she was

"determined to see this shabby practice stamped out on our campuses".

I hope that the Minister replying today—I know my hon. Friend well—will wish to see this shabby practice stamped out across the whole economy, too.

Most confidentiality agreements are put in place by people other than lawyers. Other regulatory bodies have issued guidance on NDAs, as we would expect. Acas advises that NDAs should not be used

"to cover up inappropriate behaviour or misconduct, especially if there's a risk of it happening again".

The Chartered Institute of Personnel and Development, the body for human resources professionals, recognises that NDAs should not be used to silence people in situations of harassment, discrimination or bullying and organisations should never exert pressure on someone to sign. But the evidence of the scale of the problem shows that the advice is simply not cutting through—it is not enough. Many employers relying on the online model agreements to which I referred earlier are simply perpetuating a cycle in which NDAs, confidentiality clauses, are seen as the norm, to silence victims of wrongdoing. Therefore it is time that we turned advice and encouragement into law—I think there are very clear indications that organisations such as the Bar Council are also seeing that as the way forward and I am sure the Minister will be aware of that—so that apparently legal clauses in legal contracts cannot be used by anyone, lawyer or not, to cover up illegal wrongdoing at work.

My determination to see change on this issue stems in no small part from an interview that I saw with Zelda Perkins on "Newsnight", which was followed by the 2019 report by the Women and Equalities Committee—I chaired it at the time—on non-disclosure agreements. The evidence given to the Committee during that inquiry left me in absolutely no doubt that this was an issue largely under the radar and urgently in need of legislative solutions. The debate today is to remind the Government of the issue and of the need to act.

I believe in a fair society in which each of us has the opportunity to reach our potential, especially in education and in work; that is the society that we should all be striving for. Equally, I believe that it is the role of Parliament to remove the barriers that people encounter in achieving that aim. Non-disclosure agreements are a barrier to people reaching their full potential at work, a barrier to fairness and a barrier to the laws that we pass in this place working in practice. They must be outlawed where they cover up illegal wrongdoing. I hope that the Minister replying today can agree that the status quo is not an option.

2.48 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your leadership, Ms Ali. I congratulate the right hon. Member for Basingstoke (Dame Maria Miller) on eloquently opening the debate and making all the pertinent points as to why NDAs should be outlawed. It is very evident from what we have heard so far how they are used to hide discrimination and bad practice in the workplace. That is why I fully support her proposal and all the comments made across the Floor today.

I think we have learned, particularly in the last week, that creating secrecy in the workplace creates closed cultures and they can be incredibly dangerous environments. We heard yesterday in a debate in the main Chamber about seven consultants who blew the whistle. It would have been so easy to have silenced them with an NDA, and we have seen that right across the NHS. I will bring to this debate my experience from the health service, but also as a trade union official for many years, as to how NDAs have been used to silence people who are raising a concern and trying to speak truth to power, because ultimately this is all about power and control, and therefore we need to ensure that justice can be served in every environment and particularly in the workplace. We know that many people forced to sign NDAs are being forced out of organisations because they have had the nerve to raise concerns about what they have seen around them in order to make the work environment safer for themselves and others. They have shared those observations to see improvements in their organisation. It is not vexatious to raise concerns; it is the right thing to do and it should be encouraged. Not having laws to protect those individuals exposes them and brings about further risk.

As the Minister will know, I am bringing forward a Bill about bullying in the workplace and the cultures developed there—cultures of secrecy and of bad conduct and behaviour. There is certainly much to be done. Those people who experience the signing of an NDA are seeing a slamming of the door on not only their career but often their lives, leading to serious mental health challenges for many years. They have to live with the injustice they have been served for what is often a small sum of money to pay them off and buy that silence. We have to create open work places where we can have honesty, and raise concerns and see them resolved. Without that, we will enforce the negative cultures that we see in work practices today.

I refer to my entry in the Register of Members' Interests—I should have said that earlier. When I was a union official, I saw many times how compromise agreements were a cheap option to try to buy people off, to move an issue sideways and to protect the perpetrator in the workplace. Even if people brought a case to an employment tribunal, a COT3 agreement would often be signed to bring a case to a conclusion. We have to look at that within the system as well. The purpose of such agreements is merely to shut down debate and move on, leaving a legacy for other people—the discrimination, poor conduct, assaults, harassment or discrimination that have already been experienced.

We should create an open culture so that no one fears raising concerns and people know they are working in a safe environment. A closed environment, as we have known in many contexts, is an unsafe environment. What we are discussing would make workplaces safer for everyone, not least those people who have experienced the most pernicious assaults as a result of the NDA process.

I look at what has happened across University Hospital Birmingham, where silence has been bought off individuals, and at the mental health trusts. There are questions across the piece at the moment about what is going on in those organisations, which are often very closed cultures in themselves. When concern is raised, individuals are invariably on sick leave as a result of the response that they get, and then they are bought—told that they cannot return, or their sickness brings them to that point. When someone is so weak and powerless because of what the organisation has done to their voice and agency, they will take a little scrap to try and rebuild and move forward.

Whether it is in healthcare, local government—we know it happens there—education or the police and justice system, we know that the issue is pretty prevalent. I ask the Minister: where is the data and the scrutiny over what is happening? Do we know the reasons why all those NDAs have been signed? Do we know the numbers in every sector? Do we know which employers are the perpetrators issuing NDAs? We need the data to legislate and to understand, but also to call out those employers using NDAs as part of their suite of employment policies. I also ask the Minister to dig deep into all sectors—not only the private sector, but the charitable sector and what goes on there. Some of the statistics may well surprise him.

We have to understand that the issue is about the impact on individuals as well as organisations. The right hon. Member for Basingstoke made a powerful point about the cost to organisations of being able to mismanage their staff in such a catastrophic way, but we also have to realise that that has an impact on not only the individual but their colleagues as well. Ultimately, it silences them, because they know what is coming next: their job will be on the line, and they will be managed out of the organisation one way or another.

This closed-culture mentality must be prised open by the Government and we must do everything we can. We are in a space where organisations fear the reputational damage and fear what is happening at the moment. Let us get the data and the legislation in place to ensure that we are not only tackling poor conduct but advancing good conduct in the workplace, so that every worker can be safe.

Several hon. Members *rose—*

Rushanara Ali (in the Chair): Order. I suggest that Members stick to a time limit of roughly six minutes so that everyone can speak.

2.55 pm

Mary Robinson (Cheadle) (Con): It is a pleasure to serve under your chairmanship, Ms Ali, and to follow the excellent speech of the hon. Member for York Central (Rachael Maskell). I am so grateful to my right hon. Friend the Member for Basingstoke (Dame Maria Miller) for introducing this important and timely debate and for setting out the case, which I hope the Minister has listened to, for ending the practice of using NDAs once and for all.

Non-disclosure agreements, also known as confidentiality agreements and gagging clauses—they have a whole host of names—are legal contracts setting out how and what information can be shared by its signatories. I accept that these clauses can have legitimate purposes in business to manage commercially sensitive information, intellectual property and trade secrets. However, that should surely be the extent of their usage. All too often, the agreements are instead used to prevent people from speaking up about mistreatment, harassment or wrongdoing, particularly in the workplace.

As chair of the all-party parliamentary group for whistleblowing, I have heard first hand from whistleblowers about how organisations use NDAs as part of settlement agreements following an attempt by an employee to do the right thing: raise concerns about wrongdoing. In every case, there is one thing in common: not only did the whistleblowers feel obliged to sign the NDAs, without necessarily fully understanding them in some cases, but their own lawyers reminded them of their legal duty to remain silent once they did.

Some might argue that whistleblowers are protected by law already, but we know that our existing laws are not working and that they are exclusive. The UK's existing whistleblowing legislation—the Public Interest Disclosure Act 1998, or PIDA—only protects in law disclosures showing a criminal offence, a failure to comply with legal obligations, a miscarriage of justice, endangerment of health and safety, damage to the environment or the concealment of any information relating to the above. Section 43J of PIDA states:

"Any provision in an agreement to which this section applies is void in so far as it purports to preclude the worker from making a protected disclosure."

What that means in theory is that a confidentiality clause or an NDA that seeks to prevent employees from blowing the whistle should be void under PIDA because under this law we cannot take away a person's right to make a protected disclosure. However, the problem is still carrying on and it raises a number of issues. First, PIDA has extremely limited scope and applies only to workers and their employers. It also does not cover all people who may work for organisations, such as contractors, volunteers or trustees, or other people who may reasonably gain information that it is in the public interest to disclose: family members, customers and, in the case of health and social care, patients.

Secondly, we know from the many whistleblowing cases that result in detriment and dismissal that employees who speak out are not sufficiently protected by our existing laws. The cycle of a worker bringing forward allegations of wrongdoing only to be dismissed, and having to fight their dismissal at an employment tribunal, is all too common. When they get to tribunal, they must fight for their own employment—their own rights—not the whistleblowing issue that they first raised. Only 12% of these whistleblowing cases are successful at tribunal, so where is the incentive to do the right thing? For many would-be whistleblowers, this likely outcome may persuade them down the route of agreeing to an NDA—and the cover up is complete.

There is also the issue of people not knowing what constitutes a protected disclosure in the first place. In many cases, PIDA would not clearly apply to the things they report, such as a toxic environment or a moral or ethical wrong, and once an NDA has been signed there begins the constant fear of the consequences of breaking it: fear of the risks of breaking the silence, fear of the cost of prosecution. That means that NDAs are a very effective tool for silencing whistleblowers. As a consequence, the wrong goes unpunished, and the cloak of cover-up allows wrongdoing to continue.

One person who was brave enough to break free of the binds of an NDA and speak out was a whistleblower who defied an agreement signed with Hollywood film-maker Harvey Weinstein. By speaking out, she exposed Weinstein's predatory behaviour, and his extensive history of sexual harassment and rape soon became public. He is now serving decades in prison, and she continues to fight for an end to the misuse of NDAs, through her campaign Can't Buy My Silence. She deserves our praise and thanks for that.

Speak Out Revolution, which works with Can't Buy My Silence as a data partner, is actively collecting workplace bullying and harassment experiences from members of the public, and compiling information and statistics. Based on those submissions, 63% do not formally report their workplace bullying or harassment experiences to their organisation. Of those who do, just 3% reach a full resolution. It is five times more likely that a person's experience will become worse as a result of a formal report. Further, at least a quarter of respondents had signed an NDA. With statistics such as those, anyone considering speaking up can be forgiven for thinking twice.

Although there are non-profit and charitable organisations that can provide advice and guidance, existing legislation does not encourage or protect whistleblowers. I have been campaigning for a change in our whistleblowing legislation, as the Minister will know. Alongside my colleagues on the all-party parliamentary group on whistleblowing, I have now proposed a new Bill that would see the creation of an office of the whistleblower that would support and advise whistleblowers and organisations. It would set standards and levy penalties against those who retaliate against or penalise whistleblowers. That would include addressing the misuse of NDAs and gagging orders, which we simply must tackle. Further, it would recognise and support anyone who is blowing the whistle.

As my right hon. Friend the Member for Basingstoke pointed out, NDAs are being used as a tool to cover up wrongdoing, to silence victims and whistleblowers. We have allowed organisations to get away with using intimidation and fear to conceal evidence of wrongdoing, forcing whistleblowers and victims of crime to keep silent for too long. I call on the Minister to heed the calls heard here, and to take action on abusive NDAs and on our outdated whistleblowing legislation, to ensure that the Government are firmly on the side of truth and transparency and of people who do the right thing.

3.2 pm

Layla Moran (Oxford West and Abingdon) (LD): It is a pleasure to serve under your chairmanship, Ms Ali. I start by congratulating the right hon. Member for Basingstoke (Dame Maria Miller) on securing this important debate. As we have heard, non-disclosure agreements were designed as a legal tool to protect trade secrets, but they have a dark side. There is now overwhelming evidence that they are being used to cover up bad behaviour, and buy victims' silence. They have become insidious and pervasive. One survivor described it as

"a way of companies and people avoiding accountability".

[Layla Moran]

NDAs can take many forms. They can be stand-alone agreements or a single clause subtly included at the end of a contract generated by a lawyer or anyone else. The effect is what is important. An NDA for these purposes should be defined as any clause that has the effect of gagging a victim. It is usually in perpetuity, which itself is extraordinary when thought about in legal terms. It stops them speaking about their experiences for ever more.

Many NDAs are not legally enforceable, but the victims I have spoken to would not have a clue. They never have a clue—and I am not sure I would, frankly. I am not a lawyer. If I were given something on official headed paper and told that someone knowledgeable had looked at it and thought it was the best thing for me, and I was at my wits' end at the end of a discrimination case, I would just want it all to go away, too. That is tempting, and we can understand why people in that moment—when presented with that way out—take the money, sign the NDA and run.

However, we also know that NDAs hold immense power over victims. Often many years later, long after the effects should have been forgotten, they are retraumatised over and over again. Imagine someone facing a discrimination charge at work who has had to leave. They then have a further interview where they are asked about why they left, and they cannot say. Over and over again, forevermore, they are forced to remember. Many are victims of NDAs; I put it in those terms specifically because NDAs themselves cause harm. The point is made by the right hon. Member for Basingstoke in her amendment, which I very much support, to the Victims Bill: in these cases, it is the NDA itself—the silencing—that is traumatising.

I was involved in this campaign initially through students. I am delighted that through cross-party support we had an amendment accepted to the Higher Education (Freedom of Speech) Act 2023; that is amazing. One of the young women I spoke to was a victim of sexual assault in her college. She was assaulted by another student. She was presented with what looked like an official document—it was not actually a legal document at all, but she did not know any different. There was essentially a gagging clause. Some clauses said that the assailant was not allowed into her accommodation or where she ate, which we absolutely support. However, a final clause said that she could not speak about her experiences publicly at all. When it was discussed at the time, it was sold as a way to protect her reputation. She should not have been talking about it on social media or Lord knows what damage it would cause to her later. Not only is that infantilising to a women—albeit a young woman, but an adult woman none the less who has the right to make her own decisions—but let's face it: the reputation being protected in this case was that of the university and the college.

