



Backbench Business Committee

Transcript of meeting

Tuesday 12 January 2016

Representations made before the Backbench Business Committee on Tuesday 12 January 2016

Members present; Bob Blackman (Chair), Mr Peter Bone, Kevin Foster, Mr Philip Hollobone, Gavin Newlands and Mr David Nuttall.

Martin John Docherty; Chris Heaton-Harris; Mrs Flick Drummond; Patrick Grady; Stephen Kinnock made representations.

Questions 1-29

In the absence of the Chair, Bob Blackman was called to the Chair.

Martin John Docherty *made representations.*

Q1 Chair: Welcome to the Backbench Business Committee. So that colleagues are clear, we are taking applications for debates that we have received as of Friday, but we have agreed to take at the end a special request that came in late. We are looking at business to be allocated for Thursday this week and Thursday the following week in particular. Can all colleagues confirm in their introduction their availability to fill those slots, if the Committee decides that we wish you to do so?

Martin John Docherty: Thank you for the opportunity to present to the Committee on behalf of my colleague, the hon. Member for Aberdeen North (Kirsty Blackman). My colleague has been putting forward many opportunities to discuss reform of the House of Lords, which is why she wanted to place this before the Backbench Business Committee.

Q2 Mr Hollobone: On a point of order, Chairman. May I seek your advice? The hon. Member in front of us is presenting his own case; it cannot be on behalf of a Front Bencher whose responsibility covers this area. It must be in his own right, surely, and not on behalf of someone else. Am I correct?

Chair: Yes, absolutely. The rules are very clear: Front-Bench spokesmen for the Opposition, the Government and the Scottish National party cannot make applications for debates in the subject area on which they lead. What will therefore happen, if this application is successful, is that Kirsty Blackman's name will not appear on the Order Paper alongside the names of the Members leading the debate. She may take part in the debate, representing the SNP Front-Bench position, but this application is for a Back-Bench opportunity. The SNP has an opportunity to bring forward debates in Opposition time in its own right.

Martin John Docherty: I thank you, Chair, for that clarity, and the hon. Gentleman for pointing that out. I will certainly now put forward my position, as I would hopefully do on the Floor of the House.

I am sure Members are aware that the Government are bringing forward the Strathclyde review. One of my concerns, which is shared by many Members across the House, is that that was not part of the Conservative party's manifesto during the general election. We would like the opportunity to debate that in a wider context, across the Chamber of the House of Commons.

I am aware that the reform agenda of the House of Commons has not been debated on the Floor of the House since 2011. While I am aware that it has been debated in Westminster Hall in recent years, there has not been an opportunity for the wider Chamber to discuss the issue of House of Lords reform. Given the critical issue of the Strathclyde review and the recent impact of the House of Lords on the Government's own agenda, for instance on tax credits, there is now an opportunity for the House, in its wider agenda, to discuss the possible reform, or the impact of reform, that the Government propose through the Strathclyde review.

Now that we are getting to the second half of the parliamentary year, we are approaching the prorogation decisions made in the Lords, which could halt Government legislation. As a Member for a Scottish constituency, I would be gravely concerned that that may have an impact on the Scotland Bill as well. I will be placing an early-day motion before the House this afternoon on a related issue, for the House of Lords to recognise that they, and specific Members of the House of Lords, may have an impact on that.

I am looking for the Backbench Business Committee to recognise that now is an opportunity for Members to debate this formally on the Floor of the House, in order to allow Members to ask Government Ministers about the purpose of the review, given that it was not set out in the Conservative party's manifesto during the general election, and critically, to recognise that there is some concern about recent appointments to the House of Lords through the honours list and the emergence of appointments of party donors.

Many Members believe that there needs to be greater transparency, and we hope that this opportunity would allow us to hold to account the Government on the Strathclyde review—whether or not Members agree with it, it is happening, and they need the opportunity to discuss it on the Floor of the House—and to shine a light on the perceived lack of transparency in how Members of the upper Chamber are appointed. I, and I am sure Members who support this opportunity, would really welcome the Backbench Business Committee's support to enable this debate to take place.

