



HOUSE OF COMMONS

# Backbench Business Committee

## Representations: Backbench Debates

Tuesday 5 July 2022

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Members present: Ian Mearns (Chair); Bob Blackman; Patricia Gibson; Chris Green.

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**Lloyd Russell-Moyle** made representations.

Q1 **Chair:** Good afternoon, everyone. We come first to the application from Lloyd Russell-Moyle and Natalie Elphicke. Lloyd is with us this afternoon. His application is on the Government's White Paper, "A fairer private rented sector". Over to you, Lloyd, please.

**Lloyd Russell-Moyle:** In June, the Government released their White Paper on the rental sector. It has been a long time coming—let us just put it like that—and it is ambitious and of course has some controversy, as anything with ambition would do. Both major parties—I do not know what the Liberals and the SNP have said about it, and in Scotland the issue is slightly different—have said action needs to be taken in this area.

The Government have indicated that they might come forward as soon as October with actual Bill proposals, which does not leave a huge amount of time for debate on this. The Government have indicated that they were, and are, not planning to have a debate on the White Paper before bringing forward legislation. They have also not agreed to pre-legislative scrutiny or such like, despite calls for it on this issue. This is a very big issue. It contains manifesto commitments and issues that were not in anyone's manifesto, so it is rather important that we have this debate at a higher level.

I put out an email to colleagues and, within two days—just people responding, not even me chasing—I got the 28 names you can see. They are very broadly representative of the parties. As I say, the issue is devolved, so SNP Members were less involved, but we have Conservatives and Labour in large numbers, and Plaid and Green. I suspect had I waited a few more days, I would have got another similar number on top of that as well. However, rather than waiting, I thought I would submit it.

There is real appetite for this. MPs have already started to receive correspondence from student letting agents, for example, on the consequences of the Bill. We also know that the tenants' associations, Acorn and the London Renters Union are very active in this.

Natalie and I are keen on the debate. There are nuances that will be really important to the future of the housing market and the private rented sector. The last reforms were more than 30 years ago now. Assured shorthold tenancy has stuck with us for 30 years, and the abolition proposal for it would be a radical change. Not to have a pre-legislative debate in Parliament about it, would seem remiss and reduce MPs' voices on it. It is important that we have the debate.

I have put in "The Government's White Paper, 'A fairer private rented sector'". The White Paper should be the basis of the debate. That is the proposal, so we have concrete things to talk about there. I would like, if possible, to have a debate in the main Chamber for the three hours, because of its importance. However, I understand that the Committee will have to balance other important issues as well. Are there any other points that you wish me to cover?



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Q2 **Chris Green:** This is a technical point. MP No. 10, Sally Hammond: is that the wife of Stephen Hammond?

**Lloyd Russell-Moyle:** Yes, sorry. I suspect that is because I got the reply from Sally to say, "Yes, please put our name down", and my office just copied and pasted. I am terribly sorry. That is very embarrassing.

**Chris Green:** That is fine. That was my only question.

Q3 **Patricia Gibson:** In response to the remarks you made in your preamble, this is a devolved matter. In Scotland we have ended section 21 no-fault evictions, and significant powers have now been given to local authorities to restrict the number of holiday lets and Airbnbs in a certain geographical area. I was not sure whether you were aware of that, so I thought I would throw that in.

**Lloyd Russell-Moyle:** What is why it is interesting to hear SNP and contributions from Scottish MPs from all parties, to hear about the successes and the pitfalls. There are unintended consequences with every policy, although my understanding is that what is happening in Scotland has broadly moved in the right direction. This issue is of interest to the whole of the UK, even though it is of application only in England and Wales.

Q4 **Bob Blackman:** You mentioned the details and the debating points that will come out. My concern is that, although your request is well-supported and it is a good and timely debate, we have a queue of debates for the Chamber. In fact, we have no time before the summer recess. The chances of getting a debate possibly even before the conference recess is unlikely. However, there is an opportunity for a three-hour debate in Westminster Hall before the summer recess. That would give you the chance to have the debate and to have the matter on record, and potentially get the Government's view before the summer recess. That would guarantee a debate. The Committee will determine business very shortly, but knowing that we have pre-allocated virtually everything, you will not get a debate in the Chamber before the summer recess.