Dame Maria Miller: I thank the hon. Lady for giving way and for her support today. She talks about the importance of protecting reputations. The reason why employers sometimes say that they want a non-disclosure agreement signed is that it will save an individual leaving a company and starting to talk badly about those left behind. Surely, we already have laws on defamation that cover that, so that is not a very good argument. Does she agree?

Layla Moran: I absolutely agree with the right hon. Lady. The problem is that the clauses are so wide-ranging; they are often not specific about time or what exactly they are allowed to say. We are not talking about any kind of confidentiality for when people are going through mediation, because that is time-limited; that is obvious. If mediation is going on, there would be a period where both parties would be asked not to talk about it. That is not what we are talking about here. The right hon. Lady and I have had a lot of engagement on this issue, and others have too. We have gone through every argument. There is an answer to every single rebuttal now. We have explored the logic. There is only one thing left to do.

We are falling behind. Other countries are ahead of us now, particularly in North America. Prince Edward Island in Canada has passed legislation that has essentially done what we are discussing. It is new, but it seems to be working. There is also the Speak Out Act in the USA, which was passed in 2022. It prohibits non-disclosure and non-disparagement clauses being agreed to in disputes involving specifically sexual misconduct. Other countries are also moving in that direction. We have seen a watershed moment following incredible campaigning by Zelda and others that is now forcing the issue, and we are falling behind as a nation.

We have golden opportunities in front of us. We have the Victims Bill; I urge the Government to look at the right hon. Lady's amendment. I have also put one down that does the obvious thing of mapping the language in the Higher Education (Freedom of Speech) Act on to the Victims Bill. Given that people who sign these types of NDAs are victims, I think it is in scope. Either way they are complementary, but the Government need to do something that is not sector by sector. It should not affect one place or another. There is a bizarre idea that if an academic is living next to someone who works in a shop in my constituency, the academic is covered, but the person who works in the shop is not. Come on!

The Government have to do something—if not what we have suggested, then what? I have tabled a private Member's Bill and the King's Speech is coming, so the Government can borrow it if they want—I am sure that they will come up with their own—but doing nothing is not an option.

I will end simply by lending my voice to one of the victims, who signed an NDA and said:

> "I relinquished the right to speak my truth; to reach out to and support other employees who were experiencing the same mistreatment that I faced."

I very much hope that in his closing remarks the Minister will think of those victims and those people who are trying to do good. He will find that many people are willing to have his and the Government's back if they decide to move, and it would not be before time.

3.10 pm

Jo Gideon (Stoke-on-Trent Central) (Con): I am very grateful to my right hon. Friend the Member for Basingstoke (Dame Maria Miller) for securing this important debate.

Perhaps the debate should have been titled, "The misuse of non-disclosure agreements". As has been said, NDAs were originally intended to protect sensitive corporate information, but sadly they have morphed into a disturbing

tool that is used to conceal wrongdoing and silence victims. Instead of protecting the innocent, NDAs have been weaponised to shield the guilty.

Although employment tribunals are an option for seeking justice, they often fall short in addressing the underlying issues. Primarily, they focus on whether the employer's actions were legally justified rather than on tackling the root causes. Whistleblowers have only that route to remedy their losses. With no route to ensure that their concerns are acted on, they no protection from retaliation, as all protection is retrospective.

It is clear that our current legal framework has proven ineffective in protecting whistleblowers and has neglected the very public interest that it was designed to safeguard. However, it does not stop there. The use of NDAs extends beyond workplace harassment; it reaches into the realm of whistleblowing, which is crucial for the protection of our democracy and public interest.

As part of the all-party parliamentary group on whistleblowing, I am very aware that NDAs are all too often used to protect an employer's reputation and the career of the wrongdoer, rather than the victim. Few signatories of NDAs are offered alternative ways to protect their own privacy without protecting the rights of the guilty party; few signatories of NDAs understand that they are signing away their right to talk about their experiences forever. Most signatories of NDAs profess to feeling guilty and even complicit, and of being unable to warn others as a consequence of their NDA. Often, signatories continue to be victims in the future. For example, when they are looking for new employment, they are unable to explain why they left their previous role. That makes it incredibly difficult to find a new job and many whistleblowers never work again in their chosen profession.

I am sure we all agree that whistleblowers who come forward with evidence of wrongdoing should be celebrated and not silenced. Many non-profit organisations, such as Whistleblowers UK, work hard to advocate for the fact that whistleblowers play a vital role in exposing corruption, safeguarding public funds and ensuring transparency in both the public and private sectors. Shamefully, a third of all universities in England have used NDAs in circumstances relating to student complaints. I am glad that has been addressed recently by the Higher Education (Freedom of Speech) Act 2023 and I call on the Minister to recognise the support from across the political spectrum for doing what is right and reviewing the flaws in the legal framework.

I turn to a slightly different issue. Imagine a scenario in which serious structural issues appear in a property on a residential development within the 10-year period of a builder's guarantee. Those issues are likely to have been caused by subsidence linked to inadequate preparation of the entire site prior to building, which is the developer's responsibility. A homeowner might think that they are doing the right thing by highlighting the situation, believing that truth and justice will prevail. However, to close down any discussion about the wider implications, they may be silenced with a settlement and an NDA. By the time the subsidence becomes visible in the other properties, the developer's guarantee period has elapsed and they can deny responsibility for the ensuing trauma that is caused to the entire community of people whose properties are blighted. Voices are silenced, stories are buried and grievances are ignored. That is not justice; it is a miscarriage of our values and principles.

Any protections intended by PIDA, which has been in place for 25 years, have failed, because the process incentivises settlements and confidentiality clauses. In 25 years, not a single case has been passed to law enforcement to investigate the allegations or evidence of wrongdoing. The legislation proposed in the Whistleblowing Bill includes provisions to tackle the misuse of NDAs. It goes further by introducing legislation that would ensure that concerns are investigated, that those responsible are held to account, that NDAs are used properly and not to suppress wrongdoing, that a mechanism is put in place for police compliance, and that whistleblowers are protected from the unscrupulous practice of imposing gagging orders on anyone. This is why the Whistleblowing Bill is a crucial part of legislation that can bring about positive change. It represents an opportunity to improve the safety of everyone in our communities and to demonstrate the Government's commitment to support for our citizens' army of whistleblowers, who are the first line of defence against crime, corruption and cover-ups. It is our duty to protect those who speak up for what is right and to ensure that no one is silenced in the face of wrongdoing. I call on the Minister to listen to the suggestions made here today.

3.16 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in the debate. I congratulate the right hon. Member for Basingstoke (Dame Maria Miller) on setting the scene so well and all those hon. and right hon. Members who have made significant and helpful contributions. I wish to add my support to what the right hon. Lady has put forward and to give, as I always do, a Northern Ireland perspective on what we are discussing. It is good to be in Westminster Hall and back after the summer break, so to speak.

The right hon. Lady has raised this issue with us today and in the past. I have been in attendance to hear many of her comments about the dangers that non-disclosure agreements can pose in the workplace specifically. In theory, the agreements are supposed to be used as a legally binding contract that establishes a confidential relationship—if only that was what they were used for. As everyone knows, they have been misrepresented and used for other purposes, and that is why the debate is taking place. They can ensure secrecy and confidentiality for sensitive information, but have been seen more recently as a weapon to keep people quiet. It is crucial that the agreements are used correctly, so it is great to be here to discuss them and highlight some issues as well.

In May 2023, the Higher Education (Freedom of Speech) Act 2023 received Royal Assent. It included provisions to prohibit higher education providers and their colleges from entering into non-disclosure agreements with staff members, students and visiting speakers in relation to complaints of sexual misconduct, abuse or harassment. That was backed in 2022 by the then Minister for the Economy in the Northern Ireland Assembly and my party colleague, Gordon Lyons MLA. Queen's University, Ulster University, Stranmillis University College, St Mary's University College and the Open University in Northern Ireland have also signed up to the pledge.

[Jim Shannon]

I warmly welcome the Can't Buy My Silence campaign and everything it stands for, which is ensuring that NDAs are only used for their intended purpose of protecting sensitive information in relation to a trade or a company. The idea that NDAs are used to silence those who are victims of bullying or misconduct within a business setting is totally disgraceful. We all have offices and staff, and most importantly we have a duty of care to each other to protect and listen to any concerns that our staff have. I find it implausible and difficult to imagine a situation where using an NDA for dealing with misconduct is a sensible idea for any party ever—I cannot comprehend it.

Some 95% of respondents to a survey carried out by the CBMS campaign stated that signing an abusive NDA had a profound impact on their mental health, so there are side effects as well. I certainly agree with the calls to extend the ban on abusive NDAs to more sectors. They have been used to silence people not only in universities, but in workplaces and other professional settings. There is a complete lack of legal oversight too, where victims do not have representation from a regulated legal professional and abusive NDAs are internal within an organisation or business.

A workplace should be an environment where staff members feel safe and can work to the best of their ability with no fear or worry of advantage being taken that is backed up by unhealthy and ill-thought-out NDAs. Another useful point is that banning the use of abusive NDAs helps to stop repeat offenders, as within the workplace there is no protection against abusive behaviour. A predator or someone who inflicts abuse on someone else has the underlying protection of an NDA, knowing that the information will not be shared. Banning NDAs gives predators no way out and would stop their behaviour, or they would risk being let go or even prosecuted.

Peter Grant: On the question of protecting repeat offenders, does the hon. Member see the massive injustice in this? A victim who speaks out is likely to be denied employment opportunities for the rest of their life, but a rogue employer or director can be protected, get a golden handshake and work on a different board of directors within a week and carry on with their nefarious behaviour. That degree of disparity is a massive injustice that has to be addressed.

Jim Shannon: The hon. Gentleman is absolutely right. There is no one present who does not understand that. When someone wants to do their best at work and is taken advantage of by an employer, that is unacceptable. I hope that when the Minister responds to our comments, he will grasp what we are trying to say. The right hon. Member for Basingstoke and the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who made a powerful intervention, proposed a legislative way forward and set the scene very well.

I support the points made by the right hon. Member for Basingstoke and would be happy to support this matter further. We must ensure that NDAs are used for the correct purpose and not to hide and cover up nasty and disgraceful behaviour in the workplace that would otherwise go unpunished. I have hope that through this campaign we can do better to protect people from such coercion and behaviour and do more to ensure that the workplace is a healthy and happy environment. That is a goal worth trying to achieve. It would be better for everyone at work.

3.22 pm

Jess Phillips (Birmingham, Yardley) (Lab): I want to lend my voice to what has already been said by Members, especially by the right hon. Member for Basingstoke (Dame Maria Miller). She and I came to the issue of NDAs together in one of the most egregious cases—the case of Zelda Perkins, who has already been mentioned and who suffered for years in silence. In that case and others that I have seen, certainly, around Oxford University colleges, I want to stress how the issue of this process being about power and control should not be undermined—this was also mentioned by my hon. Friend the Member for York Central (Rachael Maskell). It is used to victimise people. It is literally the tool of an abuser.

When I met some of the whistleblowers in the Philip Green case, they told me a story about how he had said to them, "Keep on adding zeros. I will pay anything and you will go away." That was the attitude. That is an abuser standing in front of somebody they know is weaker than they are. This is absolutely classic in all interpersonal violence relationships. They say, "I am more powerful than you. You will do as I say because I am the strong one." Currently, the laws in our country allow that. The law in our country is written so that that it is completely acceptable for an angry, sexually abusive bully to stand in front of a member of his staff and say, "I am bigger, stronger and better than you." Currently, we go, "He's got a point. He is stronger. He has more zeros to add to the end of that cheque. He can shut you up." That is the situation today. This will be happening to somebody today. Right now, as we speak, somebody who is trying to speak up about something bad happening is being told, "You're weak. You're pathetic." That is a form of coercive control, and a form of violence. It is absolutely a form of victimisation, and I lend my support and voice to the amendments that the right hon. Member for Basingstoke has tabled to the Victims and Prisoners Bill.

The crux of the problem is that we, as lawmakers and policymakers, are saying, "That's fine. That's okay. Don't worry because, you know, trade secrets." That is the situation today, but let us make it so that tomorrow—

The Parliamentary Under-Secretary of State for Business and Trade (Kevin Hollinrake): The hon. Lady speaks passionately, and I absolutely accept many of the comments made in the debate, but the law specifically does not allow a non-disclosure agreement to prevent somebody from going to the police about a sexual abuser. That absolutely is not the law.

Jess Phillips: I did not say that it did.

Kevin Hollinrake: You absolutely said that the law allowed that.

Jess Phillips: I did not say that the law said that, although incidentally Zelda Perkins's NDA did say that. I do not know what is written in all the NDAs in

the country, although I have quite a lot in my inbox, so I have an idea of some of the things that people get asked for.

Of course what the Minister describes is illegal, but it is not illegal to say, "You can't speak about this. You can't tell the woman in the next cubicle along that the man you work for has been groping you, because you've been silenced." That is what we are apparently saying is okay; we are fine with that.

Caroline Nokes (Romsey and Southampton North) (Con): I apologise for not having been here at the start of the debate; I was chairing somewhere else. The hon. Lady used words that I had not yet heard today in this Chamber: "he", "his", "him", and "the woman next to you." That is really important. There are many women in this Chamber speaking about non-disclosure agreements. Apologies to my colleagues, who are a bunch of male Front Benchers, but does the hon. Lady agree that it is really important to reiterate how often NDAs are gendered? Apologies, Jim.