Q3 Chair: I have one or two questions. Could you indicate whether you could run the debate on Thursday of this week or Thursday of next week?

Martin John Docherty: Yes, I will be able to, Chair.

Q4 Chair: The second issue is that our guidance states that we expect to see 15 speakers for a three-hour debate, and the application is some way short of that at the moment. Equally, we expect to see broad cross-party support, and I do not see that in the application.

Martin John Docherty: I would certainly hope to make sure that that was rectified at the soonest opportunity.

Q5 Chair: We would want to know the numbers, for two reasons. One is that we do not want business to collapse quickly. We want to know that the debate will run for that length of time before we approve the subject area for the debate. So I urge you to do that today.

Martin John Docherty: I certainly will.

Q6 Kevin Foster: I was trying to get a sense of the flavour of the debate. Touching on what the Chair has just said, usually we look for cross-party flavour, and when I saw the initial application I presumed it was a debate about the wider future of the House—elected, non-elected or complete abolition, which some Members believe in and advocate—rather than necessarily going over things that could be part of a contemporary Opposition day motion. For me, that is one of the differences. What reassurances can you give about why the appropriate choice is a Backbench Business debate about the future of the House of Lords generically, and about this not being something that could be an Opposition day motion coming in by the back door?

Martin John Docherty: The hon. Gentleman is right in terms of the opportunities for all Members across the House to participate, and of ensuring that that happens. I would call upon Members, on both the Government and the Opposition Benches, to ensure that the debate is about the reform process of the House of Lords, but also about the many different issues for different constituencies. For instance, members of my political party do not take positions in the House of Lords; that is our political standpoint. Many of our representatives are clear that they would not support nomination to the House of Lords. That might be part of the debate, but it would not be the only part.

There would be the philosophical and political debate about the role of an unelected Chamber, and it could possibly inform the future agenda of the Strathclyde review as well. It would be an opportunity to engage with the Government on their processes, and perhaps to assist them in better understanding where Members across the Chamber, whether on the Opposition or the Government Benches, are coming from.

If the debate is agreed to—I hope that it will be—it will be an opportunity for all Members to participate, and I would hope to secure some signatures from the Government Benches as well, to make sure that there is a broad spectrum of opinion on Lords reform.

Gavin Newlands: Further to that point, if it was an Opposition day debate, it would perhaps be a substantive motion about abolition. It would be about SNP policy. The fact that it is a debate about the House of Lords in general is to encourage all Members of the House to participate. I just wanted to make that point.

Q7 Mr Bone: The bit of paper I have in front of me appears to say that you would be happy to go into either the Chamber or Westminster Hall. As I understand it is a general debate, we would be

more likely to look at Westminster Hall. But when you were speaking you seemed to say that it should be on the Floor of the House.

Martin John Docherty: We are certainly looking for an opportunity to debate Lords reform, and if the Committee allows it to come to the Floor of the House that would offer as many Members as possible the opportunity to inform the debate, whether that is Members who believe in its complete abolition and do not believe in a bicameral legislative process, or Members who want to support the House of Lords. Being on the Floor of the House of Commons would enable the broadest spectrum of opinion to be heard and to inform the debate.

Q8 Mr Bone: I do not follow that logic. Every Member is entitled to go into Westminster Hall, and Westminster Hall is in no way, in that regard, a subsidiary chamber for a general debate. I do not follow the argument that there would somehow be a restriction on the number of Members who would be able to go into Westminster Hall.

Martin John Docherty: I accept that there certainly would not be that restriction, but outside this House it would be seen as a positive step that those who elect us could see this issue, which has caused some consternation in the press recently, being debated on the Floor of the House of Commons itself. I think that may give some gravitas both to the debate and to the issue seen outside the House.

Q9 Mr Bone: From that, may I draw the conclusion that you would not accept Westminster Hall?