**Lloyd Russell-Moyle:** I understand that the Bill is likely to come forward in October, so if there is the ability to have a Chamber debate in straight after conference, there might still be a possibility to have a say on that. If the Committee's view is that we would be scheduled in November or December, I would settle for a Westminster Hall debate for the longer period. The difficulty is that, as we all know, they get less attention, and I think there is genuine public interest and attention for us to debate it in the main Chamber and get the Government response. Hopefully, that has given you enough of a steer of my preference.

**Bob Blackman:** That is perfectly fine. The final thing I would say is that in Westminster Hall, time is controlled by the debate, because it is open just for that debate. In the Chamber, with UQs, statements and more, you are lucky if you get two hours. It is obviously a very well-subscribed debate; I know a lot of people will want to contribute. It is up to you.



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**Chair:** As a matter of interest, when I was up for re-election the first time as a local authority councillor in May 1987, part of my manifesto for standing for the local council was regulation of the private sector. It is only 35 years ago. That just shows you what can happen if you are in the long haul in this political milieu that we find ourselves in.

**Bob Blackman:** And then the Government introduced assured short-hold tenancies the following year.

**Chair:** Indeed. I think it is an important debate. The one thing I know about the private rented sector is that the market is different in different parts of the country. It is not all about the buoyant London private rented sector market—there are seaside towns, north versus south and rural versus urban. It is very different. Therefore, there is a whole range of different issues that need to be sorted out. We should not ever forget that a huge part of the private rented sector market is underpinned by huge amounts of public money through housing benefit. That has to be of interest to us all. Thank you very much indeed.

**Sir Bernard Jenkin** made representations.

Q5 **Chair:** Good afternoon, Sir Bernard. It is good to see you again. Welcome to the Committee. Your application is on new pylons in East Anglia. I take it those are electricity pylons.

**Sir Bernard Jenkin:** Yes—not social media pile-ons.

There is required a very, very big enhancement of the national grid in the whole of East Anglia and Essex in order to cope with onshore wind farms and onshore solar farms, but mainly offshore wind farms and new nuclear build, which is all on the coast.

The Electricity System Operator—the ESO—has launched a consultation, which has now closed, and all of us have contributed to it. It has received a massive number of objections because its proposal is simply to patch and mend the existing supply network with extra pylons and extra connectors across the open countryside. It is causing one of the biggest furores I have ever seen in my constituency. I happen to have a very large extra electricity substation in my constituency, but all the East Anglian MPs on the list are equally exercised about it, and we have formed a group called OffSET, which wants to see an offshore electricity supply transmission system.

We can't understand why the consultation does not give any serious consideration to, costings for or analysis of an offshore ring main to go round East Anglia and take the electricity into London. Nearly all the electricity is for London; it is not for local consumption. There is the germ of a proposal that would link up all the offshore electricity generation and the new nuclear build at Sizewell and possibly Bradwell by taking it round into the Thames estuary by sea.

Everyone is absolutely affronted that that proposal has been dismissed without analysis and is not really in the consultation at all as an option;



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only one option is being consulted on. That reflects a regime inherited from the early days of privatisation, which was very much designed to keep costs down and sweat assets, rather than plan for strategic changes in the national grid, which is what we are now confronted with.

We are in conversation with Ministers, Ofgem and the Electricity System Operator about why they are taking such a narrow-minded approach. It is particularly startling that elsewhere in the country, where extra capacity is being installed, they have said—I am quoting from a response to a question during the consultation—“Routing cable overground for hundreds of miles would likely require overhead lines that would cause disruption and visual impacts to many communities, ranging from County Durham to southern Scotland, where the route originates. By routing the cable under the North sea, away from the settlements, we significantly reduce its impact on communities.” Well, what is sauce for the goose should surely be sauce for the gander.

We want to ventilate this issue and get the Minister to explain why they are satisfied with this regime. They are planning to change the regime, but not in time for this proposal. It is all very slow and bureaucratic. We had one Minister who said, “Please put more pressure on the Department, because I can’t get the Department to engage with this.” Well, I don’t know what Ministers are for if they are saying that. It is not the present Minister, I have to say.

We are only applying for a one-and-a-half-hour debate in Westminster Hall. The consultation has just closed, so it is pretty urgent. We have support from other MPs from out of the area who have similar problems, and from other political parties, including Plaid, the SNP and Labour. I am throwing myself on your mercy, and I very much hope that you will grant a debate for us.