Jess Phillips: Hear, hear. The data laid out by the right hon. Member for Basingstoke made it very clear not just the gender imbalance in those affected by NDAs, but that black women are much more greatly affected.

Dame Maria Miller: I want to reflect on the hon. Lady's response to the Minister. Time is very tight, but does the hon. Lady agree that part of the problem is the lack of transparency about whether clauses are legally enforceable? Employers can, maybe unintentionally, mislead their employees into thinking that they cannot speak out. Unfortunately, we are not all lawyers, and sometimes we err on the side of caution; we do not want to break the law.

Jess Phillips: The right hon. Lady is absolutely right. I have met women who said, "I can't tell the police. I can't speak to people." I am, like, "You can." I had to get the Speaker to write a legal letter saying that people could speak about this to their Member of Parliament.

My time is up, but I think I have made my point. I finish with this: we rely on media organisations to do the work of cleaning up businesses for us. We rely on victims to come forward, and media organisations to report that. From what I know about media organisations, I am not entirely sure that it should not be the Government who lead on this issue.

3.28 pm

Peter Grant (Glenrothes) (SNP): I was almost tempted to say to the hon. Lady, "Just carry on, and I won't bother summing up." I do not think that I have ever seen agreement among so many speakers in a debate, and I certainly do not expect to say anything that will change that.

I am not entirely sure what the comment by the right hon. Member for Romsey and Southampton North (Caroline Nokes) was about. If her point was about having to keep apologising to Front-Bench males for things that have to be said, she does not ever have to apologise to me for pointing out that I am part of the 49% who have caused most of this problem. Most of the speakers today are part of the 51% who have been on the receiving end of the problem, though they have not always been; there was a time when NDAs were routinely abused between powerful men to cover up each other's crimes and frauds. Most NDAs now are being used by powerful men to silence and victimise vulnerable women, and that is the abuse of the system that must be dealt with most urgently.

Ms Harman: The hon. Member has demonstrated himself to be a male ally, and we would not underestimate the importance of having male allies on this. There is an opportunity for the Minister to be not a force of resistance but a male ally and to follow the example of the hon. Member for Glenrothes (Peter Grant).

Peter Grant: When I write my memoirs after I retire in a year or so, I will make sure to point out the time I got an honourable mention in dispatches by no less a person than the Mother of the House.

Just to reflect on some of what has been said, there is an absolutely legitimate need for confidentiality between employer and employee. Nobody is questioning that. Even after an employee has left employment, the employer is entitled to expect a degree of confidentiality and respect. The duty of care between an employer and employee in both directions does not just suddenly stop when the employee leaves.

But that duty of care—that right of confidentiality—can never, ever be justified if it is being used to prevent an employee from exercising the rights that this Parliament has given them as a matter of law: their rights to raise a grievance, to claim unfair dismissal and to get a fair hearing through the appropriate channels. It can never be justified if its intention is to cover up criminal conduct or other unlawful behaviour. In a great number of the cases that we have heard of—and no doubt many others that we have not heard of—where NDAs have been used to silence victims of workplace harassments, the behaviour is well above the threshold that constitutes criminal assault, and in almost all the other ones, it is well above the threshold that constitutes unlawful, unacceptable behaviour, so in almost every case we are talking about today, NDAs are being used to pervert the course of justice. We know that the law is being misused in this way; it is time to put that right.

We are not going to, in the next few years, address all the issues about mistreatment at work, or all the ways that mistreatment can be perpetrated and allowed to continue, but we should certainly be carrying on with the progress that has been made already and address as many as possible. Given the degree of agreement across the House, I hope the Minister will be listening and recognise that it this is an issue to be taken on quickly, because it is that will get unanimous—or near-unanimous—support across the whole House.

The right hon. Member for Basingstoke (Dame Maria Miller) mentioned the part that some professional societies have played. I think we need to get stronger with them as well. A number of professional regulators or chartered institutes should be told, "We want you to put into the code of professional ethics that knowingly misusing an NDA is gross professional misconduct, and that people will be struck off as a lawyer or banned from using the continuous professional development logo on their headed notepaper if they are found to be behaving in this way."

[Peter Grant]

I think that deliberately exploiting the fact that an employee probably does not fully understand their rights—that the employee is scared and wants to get away from the situation all together—to cajole them into signing something that is clearly against their interests is serious enough to be a criminal matter, rather than just a matter of employment law or of private civil law. It should not need the employee to find a lawyer who will represent them and take their case through the civil courts. Employers, business managers and company directors who deliberately exploit an employee's ignorance and fear would be committing a criminal offence. They should be facing criminal sanctions, rather than, as has just been mentioned, a civil settlement that some would not notice if it disappeared out of their pockets every day.

Although I welcome the progress that has been made in the universities sector, and commend those who have brought forward private Members' Bills to try to address these issues, we have not got time to go through one sector at a time, because while we are dealing with one sector, more and more people will be victimised in others.

I must say to the Minister, although I know that it has not been in his gift for all that long a time, why does it have to be left to private Members' Bills? When the Government committed four years ago to legislate for this, why has nothing happened yet? It is not because there has not been enough Government time. There have been days when the House has collapsed three, four or five hours early, or days when the Whips have been running around, desperately trying to get people into the Chamber to intervene because the Government had reasons for not wanting the business to collapse before the advertised moment of interruption. If the Government were willing to put as much political determination into this as into other things, we would have it on the statute book already, but we do not. What better opportunity is there for a Minister to make their mark a few weeks before the King's Speech?

The debate could not have been better timed—it is an opportunity for the Minister to make his mark. Who knows, he might be back as a Minister in the next Parliament. Nothing is guaranteed, although some things could be regarded as surprising, if the same party comes back into office—not the Minister personally, whom I have no doubt does a great job. Elections are never done deals until the votes are counted, so we never know; it might still be him or one of his colleagues after the election.

Mention has been made of the Public Interest Disclosure Act, which I remember being a huge fan of when it first came out. Previously, I worked in a finance position at the Fife health board. I had stories that I wanted to tell, but there was no one I could tell them to. Eventually I did; the stories were denied, but a few years later Fife health board ran into a financial black hole of £4 million at the time—in today's money, probably up to £10 million. I had seen it coming, but I could not get anyone to listen to me.

Under the Public Interest Disclosure Act, someone else in such a position now would be able to ensure that the necessary people were made aware of it. That, however, applies only to disclosures by some people of some kinds of information to some recipients in certain circumstances; it is not a free-for-all. At the very least, we need to extend the Act to cover people who are not employed directly or are third parties, for example. We need to amend the law to make it explicit that anything that would be protected where someone is a contractor, supplier, business colleague or whatever continues to be protected afterwards.

We must remember that the Act explicitly does not protect vindictive or malicious disclosures. It does not protect someone who is touting a story around the tabloids to see which will pay them most. It does not protect those kinds of disclosures; it only protects disclosures where there is a genuine belief that the person is acting in the public interest, where there is a need to disclose in order to prevent criminal activity or serious damage to the public interest. Surely the same standard should apply after someone has ceased to be an employee. Surely it is right that an employee—or someone who is in effect an employee, because they work through an agency, on a zero-hours contract or whatever—even after they are no longer being paid by the employer, should still have the right to go to a recognised recipient, which is usually the relevant regulator or statutory body, to say: "This is what is happening in that organisation. I think that you need to take action."

Before I wind up, I will give one example. Not surprisingly, we have focused on the misuse of NDAs to cover up cases of sexual harassment and sexual assault. I have heard one or two examples where they are used in other circumstances. I want to talk briefly about Rhona Malone, a police officer in Scotland. By all accounts, she was a dedicated and professional police officer, who should have had a bright career in front of her. She did, until she applied to join the Police Scotland firearms unit. She was told that she could not, because women cannot be firearms officers. She raised a grievance, but people tried to silence her: they offered her an NDA with an undisclosed, but frankly insulting, level of compensation. She stood her ground and took Police Scotland to a tribunal. Police Scotland has been ordered to pay the best part of £1 million in damages as a result.

I cannot go too much into the details of the argument, because I understand that one of the officers who testified at the tribunal has now been charged with perjury. The thing has become much more serious, and a number of things have come out. The reason she was not allowed to train as a firearms officer was that, in the eyes of senior people in Police Scotland, women are not capable of dealing with the physical demands of being a firearms officer or women on their period might get irrational so could not be trusted with a firearm.

Surely the person who exposed the fact that those attitudes were accepted in one of the major law enforcement agencies in these islands should be thanked. Surely she should be in line for an honour. Why on earth was she forced to leave the career to which she had dedicated herself? Why is possibly one of the best senior police officers of the future not there any more? What a loss to policing in Scotland and elsewhere. Yes, she had compensation, and yes, it is quite right that it should have been punitive libel, because how she was treated was utterly despicable, but why did no one senior in Police Scotland step in at some point to say, "We should not be trying to buy the silence of this officer. We should be sitting down to speak to this officer and to say thank you, because she has exposed something in our organisation that is utterly unacceptable, whether in a public or a private sector organisation"?

There is nothing that anyone has said in the Chamber today that I would meet with anything other than wholesale agreement. I suspect that the Opposition spokesperson, the hon. Member for Ellesmere Port and Neston (Justin Madders), will also agree with everything that has been said. I sincerely hope that when the Minister speaks he will commit to agreeing in not only his words but his actions. As I have said before, we are coming up to the King's Speech, and some of us will be listening very carefully to what is in that speech.

3.40 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to see you in the Chair, Ms Ali. I congratulate the right hon. Member for Basingstoke (Dame Maria Miller) on calling this debate; it is an area that she has worked in for a considerable period of time and she articulated very clearly what the problems are and why they need tackling.

There have been a lot of excellent contributions today. My hon. Friend the Member for York Central (Rachael Maskell) brought her vast experience of employee representation to the fore. She talked about having open cultures in the workplace, which is a good way of looking at how this all needs to change. The hon. Member for Oxford West and Abingdon (Layla Moran) made an excellent speech; she made the important point that when someone signs these NDAs, they are not for a month or a year, but for life. As I will go on to explain, that does cause people difficulties later.

The hon. Member for Stoke-on-Trent Central (Jo Gideon) described NDAs as being weaponised, which I thought was a good description. She also said that employment tribunals never tackle the underlying cause of discrimination in the workplace. Of course, tribunals can make recommendations to employers, but we are getting a body of evidence that this is not an effective tool, and that perhaps an enforcement body is needed to look at those issues. My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) brought all of her experience to the fore and gave a truly fantastic speech. She was right to say that this issue is fundamentally about power and its imbalance, which I will come to in my speech.

I do not dispute that there is a need for some non-disclosure agreements. There are sometimes appropriate situations, where they are needed, but I think we all agree that they are far more prevalent than they need to be and are being abused to cover up other issues. In the absence of any data on the numbers of agreements in operation, we are reliant on the legal profession and campaigning groups to give us an idea of what is happening.

Evidence collected by the Women and Equalities Committee and a recent study conducted by the Solicitors Regulation Authority found that there is widespread use of NDAs in the workplace, with little regard given to their appropriateness. In 2019, the Committee said:

> "Confidentiality and non-derogatory clauses have become commonly used in agreements reached between employers and employees when settling or closing employment complaints or employment tribunal cases about discrimination or harassment. Indeed, they are commonplace when settling any type of employment dispute."

The Solicitors Regulation Authority said that

> "firms often told us that NDAs are included as standard without consideration of the purpose for including such a clause. For example, a firm commented they were used even 'when not strictly necessary, where everyone knew the ongoing issue.'"

As a former practising lawyer who has handled thousands of those settlement agreements, I can confirm that NDAs are standard and the attitude of most employers, when challenged on the inclusion of them, is that they are a standard clause and the agreement is presented on a take-it-or-leave-it basis—whether the NDA is necessary or not. The reason they continue is the imbalance in power in the employment relationship. The SRA found that only six of 25 solicitors it interviewed reported even questioning the need for a confidentiality clause. The fact that those drafting them give no particular weight to them is a trend. It is in direct contradiction to the advice given by ACAS, which says that they should only be used where necessary and not as a matter of course.

There are many workers bound by completely unnecessary NDAs at the moment, and when an important industry regulator, such as the Solicitors Regulation Authority, suggests there is a wholesale misuse of a contractual term—one that, as we have heard, can have a profoundly negative impact on workers—there is a good argument to say that the Government need to intervene. It is a good example of where there needs to be more intervention. I echo the question raised by my hon. Friend the Member for York Central, and ask the Minister what work will be done to understand the extent and misuse of these agreements.

It is easy to see why the agreements are so prevalent. The Employment Lawyers Association said clearly that employers are the driving force behind NDAs, as they enable settlement without admission of liability. The employers' reasoning is simple: why settle publicly when they can wait for a tribunal that might get them off the hook or award a lower amount? That speaks to a wider, more problematic imbalance of power between employers and employees that is endemic in the labour market. In many ways, the proliferation in use of NDAs is both a symptom of, and a tool used to perpetuate, the imbalance of power in the workplace. The Solicitors Regulation Authority—which, let's be honest, is not at the vanguard of left-wing workers' rights—described the imbalance of power in the workplace as "fundamental".

A witness before the Women and Equalities Committee —I think this evidence is very powerful—said:

> "There is this very well-founded fear amongst women that, if they talk about having had problems at work, even if their problem is not of their own making, they will be labelled as a troublemaker and they will find difficulties getting new employment."

Those comments, although made in the context of harassment, could equally apply to a trade union representative or, as the hon. Member for Cheadle (Mary Robinson) said, to a whistleblower or, indeed, to anyone who challenges poor practice in the workplace. That power imbalance affects everyone, across the board.

One of the most troubling findings in the Select Committee report was the culture that NDAs perpetuate in some workplaces. This means that dangerous cultures and management failures continue. In relation to the individual, NDAs starve alleged victims of any form of justice, either through internal processes or through

[Justin Madders]

tribunals. For the employees who remain, the alleged perpetrator can be left untouched, presenting a danger to the rest of the workforce.