Martin John Docherty: I see where you are leading me—he is very good at that, Chair.

Mr Nuttall: Surely we have to deal with what is before us, and what is before us is an application for a general debate in either the Chamber or Westminster Hall.

Q10 Chair: That was the application, so the opportunity is here for you to clarify that and change it if you wish. The risk you run is that clearly there are a range of opportunities and people bidding for debates at the same time. Equally, at the moment your application is not valid, because it does not have—

Martin John Docherty: Yes. Given your advice, Chair, I think we will stick to both Westminster Hall and the Floor of the House.

Chair: Thank you very much. The Clerks will be in touch.

Martin John Docherty: That is great. Thank you very much indeed.

Chris Heaton-Harris *made representations.*

Q11 Chair: We now move on to Chris Heaton-Harris.

Chris Heaton-Harris: Was the application long enough for you, Mr Chairman?

Chair: The fact is that one key part of the form—the Members who want to speak in the debate—is blank.

Chris Heaton-Harris: Yes. There is a very good reason for that. As you know, information went around last week that there were a couple of slots available for Back-Bench business, and I literally had just started on a constituent's inquiry. Let me give you a tiny bit of background. The constituent runs a business that has essentially gone a bit south because of unfair competition that he says is because of the way that Amazon and eBay operate their businesses now. Essentially, it is an inquiry about VAT evasion.

He alleged to me that if you are an Amazon Prime customer, you want your goods and Amazon will guarantee that you will get them within 24 hours—it is sometimes faster in certain postcodes. He is a purveyor of many things, but one of them is high-quality doorbells manufactured in China.

The manufacturer now has a lot of stock in an Amazon warehouse in the United Kingdom to fulfil Prime customers. Because that stock has not been sold, no duty is being paid on it at that point. My constituent's main competitor—the manufacturer—has a fake VAT number on the Amazon site. He is undercut by at least 20%, so his business is tailing off while many of these Chinese retailers who used to be able to purvey through Amazon and eBay, but whose goods used to take 60-odd days to get to the United Kingdom, now have this practice.

You will see that I copied into my application a newspaper headline and story published in the *Financial Times* just before Christmas. I believe that HMRC is now looking into this, and I was on the Public Accounts Committee when we looked at many types of VAT and tax evasion. However, my constituent only came to me just before Christmas and this was in the papers just before Christmas, so when the opportunity arose last week I threw in an application in the vague hope that I would get some time and then I could wander around speaking to the many people in this House who have an interest in tackling VAT and tax evasion and prime them to come and speak in a debate.

Q12 Chair: Okay. I gently point you to the need to supply a list of potential speakers and also the fact that the subject area, I think, would be answered by the Treasury.

Chris Heaton-Harris: I would like to think so, yes.

Q13 Chair: There is an opportunity for a 90-minute slot on Tuesday 26 January in Westminster Hall, answered by the Treasury, if you can furnish us with a list of potential speakers, which would fit in quite neatly.

Chris Heaton-Harris: That sounds absolutely perfect to me. The former chairman of the Public Accounts Committee, Margaret Hodge, would normally be the first person I would go to on such matters, and I would like to think she would be very interested in this, but I think lots of Members will have businesses in their constituencies that are affected in the same way. If my constituent is right about the few businesses that he has pointed out to me, this costs the British taxpayer £10.8 billion a year, so I think there would be some interest.

Q14 Mr Nuttall: If it is a £10.8 billion cost to the British taxpayer, surely something needs doing today. Now. Immediately. We are going to be waiting until 26 January.

Chris Heaton-Harris: I like to think that just being here and having this broadcast might be ruffling a few feathers and getting HMRC more interested.

Chair: If no one else wants to speak, I shall thank you very much. We look forward to receiving your list of speakers.

Mrs Flick Drummond *made representations.*

Q15 Chair: Sarah Wollaston's application is next.