Q6 **Chair:** In terms of the other MPs, on the list that has been presented to us we have three Plaid, one Liberal, and all the rest are Conservatives.

**Sir Bernard Jenkin:** I have one SNP MP now—Allan Dorans.

Q7 **Chair:** You said you have a Labour MP as well.

**Sir Bernard Jenkin:** I thought I had a Labour MP. He is not on the list yet. It would be one of the East Anglian Labour MPs. If that is a condition, I will get a Labour MP.

Q8 **Chair:** It just helps to flesh out the application. This is a hypothetical question. If a debate in Westminster Hall on 19 July became available, would you be able to accept that? It’s a Tuesday.

**Sir Bernard Jenkin:** Yes, subject in my case only to one thing: I am on the Committee of Privileges, and that has to take priority at the moment. But I hope it would not be a public meeting that I’d be missing, so I hope I might be excused for a part for that meeting.

Q9 **Bob Blackman:** Can we just confirm that it would be BEIS answering?



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**Sir Bernard Jenkin:** It would probably be Greg Hands, yes.

**Chair:** Okay. Thank you very much indeed.

**Sir Bernard Jenkin:** No further questions?

**Chair:** No further questions.

**Rob Roberts** made representations.

Q10 **Chair:** Rob, your application is on devolution in Wales 25 years on. Over to you.

**Rob Roberts:** Thank you very much, Chair. This is my first time in front of your Committee, so treat me kindly. I appreciate your allowing me the time to speak to your Committee to try to secure a debate of importance not just to my constituents but to the 3.2 million UK citizens who live in Wales. Despite all the extremely wide-ranging things that are discussed by Members of Parliament every day in this place, it is relatively unusual to talk about changes of a constitutional nature.

On 18 September 1997 there was a referendum for the people of Wales on whether to establish the Welsh Assembly, as it was then—now the Senedd. On 18 September this year, therefore, it will be 25 years to the day since that decision was made, which has made a huge difference to how the lives of people in Wales have unfolded.

It has been particularly interesting to see over the last few years, following on from the Brexit referendum in 2016, how much initial drama and upset there was, and probably still is, about the validity of that particular result, which was 52:48 on a 72% turnout. That was too close, for a lot of people, to lead to such a manifestly huge change in the UK.

On 18 September 1997, the decision to establish the Assembly was passed with a 50.3% to 49.7% vote based on a 50% turnout. I don't know about you, but I cannot imagine the uproar that would have happened in this place if we had tried to make the Brexit changes based on those numbers. But there was no uproar. The Welsh referendum decision was enacted with barely a raised eyebrow or a cross word. I am not trying to rerun that discussion from 25 years ago, but to reflect on what has happened since then.

There have been six elections for Members of the Assembly—Members of the Senedd, as they are now—from 1999 to last year's in 2021. Overall national turnout numbers in those elections have ranged from 38.2% to 46.8%. Not one single time have we got more than half of the eligible voters.

As an aside, one of the things that struck me during the 2019 general election when knocking on doors was the sheer number of people in Wales, after all this time, who still don't quite have an understanding and appreciation of what is devolved and what is reserved to Westminster. All my Welsh MP colleagues from whatever party will report the same thing.



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We get casework on education, health, housing, local authorities—all devolved—and of course we take them all on and assist as best we can with Welsh Government Ministers. With a general lack of understanding in the wider community in Wales and the overall lack of engagement shown by the turnout numbers, it seems to be a legitimate question to ask, 25 years on from devolution: how is it going?

I stress that I do not want to spend a huge amount of time debating how well or badly individual elements of the devolution settlement are going—it is a very difficult line to draw and not cross into devolved areas—but rather to discuss the constitutional aspect as an overarching point. I do not want to discuss, for example, the state of the NHS or education as a Westminster debate, because we have nothing to do with that, but it is valid to debate the constitutional arrangements that led to the situation that we find ourselves in.

Particularly pertinent at the moment is the fact that there have been calls in recent times, both here and in Cardiff Bay, for additional devolution of powers and things like the Crown Estate, policing, justice, the courts, the benefits system. There is always discussion about what may be the next steps on the evolutionary journey of devolution. If it is right to weigh in on issues of what is next, it surely has to be right to do the opposite and say, “Hold on, let’s just review. Let’s see how it has gone so far. How are you doing with the power that is already there before demanding more?” Discussion about the nature of devolution in and of itself has a place, as opposed to discussion about its individual elements.