The Committee concluded:

"We are particularly concerned that some employers are using NDAs to avoid investigating unlawful discrimination…and holding perpetrators to account."

Let us not forget that employers have a duty of care to all their employees and should be looking to tackle these instances, whether or not the person involved is a "rainmaker"—that was another concerning part of the evidence. The Committee report referred to rainmakers being given a degree of latitude when it came to behavioural standards. Those individuals are worth more to the business, which continues to use NDAs to avoid holding them to account. That sends out a clear message that the safety of employees can be ignored if the accused is valuable enough to the company. One worker told the Committee:

"I was told the abuser was indispensable and I was not."

I think we can all agree that that is completely unacceptable and should not be happening in any workplace in this country.

According to the Solicitors Regulation Authority, NDAs should not impede or deter someone from co-operating with a criminal investigation, reporting an offence to the police or reporting a breach to a regulator, or prevent proper disclosure about the agreement or circumstances surrounding it to professional advisers, including medical professionals and counsellors, or the making of a disclosure under the Public Interest Disclosure Act. However, although there were no cases of solicitors drafting these agreements to deliberately prevent that, the SRA's recent investigation found

"a number of common trends or practices which inadvertently might contribute to this happening."

This leaves signatories feeling uncertain as to whom they can speak to or what they are allowed to say. When combined with the threat of clawback or penalty clauses, many will, unsurprisingly, self-censor to prevent them from losing their settlement. It also brings with it a weight to be carried—a significant burden over the long term.

Clearly, questions must be asked of the response to this situation. What I and other hon. Members have described today is not a recent problem that has emerged from nowhere. The implications of the use of NDAs in the workplace have been known for some time, yet we have seen very little action taken. There was a flurry of interest and promises were made back in 2019, but more than four years later the only changes have been updated ACAS guidance and a warning notice sent out by the Solicitors Regulation Authority, both of which are non-binding and appear to have done little to mitigate the problems.

The Legal Services Board offered a damning indictment in a call for evidence earlier this year. It said that

"notwithstanding the usefulness of the standards and guidance summarised above, the evidence of continuing misuse of NDAs suggests that clearer and more effective expectations for the professional conduct of legal professionals may be required."

This is rather galling given that the Government promised to

"crack down on misuse of non-disclosure agreements"

all those years ago. Legislation was supposed to be in place to compel employers to write the limitations of the confidentiality clause in plain English, extend legislation to ensure that individuals signing NDAs get independent legal advice, and introduce enforcement measures to deal with NDAs that are not compliant and make them void. The updated ACAS guidance has included these elements, but that is not the same as enforceable legislation. As the right hon. Member for Basingstoke said, if it is right for the higher education sector, it is right for everywhere else as well. I feel that this area has fallen victim to the Government's inertia on employment rights. As the Minister will have heard today, there is a great deal of willingness to see that changed.

Rushanara Ali (in the Chair): I would be grateful, Minister, if you could leave a little bit of time at the end for Dame Maria Miller to respond to the debate.

3.49 pm

The Parliamentary Under-Secretary of State for Business and Trade (Kevin Hollinrake): It is a pleasure to serve with you in the Chair, Ms Ali. I commend my right hon. Friend the Member for Basingstoke (Dame Maria Miller) for securing this debate and for her long-standing and effective campaigning in the area of non-disclosure agreements—she will remember that I engaged with that as a Back Bencher—and the negative effect they can have when used inappropriately. I thank hon. Members across the House for their very valuable and passionate contributions.

These agreements, which are also known as confidentiality clauses, can be used in a variety of contexts and contracts—for example, to protect commercially sensitive information. However, I will restrict my comments to the area of concern, which, as Members have discussed, is NDAs used in settlement agreements in cases of discrimination or harassment.

The Government have already taken significant steps to prevent the use of NDAs in the higher education sector to protect students, who are in a particularly vulnerable position as they have moved away from family and support networks for the first time. In January 2022, we introduced a world-leading pledge, with the campaign group Can't Buy My Silence, that commits higher education providers to voluntarily ending the use of NDAs in cases of sexual misconduct. As of 1 September, 84 providers, covering almost two thirds of students, have signed the pledge.

The Higher Education (Freedom of Speech) Act 2023 goes further and bans the use of NDAs in cases of sexual harassment, sexual misconduct and other forms of bullying and harassment in higher education. It is expected to take effect in 2024, and I recognise the important contributions made by Members here today—my right hon. Friend the Member for Basingstoke and the hon. Members for Oxford West and Abingdon (Layla Moran) and for Birmingham, Yardley (Jess Phillips)—throughout the passage of that Bill.

As a Minister in the Department for Business and Trade, I know that good employers will look to tackle bad behaviour head-on and improve their organisational culture and practice, rather than attempting to cover it up, as the hon. Member for Glenrothes (Peter Grant) clearly outlined. Organisations that do not treat such complaints in the way that he described are, in my experience, missing an opportunity.

Members of this House and organisations such as Can't Buy My Silence have brought to light examples of where NDAs have been drafted to intimidate employees from making disclosures to anyone, as mentioned by my hon. Friend the Member for Stoke-on-Trent Central (Jo Gideon).

It is important to note that there are existing legal limits on the use of NDAs in the employment context. Some key ones were raised by my hon. Friend the Member for Cheadle (Mary Robinson)—I thank her again for all the work she does on the all-party group on whistleblowing—and by the hon. Member for York Central (Rachael Maskell), who talked about the seven NHS staff. An NDA cannot prevent a worker from blowing the whistle. That means that an NDA would be unenforceable if it stopped a worker from making a protected disclosure about wrongdoing, for example, to a lawyer or certain regulatory bodies or other prescribed persons for whistleblowing purposes.

My hon. Friend the Member for Cheadle pointed out that the current whistleblowing regime has limited scope—I think those were her words—and, as she knows, we are now undertaking a review, which will conclude by the end of this year. Indeed, officials involved in that review are in the Chamber today, so they will have heard her points clearly.

Peter Grant: We all understand that an NDA cannot prevent an employee or an ex-employee from making certain kinds of disclosures, but that is no good if the former employee does not know that. Does the Minister agree that we should change the law to require every NDA to say explicitly, on the face of the document, that it does not apply to particular kinds of disclosures, so that the former employee who has a copy of the agreement knows exactly what rights they still have?

Kevin Hollinrake: I will come on to some other points on that issue, including on the guidance that we have given to ACAS in that area.

NDAs cannot prevent workers from reporting a crime to the police or from co-operating in a criminal investigation, because such a clause would be unenforceable—*[Interruption.]* I may have misheard what the hon. Member for Birmingham, Yardley said, but it is very important that anybody listening to this debate, who is considering what their rights are, knows very clearly that such an agreement cannot prevent them from reporting a crime in this area.

Furthermore, the use of an NDA by an employer could amount to a criminal offence—for example, if it is an attempt by the employer to pervert the course of justice or conceal a criminal offence. Independent legal advice is a requirement for settlement agreements to be valid.

In 2019, the then Department for Business, Energy and Industrial Strategy consulted on the misuse of NDAs in an employment context. The consultation followed evidence found by the Women and Equalities Committee that individual workers may not be aware of their existing statutory rights and may be intimidated into pursuing claims even where the NDA is unenforceable—a point raised by the hon. Member for Oxford West and Abingdon. Again, my right hon. Friend the Member for Basingstoke does very important work in that area.

The consultation also heard evidence that individuals are pressured into signing NDAs without the appropriate legal advice, and therefore do not understand that their NDA is unenforceable. That is why the Government took action in developing extensive guidance, which was published by the Equality and Human Rights Commission and ACAS. It is clear that NDAs should not prevent individuals from making disclosures to the police and medical or legal professionals.

We have already legislated to prevent higher education providers using NDAs, as I said. We are keen to see how that works in practice, and it will come into force in 2024. The Government held a consultation on the matter in a wider context in 2019. We all agree that these agreements should not be used to intimidate individuals or conceal criminal conduct or illegal wrongdoing, as pointed out by the hon. Member for Strangford (Jim Shannon). I point out to him that it is in the capability of the Northern Ireland Administration to implement that in Northern Ireland if they choose, with the matter being devolved to Northern Ireland.

Dame Maria Miller: The Minister wants to do the right thing. He wants to be a role model; he wants to be a good employer; he wants to set the tone. Will he meet me and Can't Buy My Silence and consider signing its voluntary agreement to stop the use of NDAs? Surely the Government can lead the way on this.

Kevin Hollinrake: Of course I will meet my right hon. Friend, and I am very happy to meet the campaigning organisation as well. The consultation found some support for NDAs when they helped victims to make a clean break and move on—I think that point was also raised by the shadow Minister, the hon. Member for Ellesmere Port and Neston (Justin Madders). We feel that an outright ban across all organisations may therefore not be appropriate and could have unintended consequences for employees.

The Government have listened carefully to the experiences shared through a consultation on sexual harassment. We are legislating through the Worker Protection (Amendment of Equality Act 2010) Bill, first introduced in the Commons by the hon. Member for Bath (Wera Hobhouse), which will strengthen protections for employees against workplace sexual harassment by placing a duty on employers to take reasonable steps to prevent sexual harassment of their employees.

Protecting and enhancing workers' rights while supporting businesses to grow remains a priority for this Government. We are clear that the use of NDAs to intimidate victims of harassment and discrimination into silence cannot be tolerated. We are already taking action in the higher education sector; we have published extensive guidance and consulted on the use of NDAs in the workplace; and we are carefully considering how to tackle wrongful practices in a wider context.

3.58 pm

Dame Maria Miller: To sum up briefly, I thank everybody who has taken the time to be here today, including the Minister; I know he has, importantly, strong feelings about this subject and he is a good advocate for us. The debate has shown that the misuse of NDAs is a matter not of party politics, but of fairness, justice and the rule of law. All political parties in this place subscribe to

[Dame Maria Miller]

that, and I know that the Government will be listening to that carefully. I hope that we will hear more news on the subject—maybe in the King's Speech, and in other legislative programmes the Minister brings forward.

Question put and agreed to.

Resolved,

That this House has considered the use of non-disclosure agreements in the workplace.

Mains Water Connections: Cost for Rural Communities

4 pm

Rushanara Ali (in the Chair): I will call Sir Simon Clarke to move the motion. I will then call the Minister to respond. There will not be an opportunity for the Member in charge to wind up, as this is only a 30-minute debate.

Sir Simon Clarke (Middlesbrough South and East Cleveland) (Con): I beg to move,

That this House has considered the cost of mains water connections for rural communities.

It is a real pleasure to have the chance to talk about this important issue in the House this afternoon, Ms Ali.

Water is life. That is a statement of fact as ancient as civilisation itself, but today I am here to talk about the lack of clean water affecting Aysdalegate, which is a row of cottages that forms part of my Middlesbrough South and East Cleveland constituency. Aysdalegate sits about two miles from Guisborough, the main market town in East Cleveland, just along the A171 road over the moors to Whitby. It is somewhat isolated, but it is not so remote that the problems I am about to relate can reasonably be anticipated. I find it astonishing, living as we do in an age of unparalleled technological advances, that there remain corners of England where something as simple as access to safe running drinking water should even have to be the subject of debate, but here we are.

For the residents of Aysdalegate, their days are marred by an issue that most of us would have thought resolved in the previous century, if not the century before that: their homes are not linked to the mains water network. Instead, they grapple daily with inadequate water quality from a private water supply, and they are told that the cost of connection, a figure that will almost certainly amount to hundreds of thousands of pounds, will fall upon them, should they seek to remedy the situation. This is not some multimillion new build vanity project that we are talking about, or some millionaire seeking to pull a fast one by getting public funds for improvements to a remote sporting lodge or a holiday home. This is a small hamlet in which very normal people are trying to live everyday lives. Aysdalegate represents hard-working families, the elderly and, in some cases, the disabled and the vulnerable.

We should be clear about the conditions my constituents are living in. Over the last decade, Redcar and Cleveland Borough Council has performed drinking water checks nine times at Aysdalegate. On each and every occasion, supplies have been judged unsatisfactory owing to bacterial contamination, including E. coli and enterococci. I am sure everybody is aware of the dangers posed by these organisms. E. coli, which is a bacteria that predominantly resides in the intestines of humans and animals, is a strong indication of recent faecal contamination. It can lead to severe gastrointestinal illness, kidney failure and, in severe cases, death.

Jim Shannon (Strangford) (DUP): I commend the right hon. Gentleman for securing this debate. He previously asked about this in Department for Environment, Food and Rural Affairs questions. The Minister also replied

on that occasion, when I was happy to ask a supplementary question—I understand the issue very well. Does he agree that it is not just the quality of the water, but the cost factor for those who just want to live in the countryside? Does he also agree that sometimes the connections are prohibitive? In the Minister's response to his question, she seemed to indicate a willingness to assist. Does he feel that the Government perhaps have an important role to play in improving the water quality and in making a connection at a price that is feasible and acceptable?

Sir Simon Clarke: I thank the hon. Gentleman for his question, which precisely anticipates the line of inquiry I am going to pursue, which is how we improve the quality of the water and address the cost of so doing.

As I was saying, the issue with E. coli and enterococci is really very serious. Enterococci—to follow on from what I was saying about E. coli—is also associated with faecal contamination. Although it is generally less harmful than E. coli, its presence in water can be a precursor to the existence of other, very dangerous pathogens. Repeated exposure to water tainted with these bacteria places residents, as a matter of certain medical fact, at risk of long-term medical harm.