Mrs Drummond: Sarah is chairing the Health Committee this afternoon, so I said that I would attend. I don't think the application is particularly controversial, but there was recently a debate in Westminster Hall on obesity following the Jamie Oliver petition and not all Members were able to speak, and a report on obesity is coming out in the next couple of months. We think it would be very helpful, as do a lot of my colleagues, to have another debate—a longer debate, please, in the Chamber. Hopefully it will be a quick decision.

Q16 Chair: The key issue is that Sarah has indicated that she would rather not do this Thursday.

Mrs Drummond: Next Thursday would suit most of us, if that is possible.

Q17 Chair: Right, so your preference would be for a week on Thursday.

Mrs Drummond: Yes. We would be extremely grateful if we could have it next week.

Q18 Mr Hollobone: You said that this isn't particularly controversial.

Mrs Drummond: Well, it is a controversial topic, but as far as the Backbench Business Committee is concerned I am hoping that it isn't controversial to hold the debate.

Q19 Mr Hollobone: We quite like controversy. We do controversy rather well. You could make this more controversial by actually saying what you mean. You could say, "This House calls on the Government to introduce a sugar tax", for example, which would attract a lot more interest to a debate on the Floor of the House than the wording here. I cannot imagine that any MP would want to vote against the wording of this motion.

Mrs Drummond: It is not just about a sugar tax. I don't know whether you heard the radio this morning, but it is not just about sugar; it is also about the number of portions people eat, fast food and educating people on what is in food generally and how much to eat. So it is quite a wide-ranging debate. The report that is coming out from the Government next month will probably cover more than just a sugar tax.

Q20 Mr Bone: Just picking up on what Mr Hollobone said, that substantive motion could effectively be a general debate. It does not say anything. As Mr Hollobone said, nobody is going to vote for obesity. Some people want more of a general debate because they don't want to upset the Government on this or that, but if you had a list of things that you wanted the Government to do and the House then decided to pass them after a debate, you would be carrying some weight.

Mrs Drummond: We are hoping to give Members a chance to contribute to that particular Government report. That is why we have kept it quite wide, because it is quite a wide-ranging area. We are hoping that people will be able to start to influence the report as well.

Kevin Foster: I am quite happy to have a relatively wide debate, rather than getting nailed down into individual specifics, because that then starts to become a row about whether people are for or against a particular proposal, rather than a wider thing that asks for strategy. We can then argue over what should be in that strategy.

Q21 Chair: We have to adjourn for votes in the House. I understand that there will be more than one vote, colleagues. If we can get back as quickly as possible after the last vote, we can continue. Have you finished, Mrs Drummond?

Mrs Drummond: I have finished, yes.

Chair: Then we are content. I'm sorry, but other colleagues will have to return to make their cases later.

Sitting suspended for Divisions in the House.

On resuming.—

Patrick Grady made representations.

Chair: We will carry on proceedings. Patrick, you are first up.

Patrick Grady: Thank you. I am standing in for my colleague, Dr Philippa Whitford, who sends apologies because she is at the Health Committee, and my colleague, Carol Monaghan, who was here but has gone to see if she can join the Science and Technology Committee, which she is a member of. We are all very supportive of the debate and we are bidding for a slot this Thursday, 14 January, for a number of reasons that I will come on to, in either Westminster Hall or in the main Chamber.

Philippa and myself will unfortunately not be available on the 21st, so we are hoping for this Thursday, failing which we might try for another day. The other reason for bidding for the debate this Thursday is that it is the day before Major Tim Peake is expected to become the first British astronaut to make a space walk, after already becoming the first astronaut from the United Kingdom to join a European Space Agency mission to the international space station.

The members of the all-party group on space have been encouraged by the high level of public interest in issues to do with space exploration and the space industry that has been generated by Major Peake's mission. We think that a debate, either in the main Chamber or in Westminster Hall, will give parliamentarians the opportunity to reflect on both the opportunities arising from space exploration and the space industry, and the considerable achievements in a range of areas—under “short topic”, I

put cultural, technological, economic and scientific. A range of experiments in physics, biology and health that will have benefits back on Earth are being conducted up in the space station.