Finally, the Senedd is about to bring about legislation to increase the size of its legislature by 60%, as well as wholesale changes to the electoral system in Wales that weren’t part of anyone’s manifesto in the Senedd election last year. That will leave 96 Members of the Senedd for 3.2 million people, which is an average of just over 33,000 people per Member. I notice the hon. Member for Isle of Wight is sitting behind me; he would be delighted with an electorate of 33,000, as he now has an electorate of over 100,000 in his seat. Bearing in mind that the Electoral Commission is redrawing the boundaries to create parliamentary constituencies with an electorate of about 72,000, the Senedd changes seem to be a little bit out of kilter with the overall aims of electoral representation. It will effectively mean that for every MP in Wales there will be three Senedd Members for, arguably, fewer areas of responsibility.

I don’t want to open up debates about how well it is going in individual bits, but just about devolution in general, because in Westminster we seem to have a bit of a “devolve and forget” mindset that has led to an awful lot of the political disengagement in Wales, as the numbers seem to confirm. Welsh affairs take up a tiny fraction of parliamentary time; hopefully, on the landmark occasion of the 25th anniversary of devolution it might be deemed appropriate to spend a little bit of parliamentary time debating an issue that impacts on the lives of Welsh citizens, even if they do not necessarily realise it.

**Chair:** Thank you very much indeed. Questions please.



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**Q11 Patricia Gibson:** I was very interested to listen to your presentation as a Welsh MP, because the most recent poll shows that 61% of the people of Wales want to preserve the Parliament and, as you say, there is a drive for more powers. It is not surprising that that is the case, because devolution is a process; it is not a single event. Some 48% of people in Wales want more powers, 30% don't and the rest are open to be persuaded. I don't know how alive the discussion about this is in your constituency, but if I were a Welsh person listening to your presentation, I would be quite alarmed.

**Rob Roberts:** That is an interesting and very fair point. I mentioned the overall numbers earlier on—50.3% on a 50% turnout—but in my constituency at the time, there was a 38% yes vote on a 36% turnout, so about 19% of electors in my constituency were in favour of it being established in the first place. We all hear polling numbers about various things all the time. I have no issue with discussing the polling numbers—I am here today to discuss those polling numbers. I am not trying to argue one way or the other about what is right, but just to secure the debate in the first place in order to draw all that stuff out.

**Q12 Patricia Gibson:** I am curious—this is just idle curiosity; you don't need to answer—that you were talking about the use of powers and how successful that may or may not have been, and how you might measure that. Is there a view abroad among the people Wales that it would be better to have what is currently devolved run from Westminster again? Obviously, you are a Welsh MP and you are closer to this than I am, but I am curious about that.

**Rob Roberts:** You just cited a number of numbers. Some will say absolutely yes and some will say absolutely no—it depends on where you are in Wales. I think the further out to the west coast of Wales you go, the more pro-devolution and pro-independence people will tend to be, as is seen from the fact that there are more Plaid Cymru MPs down that side, and then closer to the English border, less so. There is a big, wide-ranging mixture, but what I am interested in is the ability to have that debate.

**Q13 Chris Green:** The title of the debate, "Devolution in Wales—25 years on", is perfectly reasonable and it is perfectly sensible to have that debate, but I am surprised at your suggestion that people might want to focus on the constitutional questions. I can already hear one side saying, "Labour ruined the NHS in Wales," and the other side backing Labour. I can just hear that debate. Is it not reasonable, with that debate title, to expect that people will choose how to take that debate themselves, and to say that the characterisation you gave is not quite what we should expect?

**Rob Roberts:** That is perfectly fair; I am sure they will. I have tried to be as neutral as I can in putting it across, just to try to stay orderly, really. In the past, I have tried to introduce things in the Chamber and have been told, "That's a devolved issue." Putting in oral questions, I get calls from the Table Office all the time saying, "This isn't a matter for the Government," so I am just trying to keep it in line with a particular



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framework. During the course of the debate, I am sure it will evolve into something that may be a little wider in scope.