As a result, Redcar and Cleveland council has served a regulation 18 notice specifying that the water needs to be boiled before it can be drunk, which has been in place permanently since December 2017. If only boiling the water solved the problem. Alas, residents have reported to me their disgust at finding tadpoles and evidence of rodents and other animal life in their drinking water. Tadpoles and rodents in their drinking water—let us pause for a moment and think about what that means. A parent will hesitate, even after boiling the water, because they wonder whether it is safe for a child. An elderly resident will, in their lifetime, have witnessed this nation advance enormously yet will still wonder why they are waiting for safe drinking water.

I will read out a response to a survey from Redcar and Cleveland council, which was completed by one of my constituents and forwarded to me. She writes as follows:

"I approached the council and joint meetings were held. Year on year we have been served 'boil notices'—but I am disgusted by this notice"

and the lack of action. She continues:

"Redcar and Cleveland…are totally aware of the plight me and others have expressed assistance for and at each turn we have been left to it. No-one here has the financial capacity to do anything more than we are currently doing. We are treated appallingly."

Explaining that she has contacted me as her Member of Parliament, my constituent continues:

"As you know we are now in negotiations over"

the

"successful prompts for Northumbrian Water to finally consider us as a whole row to be mains connected. Though funding has yet to be sourced to cover this cost, none of"

our group

"are holding our breath as this could yet again give us a false hope. I have also recruited the help of our local parish…and spoken to local councillors. I attend parish meetings where our water supply is raised constantly. We know the farm opposite us received grants to have their own private well…so animals, rightly, can be looked after with clean drinking water/bathing water…but we're considered less than animals."

My constituent spends "£70 a month" for

"bottled water to drink and cook in",

and says that there are animals and

"rodents in our water system frequently".

She says that her

"bath water is always brown/cloudy"

and the system

"has to be visited by trudging over a busy road",

hiking up a hill and "through woodland." She is spending hundreds of pounds a month on filtering the water that comes into her home.

We need to do better than this. Private supplies do not have to be below standard. In fact, last year, only 3.8% of tests from private water supplies across the UK were positive for faecal contamination, but where they are dangerous, we need to have viable options for mains water connection. When I raised the issue at DEFRA questions, as the hon. Member for Strangford (Jim Shannon) mentioned, I was advised that

"it is right that the legislation allows a water company to charge for the cost of making a new connection, because otherwise it would impact on all customers' bills."—[*Official Report*, 6 July 2023; Vol. 735, c. 916.]

I simply do not see how that can be considered an acceptable response. According to the Government's figures on our official development assistance, between 2020 and 2021, the UK spent £188 million to help provide clean water to disadvantaged people across the globe, and we should be very proud of that. However, our pride in our humanitarianism should be tempered when here at home we are telling a number of my constituents that, if they do not like boiling tadpole and rat-infested water, "That is just your problem and the bill's on you". DEFRA asserts that that is just how the system works. I am sorry, but the system clearly does not work, and it certainly does not work for the people of Aysdalegate.

Thankfully, it is not all bad news. Northumbrian Water's process for exploratory work towards connecting communities to the mains network involves network assessments, evaluating existing infrastructure capacity and ensuring that new connections do not impact existing ones. All that obviously comes at a cost. I am glad to report that, after I had spoken to it, the company rose to the occasion by waiving its fees to quantify how to connect Aysdalegate to the water main and at what cost. That report is expected shortly, but informally, a cost of between £150,000 and £200,000 has been suggested to me. That is obviously a very large sum for a group of nine homes, many of which do not have significant household income.

I would have seen no route to resolution if it had not been for the exceptional action taken by Northumbrian Water, but we will shortly need a plan to deliver the requisite infrastructure. There can be only very few poor isolated communities such as these that fall into this category. I suspect that there are not many Aysdalegates in the UK in 2023. I believe DEFRA needs to consider a special fund to enable work of this nature to proceed in truly exceptional circumstances.

This seems to be a classic example of a case where the associated infrastructure cost needs to be socialised. Ultimately, doing that for a small number of homes would have a minimal impact on wider bill payers'

[Sir Simon Clarke]

costs. Lest we forget, we live in a society where we talk proudly about having a universal service obligation for broadband; under the rural broadband scheme, we offer vouchers that, at points in recent years, have been worth up to £10,000 per household. How can we have less than that for clean drinking water?

I believe that my constituents' experience proves the case for a comprehensive plan and, if necessary, a change to legislation, although I hope that the problem can be remedied by direct ministerial action. I ask the Minister to set out in her reply what the Government will do to ensure that the residents of Aysdalegate, and others like them across the country, can connect to the most basic of necessities and the most fundamental of resources: safe drinking water. Although they are few in number, their plight is very serious. We cannot apply to them a rule that feels better suited to isolated larger homes or farms, which are in a far better position to deal with the cost of connection than my constituents. They are effectively a marginalised and isolated handful of people who, through no fault of their own, live somewhere where even a reasonable quality of life is simply not possible. They cannot remedy their situation through their own means. I do not believe that the council has the funds to help them. I can see no recourse other than to the guarantor of last resort in our society: the Government. These people pay their taxes; they have a right to expect the Government to look after them.

We must accept in this House that for people to have to live without safe drinking water in 2023 is unconscionable. For people of normal means to be told they should foot an unaffordable bill, and for the Government to wash their hands of them now, would be unacceptable. I hope that this afternoon we can work out the genesis of a plan to ensure that when Northumbrian Water reports back with the cost of connection—as I said, it is likely to be a six-figure sum, but not a high six-figure sum—we can try to work out what recourse there can be to public funding to resolve this very dangerous and upsetting situation.

4.12 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): It is a pleasure to serve under you this afternoon, Ms Ali. I must begin by thanking my right hon. Friend the Member for Middlesbrough South and East Cleveland (Sir Simon Clarke) for bringing this matter before the House, and for championing those in his constituency, who he speaks about so clearly and with a great deal of compassion. I obviously realise on hearing his words—we have talked about this before—that there are some real challenges in this case. I welcome this opportunity to air the subject. I will talk generally about private water supplies, which will not surprise him, and then come on to his specific case about the cottages.

As my right hon. Friend will know, drinking water policy is devolved—we had a comment from Northern Ireland earlier—so these comments will apply only to England. Obviously, private water supplies generally originate from a range of local sources, whether they are boreholes, natural springs, brooks or becks. I grew up on a farm. We had our own private water supply for some parts of the farm, and for some cottages. Over the years, all that sort of changed according to how the situation was going. It is something that I have a bit of background knowledge on.

According to the Drinking Water Inspectorate, 1.7% of the population in England get their water from a private supply as of 2022. I am pleased to say that, overall, the compliance of private supplies with the drinking water standards has been steadily improving. According to the Drinking Water Inspectorate's annual report summarising the data from all local authorities, the compliance rate was 96.4% in 2022, up from 91.4% in 2010. That is a pretty good record; it is improving.

Private water supplies, as my right hon. Friend will know, are regulated under the Water Industry Act 1991 and the Private Water Supplies (England) Regulations 2016. Local authorities are the regulators of private supplies and are responsible for identifying the risks to the quality of the water. They may serve a notice if they determine that the supply is, was, or is likely to be unwholesome or insufficient, and they must serve a notice if they consider there to be a potential risk to human health. My right hon. Friend mentioned that the water had been sampled a number of times by the local authority. He also mentioned what had been flagged as a result, and the advice given.

Local authorities can recover the costs incurred for the duties that they perform from those responsible for the supply—a point I will come back to. Although private water suppliers are found across most regions of England, the highest number are in rural areas. In my constituency and wider Somerset, it is not uncommon to have a private water supply. Often farmers supply their own water, but some of them supply other houses, although there can be other providers. In many cases, people can and want to remain on their private supply, and that is their right.

We recognise that in some cases property owners wish to connect to the mains water network. In such cases, water companies have a duty under the Water Industry Act to make supplies available where it is feasible to do so. They obviously check capacity and so forth. The water company that has distribution mains closest to the property would then check that there is capacity in the network and so forth. However, water companies do not need to provide a mains connection free of charge. We understand that the costs of connection can be high, but it is right that the legislation should allow a water company to charge to make a new connection. Otherwise, the cost of such connections would need to be absorbed by all the existing customers, who do not benefit from new people connecting, and there would be a knock-on impact on people's bills. I think people understand the point about whether others should carry the can for the cost of someone joining.

When it comes to connections to the mains, the role of Government, via the economic regulator Ofwat, is to ensure that water companies act responsibly and transparently in the services they provide and the fees they charge. That is why Ofwat requires water companies to set charges that reflect the cost of undertaking the work. That has to be clear and transparent. Ofwat also requires them to publish up front the charges for most of the new mains and connection services they provide, and to provide worked examples, so that customers can understand how the charges are calculated. On top of

that, there is an element of competition in the market, which might help to reduce connection costs. Customers have the option of contracting with third-party providers, known as self-lay providers, who compete for the work against the water companies.

There are also avenues for recourse when people on private supplies are not happy with the costs quoted by the water companies. They can complain to the water company in the first instance. If that does not resolve the concern, they can ask the Consumer Council for Water to look at the case. Although the Consumer Council for Water has no formal responsibility to review charges for connection, it will challenge companies to provide clarity and review their charges where it considers that appropriate. That might be another avenue to explore further. Ofwat is responsible for enforcement if a water company is not complying with the expected charges, and can issue directions if companies do not comply with Ofwat's charging rules. Constituents therefore also have the option of contacting Ofwat with their concerns.

On Aysdalegate cottages, the example being talked about today, officials from DEFRA and the Drinking Water Inspectorate were in contact recently with the local authority, Redcar and Cleveland Borough Council, to discuss the case. I understand there are nine households supplied by a beck located on third-party land—the third party is a local livestock farmer. I understand that the local authority has in the past proposed a number of options as part of its risk assessment, including: improving the existing supply; exploring a new water source, such as a borehole; and mains connection.

I was pleased to hear that the water company has stepped up to say that it will pay for the cost of exploring the options, and it should be thanked for that, because it is not an insignificant amount of money that it has committed to, so I am pleased about that. Installation of high-quality filtration and UV treatment equipment at the point of use in each household is likely to significantly improve the quality of the supply. The Drinking Water Inspectorate provides guidance on UV treatment on its website and recommends that any UV system used for this purpose be tested by an accredited laboratory. The inspectorate was at pains to explain to me that it is really important that the right kit be used if that road is taken, because some kit would not be as good.

I understand from my officials' discussions with the local authority that, to date, not all residents at these properties have wanted to connect to the mains. Ultimately, the householders will need to reach a consensus on what joint action they want to take to improve their water supply.

Sir Simon Clarke: I thank the Minister for her helpful reply. From my conversations with the residents, I think that they have in some cases indicated a lack of willingness to connect precisely because the costs are anticipated to be beyond their means. This goes to the fundamental point that I was driving at: there is a mechanism, but it is effectively out of reach for, in this case, a very deprived group of people.

Rebecca Pow: I hear what my right hon. Friend says and thank him for clarifying. I obviously sympathise with the challenges faced by people on private supplies.

My right hon. Friend might be interested to hear that the Drinking Water Inspectorate has recently commissioned a research project to review the impact of the current private supplies regulatory framework on public health. To be honest, the inspectorate considers that some areas may need to be looked at forensically, and it will return with its results early in 2024—not too long away. As with all legislation, the Government will keep the regulatory framework for private water supplies under review, but we look forward to hearing what the inspectorate comes back with, because it may well have some synergy with some of my right hon. Friend's points. As for individual cases, the Drinking Water Inspectorate can provide technical advice to local authorities, and that facility should be made full use of. My office would be happy to provide all the details and contacts if my right hon. Friend does not have them.

I cannot give my right hon. Friend exactly what he has asked for, but he has raised an important issue. I think the review will be helpful in directing us, so we look forward to its outcome. I thank him again for bringing the matter to the attention of the House.

Question put and agreed to.

4.23 pm

Sitting suspended.

British Nationals Detained Overseas

4.30 pm

Ms Marie Rimmer (St Helens South and Whiston) (Lab): I beg to move,

That this House has considered British nationals detained overseas.

It is a pleasure to serve under your chairmanship for the first time, Ms Ali. The first duty of the British Government is to protect their citizens at home and abroad. Being arrested or detained abroad can be a difficult and traumatic experience. Often the detained are unable to see their friends and family, sometimes for years. I am sure that we were all moved by the scenes of Nazanin Zaghari-Ratcliffe being reunited with her husband Richard and their daughter Gabriella.

Iran has shown itself to be a serial offender of detaining British passport holders. Morad Tahbaz, a British-American citizen, is still detained there. It has now been over five years. It was only last month that Tahbaz was taken out of Evin prison, the infamous home to many political prisoners of the autocratic regime, and placed under house arrest. Yet this occurred only after America agreed to a prisoner exchange and to allow the Iranian regime to access almost £5 billion of frozen assets in South Korea. In other words, the Iranian regime was using foreign prisoners for ransom. The situation with Nazanin was the same: she was released only after the Government paid £400 million to Tehran.

Mehran Raoof is another dual British-Iranian national who has been detained. At 66, he was detained in Evin prison for supporting and campaigning for workers' rights. In his own letter, Mr Raoof says the Iranian regime is treating dual nationals as "a valuable commodity", and the evidence backs him up.

The UK Government must look at the actions of Iran and label them for what they are: state hostage taking. Quite frankly, it is working. The Iranian regime is getting vast sums of money to release foreign or dual nationals whom they have arrested on trumped-up charges. The Foreign Office needs to take a much stronger stance within our role in the UN to call out state hostage taking.

Iran is not the only country guilty of unjustly detaining British citizens. Jimmy Lai, a British national and long-time critic of the Chinese Communist party, was arrested in Hong Kong over three years ago.

Rob Butler (Aylesbury) (Con): I congratulate the hon. Lady for securing the debate and highlighting these important issues and individual cases of concern. As chair of the all-party parliamentary group on media freedom, I share her specific concern about the case of Jimmy Lai. Does she agree that Mr Lai's case is not only one of appalling consequences for him personally, having served nearly 1,000 days in prison, but emblematic of the Hong Kong Government's crusade against free media and freedom of speech?