- Q14 **Chris Green:** You mentioned the word “neutral”; if we look down your list of colleagues, we can objectively say that this is not a neutral or a balanced list. There is very little Opposition support for it: one name.

**Rob Roberts:** Indeed. I think I put it in the notes at the end that I had a number of Labour colleagues get back in touch with me after I emailed them to say, “We would sign it, but we are Front-Bench spokesmen and therefore cannot,” as per the guidance. I did not send it widely to the whole parliamentary community; I literally just sent it to the Members in Wales, which I thought would be appropriate, as it is a debate on Wales.

- Q15 **Patricia Gibson:** Does that mean that the Plaid Members you sent it to did not respond?

**Rob Roberts:** The Plaid Members did not respond; no, they did not. I would not want to speak for them, but they tend to have minimal interest in discussing devolution. They seem to think that it is just a Senedd-bashing opportunity, which I have hopefully tried to explain is not necessarily what I am trying to get.

- Q16 **Bob Blackman:** Because this is a Welsh-only issue, I can understand your difficulty in terms of getting Opposition parties, but from our perspective, we would seek to get a balanced debate across the Chamber. If you could get some more Labour names, I think it would make a more balanced picture.

The other issue is that you have asked for a debate in the Chamber. You were probably here when we were talking earlier and will have heard that there is a queue of debates for the Chamber but there are opportunities in Westminster Hall. Would you accept a Westminster Hall debate if it is offered to you?

**Rob Roberts:** Yes. The date is particularly prescient: it happened on 18 September, so I would be looking for either side of that, whether it is a Tuesday or a Thursday. That happens to be a Sunday this year, so the week before or after that would be great.

I am sure that everyone who comes in here wants as much Chamber time as possible, but I am in your hands. As much Chamber time as possible would be wonderful. Welsh affairs is not something that gets a huge amount of it, so I would throw that at you—I am wearing my tie with Welsh flags on it to send you subliminal messages all the time. As much Chamber time as possible would be great, but if we are stuck for time and it must be Westminster Hall, then we are where we are.

- Q17 **Chair:** So that is the sort of time slot that you would like. With the 18th being a Sunday, it would be the 15th, the 20th or the 22nd.

**Rob Roberts:** The week before or after, sure.

- Q18 **Chair:** That is the last day before the conference recess.



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Anyone else, please? I think the point that Bob has made is that the application is in, and in terms of when you want it, it is not immediate. If you could get some Labour names to be added to it, it is a live application, but that would be really useful from our perspective. Okay?

**Rob Roberts:** Okay. As I say, many of the Welsh Labour MPs are Front-Bench spokespeople.

**Chair:** There are a few that aren't, though.

**Rob Roberts:** There are a few that aren't. Do you want me to restrict it to just Welsh MPs?

**Chair:** No, no. I would have thought there would be MPs on the English side of the border—for instance, I noticed Daniel Kawczynski is there. He is an English MP on the English side of the Welsh border, isn't he? That is fine from that perspective. Rob, thank you very much indeed.

**Rob Roberts:** Thank you all very much.

**Bob Seely** made representations.

Q19 **Chair:** Last but not least, we have Bob Seely. Apologies for the wait. The application is on planning policy in the United Kingdom. Over to Bob.

**Bob Seely:** First, I apologise that the application was slightly misrepresented last time. Bob's name should not have been on it. I was texting him about something, and he might have uttered the word "yes", but it was probably related to something else. Also, there was a slight formatting issue. There were a lot of Tory MPs—overwhelming numbers—but there were also a number of Labour and Lib Dem MPs as well, but we did not put them in the top 10. I apologise because they should have been.

There is an elephant in the room: the levelling-up and planning Bill is happening. However, that is not the purpose of this application. There is so much happening in planning at the moment—in the last year to 18-months—over and above any changes that may be happening in that Bill. For example, there is considerable friction, as I understand it from colleagues in London, between the mayoral planning powers and the boroughs. Working from home has dramatically changed the housing market. Just in my patch, property owners are being encouraged to evict renters from their primary home and repurpose the property for holiday lets and the Airbnb market. That is having a massive effect. In the Isle of Wight, which has relatively cheap housing compared to elsewhere in the south-east, we are now seeing a massive property value spike, local Islanders are being kicked out and made homeless and we have a rising and significant homelessness problem for the first time. That is because people are repurposing primary residences for Airbnb.