Ms Rimmer: I certainly agree with the hon. Gentleman's comments. Mr Lai is accused of violating the new national security law in Hong Kong. Leaving aside our Government's failure to properly hold China to account for reneging on the Sino-British joint declaration, there is still a duty to protect British nationals. Mr Lai awaits trial this month, yet the Chinese Communist authorities are trying to block his attempt to hire a British defence lawyer.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend raises an important point about people's access to justice and consular services when detained illegitimately or even legitimately. Other countries require a minimum level of support from their Foreign Offices and consular services, including the provision of approved lawyers. That would mean lawyers approved in other countries but certified by Britain. Is that something that we should consider doing in order to ensure that our consular services are protecting our nationals wherever they are?

Ms Rimmer: I agree with my hon. Friend; of course we should be doing that. It is about justice, not rigged justice.

The use of foreign lawyers by both prosecution and defence is a long-established tradition in Hong Kong. Only last month, the Foreign Secretary met the Chinese Vice-President, Mr Han, known as the architect of China's crackdown in Hong Kong. The Foreign Secretary raised the case of Mr Lai, but did not go far enough. It is British values that are on trial: the values of freedom and democracy, which we signed a treaty to uphold. The Prime Minister should raise this with the Chinese regime at the highest possible level.

Cases of British citizens being detained abroad are not limited to the middle east and Asia. In 2021, Mr Nnamdi Kanu, a British citizen, was abducted by Nigerian security forces in Nairobi, Kenya. Since his detention, he has been subjected to torture and many other unpleasantries. A United Nations Human Rights Council report released a damning assessment of the Nigerian Government's treatment and called for his immediate release.

My right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) has worked tirelessly on behalf of Mr Kanu and is urging the Foreign Secretary to do more to secure his release. Nigeria is a Commonwealth nation that receives tens of millions in UK aid; it is one of the biggest beneficiaries. As part of that aid support, there must be a commitment to human rights and upholding the right to a fair trial. Mr Kanu must be given access to a fair and due process. A British citizen travelling on a British passport should not be kidnapped in a third country and dragged to a Nigerian prison. The Government need to get much tougher.

Another case I will raise is that of Alaa Abd-El Fattah, a British-Egyptian activist who was detained in Egypt. Once again, he has been detained and denied fair and due process. He even took to hunger strike in prison to protest against his treatment. The Egyptian authorities also denied his British citizenship and refused British consular support. Our Government need to insist that Mr Abd-El Fattah gets that assistance.

Only this week, the Foreign Office was told by the parliamentary ombudsman to make a formal apology to Matthew Hedges, who was accused of spying and tortured in the United Arab Emirates. The Foreign Office failed to do its duty to Mr Hedges, a British citizen being tortured by a country we consider one of

our closest allies in the region. The chief executive of the ombudsman's office, Rebecca Hilsenrath, described Mr Hedges' experience as a "nightmare" that was

"made even worse by being failed by the British Government."

Quite frankly, that is not good enough, and it calls into question whether the current guidelines need reviewing.

The cases that I have raised are examples. There are many others that I could have gone into, and I am sure that other colleagues present may well do so. I appreciate that these cases are often complex and no country is the same when it comes to Foreign Office engagement. However, there is much more we can do, especially with countries that we financially support. We can also work with our allies to take a much tougher stance on state hostage taking in countries such as Iran.

Many British citizens detained abroad do not even get the necessary consular assistance. That is why Labour is looking to introduce a legal right to consular assistance, which I am sure that the shadow Minister, my hon. Friend the Member for Hornsey and Wood Green (Catherine West), will go into in further detail. Consular support to British citizens must be a given. After all, it is the first duty of Government to look after their citizens.

Rushanara Ali (in the Chair): I remind all hon. Members who wish to speak to bob. I call Daniel Kawczynski.

4.39 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Thank you, Ms Ali, for calling me to speak in this debate. I very much agree with the comments of the hon. Member for St Helens South and Whiston (Ms Rimmer) about the importance of how a country supports its citizens overseas when they are in distress, in particular in prisons. I congratulate her on securing this important debate.

I will speak briefly on behalf of my constituent, Saiful Chowdhury, who is a leading member of the Muslim community in Shrewsbury and does a great deal to support our mosque. He contacted me because of his two cousins, Murad Rahman Khan and Yadur Rahman Khan. They were at the airport in Dubai in February 2023, trying to secure a wheelchair for their elderly mother. They were travelling as a family, with their elderly mother and their children, on holiday in Dubai. They tried to secure a wheelchair because their mother had difficulties walking, but the staff were unhelpful, rude and confrontational.

Unfortunately, that led to a verbal confrontation between the two British citizens and the airport staff, resulting in them being convicted to a six-month jail sentence. They are appealing, but their passports have been stamped to prevent them from leaving the United Arab Emirates. They are in a hotel at their own expense. They have spent thousands and thousands pounds already on accommodation since February, while they wait for their court process to be concluded.

The Minister is a very good and responsive Minister, and I would like him to take a particular interest in this case. The reason why I feel compelled to raise it is that some of the allegations put forward include no CCTV evidence being presented to the court. The defendants are keen for that to be shown to demonstrate that the altercation was purely verbal, rather than physical in any way, and yet the authorities refuse to allow CCTV evidence from the airport. That is the allegation. Another concern relates to the repeated refusal of the Emirati authorities to facilitate ongoing and effective dialogue and communication with the defendants, our British embassy officials and indeed their lawyers. My concern is also about the length of time taken to date.

The hon. Member for St Helens South and Whiston mentioned the United Arab Emirates as one of our closest partners in the middle east. I would go further: it is the closest British ally in the middle east. We have extensive commercial and political links with the Emiratis. I am extremely concerned to hear about this case, and I will give the Minister the details, via his Parliamentary Private Secretary, the hon. Member for Truro and Falmouth (Cherilyn Mackrory). I will be extremely grateful if the Minister could look into it. I will also send a link to the debate to our British ambassador in the United Arab Emirates. I will be grateful to the Minister for any support that he can give to Mr Saiful Chowdhury, my constituent, who was clearly extremely concerned as to the welfare of his cousins and about the impact not just on them, but on their elderly relatives and children, who have come back to the United Kingdom and are separated from their loved ones.

Rushanara Ali (in the Chair): I call Sir Chris Bryant.

4.44 pm

Sir Chris Bryant (Rhondda) (Lab): Thank you for calling me to speak, Ms Ali. I had not expected to be called so quickly.

I warmly commend my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer) for securing this debate, not least because I think all the members of the Select Committee on Foreign Affairs have been making arguments about some of the issues for some considerable time.

In particular, there was the situation of Nazanin Zaghari-Ratcliffe. The former Prime Minister managed to make things more difficult when, as Foreign Secretary, he suggested to the Foreign Affairs Committee that she was engaged in other activities. That possibly led to her being kept in an Iranian jail for much longer than was necessary. In addition, as the current Chancellor admitted when he was Foreign Secretary, sometimes we have not devoted enough energy to making sure that British citizens get a fair trial and are treated properly in prison, or that, if possible, their sentence can be served in the UK.

I will very briefly explain one of the things that I did when I was a Foreign Office Minister for five minutes. There was a British woman who was arrested in Laos. I will not name her, but she was pregnant, and she was arrested for an offence that would have been an offence in the United Kingdom. Laos is a very closed country, politically—a communist country and very difficult. At the time, we did not have an embassy in Laos and we were being helped by the Australians. I said, "Well, I'm sorry, but she's pregnant; I don't want a British child to be born in a Laos prison, in filthy conditions, and likely to have a miserable life, if a life of any kind at all. I want that child to be born in a British prison." All the officials said, "No, that is nonsense, Minister. It is nothing to do with you. It will simply make life difficult." But I went and I had a difficult but good, thorough

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meeting with my counterpart in Vientiane. We had a wonderful lunch afterwards, and it thawed the relationship. I said, "I'm going to ring you every Monday morning." That is what I did, and after three months we got her out and she came back to a British prison. She has no idea; I am absolutely sure of that.

Ministers may be doing that all the time and we do not know about it—I have never told that story before—but I gently say to them that that is kind of what a Minister is for. There will be times when officials will go, "Oh, Minister, that is very brave, very courageous," but I think there are times when Ministers need to do exactly that.

Another case that is very prominent for me is that of Jagtar Singh Johal, who is still in prison in India. As I understand it, our Prime Minister is going to visit India soon. I do not know why the Prime Minister is not saying clearly and categorically that he should be released. Every single independent assessment that has been done shows that this man is innocent of the crimes that he has been fitted up for, but, as I understand it, the Foreign Secretary has actually written to the families concerned to say that he will not raise this matter because it

"could impact the co-operation we depend on from the relevant authorities to conduct consular visits, resolve welfare cases and attend court proceedings"

I think that is to presume that the Indian Government will react negatively, but I think that every single time we do that, particularly with Governments who have a tendency towards autocracy—not so much perhaps in India but certainly in other countries—all we end up doing is inviting them to adopt a yet more hard-line attitude.

That takes me to the situation in China. My hon. Friend the Member for St Helens South and Whiston is absolutely right about the situation facing Jimmy Lai. I understand that the British Government regular position is, "Well, we don't want to push too far". I am sorry, but I do not understand why a British Foreign Secretary would not say before going to China that some of the people in this Chamber should not be on a sanctions list. That is incomprehensible, because it is as if we are saying, "I'm sorry; our democracy doesn't really matter. We don't really mind what you're doing."

Daniel Kawczynski: I am very much enjoying the hon. Gentleman's speech. Three Sundays ago, we joined the fastest-growing, biggest trading bloc in the world—the comprehensive and progressive agreement for trans-pacific partnership in the far east. Does he agree that we ought to use our position in the CPTPP to restrict Chinese entry to the bloc as long as it continues to behave in this manner?

Sir Chris Bryant: Yes, and not only because of the sanctioning of the right hon. and hon. Members present but because of the complete reneging on our agreement with China on Hong Kong. When I talk to Hongkongers who have left Hong Kong, who now nearly all leave with nothing, leaving everything behind them, they talk of genuine fear for their family back at home, if they have stayed.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Will the hon. Gentleman give way?

Sir Chris Bryant: Of course, although I was going to end my speech.

Mr Carmichael: I am sure the hon. Gentleman will get there eventually. I fear that the reasons for the non-intervention and non-comment in respect of Jimmy Lai's case are explicable—they are not worthy but they are explicable—but this is a moment that really matters for Jimmy Lai, because he now has a trial date set for December, and an intervention at this critical stage in the criminal proceedings against him could make a material difference to the outcome. Does that in itself not merit a more robust intervention from our Foreign Secretary?

Sir Chris Bryant: I think it does, and I was going to make that point myself. This is a very opportune point at which to make an intervention.

I have another, broader point to make, which is that when people around the world are asked to name the UK's unique special achievement in foreign affairs, most say it is the rule of law. It is the fact that our word is our bond. It is the fact that a case can be prosecuted properly in a legal court in our country, and that we stand for democracy, the freedom of the individual and equality under the law. That has to be just as much part of our foreign policy as our mercantilist desire to do better trade with other parts of the world. My experience of working on issues in Russia and countries in central Asia is that if we do not tie the two together, we make a terrible mistake, because British businesses simply cannot flourish because they have to pay bribes and deal with an autocratic regime.

To conclude, I very much hope that the UK Government will adopt a more robust, more coherent and more determined approach in their relationship with a series of different countries: China, Russia and India.

4.51 pm

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): It is a pleasure to serve under your stewardship, Ms Ali. Others wish to speak so I will try to keep my comments brief.

I congratulate the hon. Member for St Helens South and Whiston (Ms Rimmer) on securing this vital debate. We should hold such debates regularly because there is so much to be done in this policy area. British citizens carry British passports, and those British passports have a clear statement at the front that none should let or hinder those who hold that passport, yet too often we find ourselves apologising and running around that major statement at the front of the passport.

I want to focus carefully on the case of Jimmy Lai. I had the privilege of meeting the international team of lawyers who are attempting to defend him, even though they have now, appallingly, been barred from Hong Kong by the Chinese authorities, such is their approval. Nevertheless, I congratulate his team on the huge efforts they are making around the world to draw attention to the plight of a man whose only crime is to cry freedom for all those he lives with.

The point about Jimmy Lai's case is the reality of the change in Hong Kong. The Chinese authorities have trashed the Sino-British agreement that protected people's rights in Hong Kong as a special case, once it was

all agreed. That agreement is an international treaty. The problem we have is that the authorities can now proceed against people such as Mr Lai for sedition and other appalling charges. He has already been forced to lose his company, and the assets of *Apple Daily* have been seized. It is unprecedented and could not happen here in the United Kingdom.

Here is the point: Hong Kong is still meant to be a common-law area, but it cannot be a common-law area if people can have their assets seized on charges that have not yet gone through the courts. It is a peculiarity that we go on pretending, as do some of our justices who serve out there. It is no longer really a common-law jurisdiction because it has the national security law over it. People such as Jimmy Lai will now suffer under the national security law without any redress or protection, as would normally be the case here in the United Kingdom, for example, where English common law protects our normal and natural rights. Those rights have been completely decimated in Hong Kong.

The interesting part is that Jimmy Lai has been prosecuted in four separate sets of criminal proceedings arising from his peaceful participation in the high-profile pro-democracy protests in 2019 and 2020, which were organised by civil liberties groups. His crime, therefore, is to have attended the protests; that alone, apparently, is the key. The thing is that he has already been prosecuted and found guilty. One of the charges against him was eventually dismissed on appeal—others were upheld—but he had already served his sentence when that happened. He now faces even more serious charges. He has faced spurious prosecution on charges of fraud, which is why his equipment was seized. He was convicted in October 2022, and in December 2022 he was sentenced to five years and nine months' imprisonment.