Talking to colleagues in Tewksbury and elsewhere, flooding and flood defences remain a major issue. Housing targets remain a major issue, as does how we incentivise a brownfield versus a greenfield site. For a



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number of us, including myself and many people on the south coast, a major issue is the remaining loopholes in the current planning system that allow people to develop caravan parks in highly sensitive areas. If a caravan left on a site is told to be removed, or the council have ordered its removal, but it is not followed through on for 10 years, you can then cover that field in caravans. A number of us have that problem and it is ongoing—if anything, it is getting worse, because there are people who are specialising in gaming the system. For example, because one caravan was left on a SSSI, on heritage coastline in an AONB, I now have 200 slabs of concrete on an SSSI. I wish that was an isolated incident, but it is not. A number of colleagues in Essex, Kent, Devon, Dorset and Cornwall—where there tend to be caravan parks—have said to me they have the same problem.

Those things are over and above the multiple issues that are in the planning Bill, which are considerable in themselves. I understand and accept the point that this is not to be a rehash of the Second Reading debate of the levelling-up and planning Bill. There is enough going on in planning, especially post covid, to justify a debate. The debate will be in the context of other things going on—that is true—but it is not a replacement or a substitute for it. I wanted to ensure that was understood. I apologise if that was not clear enough first time.

There are nearly 50 colleagues who have signed up to the debate, so when it comes to the popularity of the issue, whether people are going to talk about SSSI housing targets or working from home, there is not going to be a shortage of speakers. If you were generous enough to grant a three-hour debate at some point this year, I suspect we would not have a problem filling that. If it was like last time, we would have to place an immediate time limit on it, sadly, because nearly 50 colleagues are keen to speak.

**Q20 Patricia Gibson:** This is less to do with what you've written and more to do with what you've said. I was very surprised that you haven't got any SNP names, because of the UK aspect of it. You were talking about the problem with holiday lets and the pressures they create for local communities—particularly island and rural communities. I don't know if you're aware, but in Scotland the Scottish Government have given local authorities real powers to restrict the number of Airbnbs and holiday lets within a particular geographical area because of the problems you have identified.

**Bob Seely:** Patricia, you are making a very good point. That is my error. I automatically assumed that, because planning is devolved, I should not bother to ask SNP MPs. However, I am more than happy to go away and, in the next week or so, talk to some of your colleagues, and, indeed, Scottish MPs from across the parties, on this issue. I suspect that I could probably add another 10 or so names. If you are suggesting I should do that, I am super happy to do that.

**Patricia Gibson:** Particularly since it says "UK" in the title.



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**Bob Seely:** Sorry, that was my slip-up. I thought that, because planning is devolved, I'm not going to go and talk to the Scottish MPs. However, if you're hinting that I should, just indicate that—I will very happily go and hunt for some Scottish MPs.

Q21 **Patricia Gibson:** Or you could take out the "UK" bit of the title.

**Bob Seely:** I don't mind—I like the "UK" bit.

**Chair:** You have seven Opposition MPs on the list, as far as I can see. For a three-hour debate, we would normally be looking for 15 to 18—

**Bob Seely:** Opposition?

Q22 **Chair:** No, 15 to 18 names on the list, as a minimum. Of that, we would be looking for five to seven Opposition names. It does not matter that you have lots and lots of Conservatives—you have seven Opposition Members on there already, Bob. I think that is fine from that perspective. Are there any further questions or comments from colleagues?

Is this time-sensitive, Bob? Are you really holding out for a Chamber debate? As you'll have heard from earlier exchanges, we might be looking at post recess—possibly even post the conference recess.

**Bob Seely:** I am happy with post recess. I am certainly not expecting anything in July. It could be early October, but it would be nice to have something in September. Something in that September fortnight would be the most attractive for us—

**Chair:** We are actually back for three weeks in September.

**Bob Seely:** Three weeks! That is very exciting. How lucky we all are. Having the debate at some point in that three weeks would be lovely—that would be most beneficial. Look, the levelling-up and planning Bill is going to be coming back to us, so it would be nice to have this debate before further readings of that, but it has not been tied to any one thing. September would be great, if possible.

**Chair:** Thank you very much indeed. That brings us to the end of our public deliberations. We now go into private session. Order.