The conviction has meant that, as my hon. Friend the Member for Aylesbury (Rob Butler) said, Jimmy Lai has spent some 1,000 days incarcerated on trumped-up charges. But worse is to come. Those charges were all precursors, giving the authorities time to build a case that, under the national security law, will put him inside for a minimum of 10 years and a maximum of life.

The point that I want to make about Jimmy Lai, which is very important, is that he could have fled Hong Kong. He had made enough money to leave Hong Kong and go elsewhere, and complain about the Hong Kong authorities and the Chinese authorities from outside. But he did not. He chose to stay in Hong Kong, because he knew that if he fled then a lot of the hope about what they might eventually be able to achieve would also go. He is a beacon of freedom, and freedom of speech, in a way that no other that I know of globally is at present. I do not decry others; I simply say that he is remarkable.

Jimmy Lai's choice to stay put in Hong Kong came with the full knowledge that he would not enjoy freedom for long. That has been realised, with these trumped-up charges, and now he faces a full prosecution—it has been delayed, but is likely to happen towards the end of this year, maybe in October—under the national security law.

Tim Loughton (East Worthing and Shoreham) (Con): My right hon. Friend, I and indeed you, Ms Ali, attended a conference in Prague over the weekend that was full of parliamentarians from around the world, many of whom, including my right hon. Friend and I, have been sanctioned by the Chinese authorities. The whole subject of Jimmy Lai was very much the focus of that conference.

However, does my right hon. Friend agree that the issue of Jimmy Lai is not just about Jimmy Lai himself but about what this country stands for? In the case of Jimmy Lai, the Chinese Communist party has enacted two criminal acts, one of which is breaking the Anglo-Sino agreement over Hong Kong, an international treaty to which we are a signatory. As a result of its trashing of that treaty, all the protections under the rule of law that might have applied have been swept away. That is why Jimmy Lai, one of the most successful businessmen and whose company was the largest quoted on the Hong Kong stock exchange, is now facing this prosecution.

Jimmy Lai is a British citizen—there is no doubt about that—and therefore he is entitled to the full force of the British Government's protection. Why has that not been shown and why have there been no consequences, despite the warm words from the Foreign Secretary and others, for the fact that my right hon. Friend and I, along with five other parliamentarians, remain sanctioned and Jimmy Lai continues to be denied the basic justice that we take for granted in this country?

Sir Iain Duncan Smith: I am very grateful that my hon. Friend intervened, because I agree, of course, with everything he said. He and I are sanctioned; in our case, it is for raising the genocide in Xinjiang, which is another case altogether.

I agree with my hon. Friend about Jimmy Lai. I will come back to Jimmy Lai, but I want first to say something more widely about the many British citizens who languish abroad. I am afraid that we too often find reasons and excuses to believe that behind the scenes we can somehow do something that will help them without raising the fact that they are British citizens and therefore, under international law, they require full consular access and rights. I simply say that that is a mindset that we need to get out of. We need to say: "If you are a British passport holder—and, most importantly, a British citizen—then you have the protection of this United Kingdom, which is supposed to believe in human rights and freedom."

Hannah Bardell (Livingston) (SNP): It is difficult to disagree with anything the right hon. Gentleman is saying. Does he agree with me that a legal right to consular assistance would be one step in the right direction to help to protect our citizens when they get into trouble abroad?

Sir Iain Duncan Smith: Well, I would not be against it, but if the hon. Lady will forgive me, I will not go into that now. I am sure she can make her case on that, and I shall be happy to discuss it with her later.

I want to use this opportunity to return to a human being who is now likely—as he must believe, given the way the Chinese authorities are working—never to see the light of day again. He will never see his son or his family ever again, because he took the brave choice: to stay. He did not run away. All those people who have left, quite legitimately, have had their bank accounts frozen and their pension funds frozen illegally—it goes on. But Jimmy Lai stands like a beacon in the middle of this to say, "No. No further. We will not put up with this. Freedom is our right. It is not something that we get given; it is our right, and I am standing up for it."

[Sir Iain Duncan Smith]

Here is what I want to raise with my hon. Friend the Minister, who is going to defend the Government's position, and I use my words carefully. I noticed that the Foreign Secretary has used this phrase—we had this debate recently, and we did not reach an agreement, so I am going probe that lack of agreement further. He said in connection with his conversations with the Chinese Government that they

"deliberately target prominent pro-democracy figures, journalists and politicians in an effort to silence and discredit them."

So far, so good. He continued:

"Detained British dual national Jimmy Lai is one such figure. I raised his case".

Can I just pause there? Jimmy Lai is not a dual national. He has never had a Chinese passport. He has only had a British passport. He is a British citizen, under British law and British protection, and he has appealed for that protection. His own defence counsels have reiterated their inability to mount a proper defence because they cannot get access to him, and now they have been barred from ever seeing him because they were too much trouble and were causing problems.

I say this again: every time we say that Jimmy Lai is a dual national, it plays into the hands of the Chinese authorities, for they know that they can claim rights over his position as a dual national that they do not possess. He languishes as a result, because they do not recognise other nationalities, so they do not allow consular rights of access. Here is a big problem for us. I again call on my Government: please, just get to your feet today, if you might, and say that we believe that Jimmy Lai is a British citizen and a British passport holder, full stop. We do not need to debate it, we just need to agree it. I therefore claim that that is the problem. The UN has made recognitions. The United States has recognised Jimmy Lai as a British citizen. The European Union has recognised him as a British citizen. The only country that I am aware of that does not recognise him as an out-and-out British citizen is—why, that would be the United Kingdom. For some reason, we have reticence.

When the Chinese Government trashed the Sino-British agreement, the Americans sanctioned 12 of the most senior people responsible—and the same with Xinjiang, by the way, when they sanctioned something like that many as well. We have sanctioned nobody in Hong Kong since the start of this saga. Why are we not sanctioning them? Why are we so worried about what they might say or do? If it is to get their help in stopping the Russians in the war, then they are busily supplying them with weapons, parts and all sorts of stuff at the moment. When it comes to net zero, there is nothing zero about their net. It is off the charts, and we are the ones who will pick up the pieces.

To end, I simply say this to my hon. Friend the Minister: please, please, please defend a British citizen. Proclaim it from the rooftops that the British Government stand for freedom and human rights, that when a British passport holder and British citizen is incarcerated, we will move heaven and earth and demand that that individual receives our full support, and that there is no way on earth that the normal access to justice will be blocked, for freedom must prevail.

5.5 pm

Martin Docherty-Hughes (West Dunbartonshire) (SNP): It is good to see you in the Chair, Ms Ali. I thank the hon. Member for St Helens South and Whiston (Ms Rimmer) for securing the debate, and it is always good to follow the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith) when we probably fundamentally agree completely on something.

This is not the first time that I have risen to my feet in Westminster Hall to speak on this very subject, and many here today will have heard me speak about it before, so I will do my best to say something new about the subject. There are many parts of the job that we are elected to do that our constituents expect us to do. Making speeches is one of them, as is helping constituents with the issues we all come up against as we deal with the authorities that be. There are, of course, others we do not expect to be involved in. I can say now, after eight years in this place, that dealing with constituents who are themselves in some sort of distress, or getting in contact on behalf of their family members who are, is certainly one of those things that we cannot prepare ourselves for before being elected.

Whether it is the distance, the unfamiliarity with the language and the culture, or just an enhanced feeling of helplessness, there is always a heightened feeling around such cases. I am afraid to say that the added extra in such cases always tends to be the disconnect, which is fairly unique in these instances, between what the UK citizen and their family expect and what services are actually available to them, as I think was alluded to by the right hon. Member for Chingford and Woodford Green. In this debate today, we are talking about UK nationals imprisoned overseas, but much of what I will say will also applies to many of those who come into contact with consular services.

Let us remind ourselves of the words that form part of our passports—recently updated, of course—to which, again, the right hon. Member for Chingford and Woodford Green alluded:

"His Britannic Majesty's Secretary of State requests and requires in the name of His Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance and to afford the bearer such assistance and protection as may be necessary."

I would say that, for example, prisoners—those accused or convicted of wrongdoing—are the very definition of vulnerable people at the mercy of the state and how it administers justice. Regardless of their culpability within any jurisdiction, the very least the UK Government can ask of countries in which their citizens are imprisoned is that they are treated consistently and fairly.

Indeed, when I have previously spoken about the case of my constituent Jagtar Singh Johal, who was alluded to by the hon. Member for Rhondda (Sir Chris Bryant), I have used three phrases: transparency, due process, and the rule of law. Those are three things that I would hope any Indian national imprisoned here in the UK could rely on and should be the very least we expect in Jagtar's case.

The case of my constituent Jagtar Singh Johal is a considerable matter of public record, and I have spoken in debates here and on the Floor of the House on a number of occasions since Jagtar's initial detention in November 2018—coming up for six years ago. The circumstances of Jagtar's arrest—being snatched off

the street by unidentified men, held incommunicado, and then signing a confession, which, it later emerged, was extracted through torture—meant that the case got attention. His family, though understandably frantic, managed to have the presence of mind to bring together many of the elements within the Scottish, UK and global Sikh diaspora that eventually became the "Free Jaggi Now" campaign, which has fought tirelessly on his behalf.

Jagtar's family also very quickly got in touch with their MP. I raised his case immediately in a point of order, and then at Foreign Office questions, when the then Minister stated at the Dispatch Box that the UK Government

"take extreme action if a British citizen is being tortured."—[*Official Report*, 21 November 2017; Vol. 631, c. 858.]

I and the family were surprised to hear those words at the time, and they seem increasingly like a cruel joke for Jagtar and those close to him. On one level, we were fortunate that there was the initial publicity in the case and that the Minister's words at least made the case something of a priority. Not every UK citizen—full UK national—detained will be able to say the same. As time has gone on and I have heard more about the plight of those in similar positions, as has been spoken about today, the more I have seen the gap between the expectations of families and what the FCDO can deliver.

I should say something about the consular prisons team before I take their superiors to task. Along with the staff at post in Delhi, who have made great efforts to visit Jagtar—bringing news from home and taking notes from his family to him—the team in King Charles Street have really done its utmost to keep up very good communications with the family, even with the political aspects of the case being uncertain or, indeed, negative. The professionalism that they have shown has been greatly appreciated by me and the family, and their ability to go above and beyond, putting in long hours in the offices at the top corner of KCS, never quite knowing when another crisis may strike, is to be commended. So why do they remain so deprived of the resources to do a job that is very much the bare minimum that UK citizens should expect from their Government?

Whenever I sit in on these debates, I hear the same list of grievances. I hear kind words from the Front Bench, but we continue to see the de-prioritisation of consular budgets. I reference at this point the excellent report published by the all-party parliamentary group on deaths abroad, consular services and assistance, led by my very good friend, my hon. Friend the Member for Livingston (Hannah Bardell). It is an APPG set up in the wake of a similar realisation to the one that I have described with my constituent.

The report is a testament to the work that the APPG did in giving those families a voice. It is full of excellent recommendations to ensure that the importance of consular services is recognised and informed by the lived experience of those families, in an attempt to ensure that their trauma in such situations is recognised. Consular services should have a much clearer identity within the FCDO, and the obligations it has towards UK citizens should be stated in a much clearer manner. One thing that I also hope that approach would achieve is helping families navigate what can be quite an intimidating bureaucracy.

Despite the initial statements about an extreme reaction, we now appear to be getting ready to announce the UK-India free trade agreement—quite a statement of priorities from a succession of Governments. I know that I need to come to a conclusion.

Hannah Bardell: Will my hon. Friend give way?

Martin Docherty-Hughes: Very quickly—I am conscious of time.

Rushanara Ali (in the Chair): Order. The hon. Gentlemen should wind up.

Martin Docherty-Hughes: I could talk for three hours about this subject, which is very close to my heart and my constituents. I will sum up by referring to those words on the passport—and I hope the Minister takes note. This Government, and the one that is about to replace it, need to do much more to ensure that holders of that document receive

"such assistance and protection as may be necessary."

That means funding consular services properly. To lead is to choose, and, frankly, they have chosen badly.

5.12 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a delight to contribute to this debate under your chairmanship, Ms Ali. I congratulate my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer) on her excellent introductory speech.

For any British national, the idea of being wrongfully detained abroad or denied true legal processes is bone chilling. Kept away from friends and family, dealing with foreign laws and customs, in some cases subject to arbitrary processes, and with an uncertain outcome, it is a situation none of us would want for any of our loved ones. We saw how hard my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) worked, along with the family, on freeing Nazanin Zaghari-Ratcliffe. There are many of us who are also doing similar work in our constituencies. I had the case of Aras Amiri, who was in the same prison as Nazanin Zaghari-Ratcliffe.

When someone is detained abroad, many people have the expectation that an official from the British high commission or embassy will provide advice and support until they are returned to the UK. It is a great credit to our hard-working officials that they put in the hours abroad, attending many visits to prisons and providing that important link back with home. I know that all Members will pay tribute to the important consular work that goes on day in, day out.

Sadly, however, that is not the case in every situation. We know from the hon. Member for West Dunbartonshire (Martin Docherty-Hughes), who has talked about Jagtar Singh Johal, the opportunity that the UK has right now to be talking publicly about that case. We know from the work of the Foreign Affairs Committee—which my hon. Friend the Member for Rhondda (Sir Chris Bryant) has sat on for quite some time, and that published a report about the shortcomings of the current offer for people who are in trouble abroad—that too often the Government's efforts to secure the release of British nationals unjustly obtained abroad have been, according to the families, arbitrary, haphazard, uncoordinated, and lacking resource and transparency.

[Catherine West]

This week, we have seen a formal apology from the FCDO for its appalling handling of the case of Matthew Hedges. These ongoing individual cases have been raised many times by their respective constituency MPs. I wonder whether the Minister will outline what learning he has made as a result of the apology issued just this week.

We must remember that there are many others who do not share the same profile as Jagtar Singh Johal, Nazanin Zaghari-Radcliffe or others, but there is still no legal obligation for the UK Government to provide consular assistance to a British citizen, even in cases involving allegations of torture or arbitrary detention, leaving it entirely at the discretion of the Foreign Office and Ministers. That stands in contrast with a number of other countries that recognise there is a specific right to consular assistance. We have looked at examples from German consular outposts and Estonia; even smaller countries, in some cases, are doing a better job. Whether the case is high profile or not, British nationals deserve the support of the British Government, and I am proud that Labour's commitment to legislate for a legal right to consular assistance for British nationals in trouble abroad, should we form the next Government, will be a keystone of our foreign policy. Until then, Ministers must do more to reassure British nationals that they will be supported.

Many Members in the debate have highlighted the cases that have been put on record in a number of cases. We share the concerns about Jimmy Lai. We have had meetings with the council and we have met Sebastian Lai; he is desperate about the situation of his father, who was wrongly imprisoned for freedom of the press. We also know that, with the G20 coming up in India, this is a great opportunity for the UK to highlight the case of Jagtar Singh Johal. We understand that Morad Tahbaz has been released into house arrest. Can the Minister give the House an update on that? I know that Mr Tahbaz is also a US citizen and the State Department has led negotiations, but can the Minister update us on the UK's role and whether we can expect that he will be allowed to leave Iran soon?

Finally, for two years Egypt has continued to deny Alaa Abd El-Fattah his basic right to consular access as a British citizen and paid no diplomatic price for doing so; the Prime Minister raised this in person with President Sisi 10 months ago. Do the Government have any concrete plans or an update for the House to secure access beyond raising it in meetings? Have the Government considered amending their travel advice to warn British nationals about their inability to guarantee the provision of consular support to them in the event that they themselves are detained, particularly if they are dual nationals? I conclude my remarks here and note the cross-party consensus and commitment in the Chamber to seeing a better deal for Britons detained abroad.

5.17 pm

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Leo Docherty): It is a great pleasure to be here today, Ms Ali. I am here in the place of the Minister of State, Foreign, Commonwealth and Development Office, my right hon. Friend the Member for Berwick-upon-Tweed (Anne-Marie Trevelyan). She has responsibility for consular policy, but she is travelling; I am very pleased to be here in her place. I am grateful to the hon. Member for St Helens South and Whiston (Ms Rimmer) for securing the debate and for the passionate contributions of other colleagues across the Chamber.

I will set out some general principles of our consular and detention policy before covering some of the specific questions asked about individual cases. Consular assistance to British nationals abroad remains at the heart of our work at the FCDO. Our trained staff are contactable 24 hours a day, 365 days a year, and they offer empathetic and professional support tailored to each individual case. They have a huge case load—some 20,000 to 30,000 cases annually—and we continue to review and improve the service that they offer; we always welcome feedback on how it can be improved.

Consular staff help about 3,000 British nationals who have been arrested or detained abroad each year, and their welfare and human rights are our top priorities. Consular officials are contactable 24/7, including if a British national is detained, and our support can include seeking consular access and providing relevant information to detainees. We can also raise specific consular cases with foreign authorities and support the families of those detained. Of course, this is considered on a case-by-case basis. I should like to be very clear that we thank our consular staff for the tremendous work that they continue to do.

As a general principle, we are guided by international law and the Vienna convention on consular relations. Our ability to offer support in a particular country is of course constrained by the laws and practice of that country. In detention cases, the detaining authority has jurisdiction and control over detained British nationals, and the British Government may not interfere in the foreign legal process. But we can and do intervene when British nationals are not treated in line with international standards or where there are unreasonable delays in proceedings. Of course, there are a number of areas where, sadly, consular staff cannot help. We cannot offer or pay for legal services, pay outstanding fines or ask for British citizens to receive preferential treatment on the basis of their nationality.

We do provide tailored support to detainees who raise allegations of torture or mistreatment—something that we take incredibly seriously. Although we cannot investigate such allegations ourselves, we will, with the detainee's permission, raise our concerns with the local authorities and request an investigation. Last year, the FCDO received 133 new allegations of torture or mistreatment from British nationals overseas. Each year, we conduct a review of all such cases to identify trends and develop strategies to engage with relevant countries.

Martin Docherty-Hughes: Can the Minister confirm that that includes the accusation of torture in relation to my constituent Jagtar Singh Johal, who is in the Indian Republic?

Leo Docherty: Yes, indeed—we consider all these cases. If I may, I will come on to that case, because the hon. Gentleman has been a champion of it. Let me assure him—I am sure he knows this—the Government have raised concerns about Mr Johal's case with the Government of India, including allegations of torture

and his right to a fair trial, on over 100 occasions, and we will continue to do so. We take the UN Working Group on Arbitrary Detention's opinion in this case very seriously. We have consistently raised concerns about Mr Johal directly with the Indian authorities and we will continue to do so, as I say. Having carefully considered the potential benefits and risks to Mr Johal of calling for his release, as well as the likely effectiveness of doing so, we do not believe this course of action would be in his best interests. But as I say, we will continue to raise his case with the Government of India.

Let me turn now to two cases mentioned by the hon. Member for Hornsey and Wood Green (Catherine West) and the hon. Member for St Helens South and Whiston. The first is the case of Morad Tahbaz in Iran. We are pleased to see that British national Morad Tahbaz has been released on furlough. That is a first step, and we remain focused on his permanent release. Of course, the UK is not party to negotiations between the US and Iran; the details of any agreement are a bilateral matter for those two countries. But we do think that his release on furlough is a positive step.

I turn now to the case of Mehran Raoof, also in Iran. We are supporting the family of Mr Raoof, who is a British-Iranian national and has been detained in Iran since 2020. Of course, his welfare remains a top priority. It remains entirely within Iran's gift to release any British national who has been unfairly detained and so we should urge Iran to stop this practice of unfairly detaining British and other foreign nationals and urge it to release Mr Raoof.

I turn now to the case of Mr Alaa Abd El-Fattah, in Egypt. Of course, we remain committed to securing consular access for dual British-Egyptian national and human rights defender Alaa Abd El-Fattah. We continue to raise Mr El-Fattah's case at the highest levels with the Egyptian Government. We remain committed to supporting him and his family. My right hon. Friend the Foreign Secretary met family members on 6 February, and Lord Ahmad has met family members several times—most recently on 6 July. Our ambassador in Cairo and consular officials are in regular contact with family members and they met most recently on 5 April. Of course, we will continue to offer all the consular support that we can.

I was very grateful to my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski) for raising the case of his constituent Mr Saiful Chowdhury. Of course I give him my absolute assurance that we will be happy to correspond and raise this case. Perhaps we could exchange details after this debate. We look forward to corresponding on that case and we look forward to offering any support we can to Mr Chowdhury, so I am grateful to my hon. Friend for raising that case.

Turning to the case of Jimmy Lai, which was raised by several Members, let me be very clear that we are using our channels with the Chinese and Hong Kong authorities to raise Mr Lai's detention and request consular access. The Minister of State, Foreign, Commonwealth and Development Office, my right hon. Friend the Member for Berwick-upon-Tweed, last met Mr Lai's son and his international legal team on 24 April and officials continue to provide support. We continue to make our strong opposition to the national security law clear to the mainland Chinese and Hong Kong authorities. It is being used to curtail freedoms, punish dissent and shrink the space for opposition, free press and civil society. The Foreign Secretary raised Jimmy Lai's detention with Chinese Vice-President Han Zheng on 5 May and in his opening statement at the 52nd session of the UN Human Rights Council on 22 February. We will continue to raise this case and others.

Catherine West: In the course of this debate, the question of whether the Foreign Office considers Mr Lai to be a British national has been raised. Could the Minister please elaborate on that because it is key to the sort of approach that we in this House take, but also which legally the Foreign Office should be taking? I have met the wonderful leader of the Hong Kong mission. I know he is doing his utmost but this has to be pushed at a much more senior level in order to get a result. I know that that is the view of the House.

Leo Docherty: I am grateful for the opportunity, and I will reiterate the language used by the Foreign Secretary and referred to by the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith): Mr Lai is a dual British national born in China, and the reality of the matter is that Chinese nationality laws are very clear in that they do not recognise dual nationality and therefore have not allowed us consular access to Mr Lai. We are therefore using our channels with the Chinese and Hong Kong authorities to continue to raise his case.

Sir Iain Duncan Smith: May I ask my hon. Friend something very clearly? The question was: do the British Government recognise Mr Lai as a British citizen and passport holder? The answer came back that he is a dual national. The Chinese Government say that he is a dual national and do not recognise it, so what do the British Government say? Is he a British citizen and a British passport holder? That was the question.

Leo Docherty: Mr Lai has a British passport. He is a dual British national born in China.

Sir Iain Duncan Smith: He is not a dual national; he never was!

Leo Docherty: He is a dual British national and we will continue to look at this case. We will continue to use our channels with the Chinese and Hong Kong authorities to raise his case and call for his release.

5.27 pm

Ms Rimmer: I thank everyone for contributing today because this is an important matter and something that has deserved the attention it has had in this debate. Hopefully we can get some movement from the Government and we can get this man's citizenship sorted. I think he and his family know his citizenship better than anyone—far better than the Chinese would know. It is surely a con, isn't it? I thank all Members who have contributed to this debate. We need to keep going. We need to do this as soon as possible. Please grab hold of it, Minister. We would congratulate you if you got things started now.

Question put and agreed to.

Resolved,

That this House has considered British nationals detained overseas.

5.28 pm

Sitting adjourned.

Written Statements

Tuesday 5 September 2023

LEVELLING UP, HOUSING AND COMMUNITIES

Planning Update

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): I am today setting out updated policy on planning for onshore wind development in England.

In December last year the Government consulted on a number of proposed changes to the national planning policy framework, including changes relating to onshore wind development in England. That consultation concluded on 2 March this year and we received over 26,000 responses which my Department is carefully considering.

Through this consultation the Government have heard the strength of feeling and range of views on onshore wind. My right hon. Friend the Energy Security and Net Zero Secretary and I continue to believe that decisions on onshore wind are best made by local representatives who know their areas. This will ensure decisions are underpinned by democratic accountability. We agree following our consultation, however, that we need to strike the right balance to ensure that local authorities can respond more flexibly to suitable opportunities for onshore wind energy, contributing to electricity bill savings and increasing our energy security as well as respecting the views of their local communities.

Having considered the responses carefully, I am confirming our intention to proceed with changes to national planning policy for onshore wind which take forward the proposals which were consulted upon, with minor changes to reflect responses and provide clarity on how policy should be applied in practice.

This includes amending the planning tests for proposed onshore wind developments to make clear that suitable locations can be identified in a number of ways, rather than solely through an area's development plan. Development plans can take a number of years to be produced and adopted and we want to be clear that other, more agile and targeted routes are appropriate: for example, through local development orders, neighbourhood development orders and community right to build orders. We hope that this will mean sites are identified more quickly, speeding up the process of allocating sites for onshore wind projects, and ultimately, as a consequence, more clean and renewable energy is generated sooner.

We are also adjusting the policy so that local authorities can more flexibly address the planning impact of onshore wind projects as identified by local communities, on which we intend to publish further guidance. We have heard accounts that current policy has been applied in such a way that a very limited number of objections, and even at times objections of single individuals, have been taken as showing a lack of community backing. This is not the policy intent, and as a result of today's policy change it will now be important that local decision makers are able to take a more balanced approach, considering the views of communities as a whole. The Government are also open to novel ways to demonstrate community consent, building on best practice and using new digital engagement techniques.

We are also clear that local areas that support hosting onshore wind should directly benefit. That is why we have consulted on proposals for improved rewards and benefits to be offered to communities backing onshore wind farms, including potential energy bill discounts. The Government will respond to this consultation in the autumn.

I can also confirm that we are taking forward changes in relation to the repowering and life extensions of existing renewable energy sites to make clearer the circumstances in which these may be approved.

I would like to extend my sincere gratitude to all those who participated in the consultation. Our formal response to the other wider proposals in the consultation will also be published later this autumn.

An updated national planning policy framework will be published today and policy changes, relevant to planning decisions, take effect immediately upon publication; some transitional arrangements for plan making are set out at annex 1. The amendments are to chapter 14 of the national planning policy framework. Relevant extracts can be viewed online at:
http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2023-09-05/HCWS1005/

[HCWS1005]

TRANSPORT

Transport update

The Minister of State, Department for Transport (Huw Merriman): I have been asked by my right hon. Friend, the Secretary of State to make this written ministerial statement. This statement confirms that it has been necessary to extend the deadline for the decision for the A1 in Northumberland—Morpeth to Ellingham development consent order under the Planning Act 2008.

Under section 107(1) of the Planning Act 2008, the Secretary of State must make his decision within three months of receipt of the examining authority's report unless exercising the power under section 107(3) to extend the deadline and make a statement to the House of Parliament announcing the new deadline.

The Secretary of State received the examining authority's report on the A1 in Northumberland—Morpeth to Ellingham development consent order application on 5 October 2021. The current deadline for a decision is 5 September 2023, having been last been extended from 5 December 2022 by way of written ministerial statement of 6 December 2022.

The deadline for the decision is to be further extended to 5 June 2024—an extension of nine months.

In addition to the reason for the extension set out in the written ministerial statement on 6 December 2022, the extension will allow further time to consider any matters relevant to the application.

The decision to set a new deadline is without prejudice to the decision on whether to give development consent for the above application.

[HCWS1004]

ORAL ANSWERS

Tuesday 5 September 2023

WRITTEN STATEMENTS

Tuesday 5 September 2023

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