Culturally, the draft motion that we prepared references the considerable achievement of putting the international space station into operation during the cold war. Despite all the tension and geopolitical troubles during those 40 years, work continued in an example of intergovernmental, global co-operation that we think is worth highlighting. Technologically, the Consumer Electronics Show has been taking place in California. Many devices that we take for granted these days were developed as a result of the space programmes throughout the 20th and 21st centuries.

Perhaps most significantly, of course, there is the economic case. All the different developments that arise from the space industry provide innovations that are taken forward and contribute to the country and the global economy. The substantive motion we propose makes specific reference to the opportunities arising from the space port, in which Dr Whitford has a constituency interest. There are five or six other locations across the United Kingdom where we might also hope to see some interest from Members looking for progress on this before the Government's target date of 2018. That is why, if we take a substantive motion, we have that call to the Government to bring forward more detailed proposals beyond the announcement made in March last year.

We think it would be a historic debate, not just because of the timing and the coincidence with the mission to the space station, but because, according to our research—I am happy to be corrected on this—the last time there was a debate on space policy was in Westminster Hall in 2005, so it has been quite some time since the House has addressed this issue. I recognise, bearing in mind the questions put to other speakers, that we have not provided a massively substantial list of speakers, although we have a range of cross-party interest. That is partly due to the short notice with which we decided to submit the application. My colleagues and I would be keen to go back to the all-party group on space, in particular, and talk to Members who we think might have a constituency interest in the space port to identify speakers, if that would help the Committee.

Q22 Chair: Before I call in other colleagues, there are two things that I want to raise. The application says that you will have a list of speakers for us today. If we are talking about a debate on Thursday, it doesn't leave much time to ensure that there are sufficient speakers to have a proper debate. What action will you be taking this afternoon to acquire a list of speakers?

Patrick Grady: I will urgently contact members of the all-party group on space, some of whom have indicated their support for the motion but have not necessarily confirmed their availability to speak. I will supply that to you.

Q23 Chair: We would be very nervous about having a debate this Thursday with a limited number of speakers. Obviously, that would not reflect well on this Committee. Having confirmation of the number of speakers by close of play this evening is essential.

The second issue is the topic, which would obviously go on the Order Paper. I wonder whether a rather shortened version of the mouthful you have there could be utilised.

Patrick Grady: Certainly. I am very happy to take a steer from the Committee.

Q24 Chair: You can liaise with the Clerks afterwards about that. Colleagues, any questions? No? Happy? Thank you very much. The Clerks will be in touch with you this afternoon, so don't depart from these premises.

Patrick Grady: If I may make a final bid: Members from Scotland always like to get away as soon as we possibly can on a Thursday, so we are looking for a Thursday morning slot, but I will not push my luck.

Chair: Just so you are clear, our normal policy would be that, where there is a votable motion in the Chamber, it would take precedence and would go on first, and then a general debate would be held later. That would be the normal way for us to do it, but I am not going to say that that will be the case here because we may have two votable motions.

Patrick Grady: Indeed. Thank you very much.

Stephen Kinnock *made representations.*

Stephen Kinnock: Many thanks for accommodating me at the last minute. As you will have seen, my request is for a debate on the future of the UK steel industry. I am absolutely conscious of the fact that there was a Backbench Business Committee debate on this a few months ago, but a number of important things have happened since then. First, there was a summit on steel hosted by the Secretary of State for Business, Innovation and Skills with a number of other stakeholders. Coming out of that summit, three working groups were set up on a range of different issues where the UK steel industry is asking the British Government for urgent and active support. One piece of this is about asking for a progress report on what is happening with those very important working groups.

The other piece is that the perfect storm, as we call it, that has been affecting the steel industry is starting to blow very much in my constituency in Port Talbot. The Port Talbot steelworks is the largest in the country in terms of employees, employing about 4,000 people, and it is in a state of crisis. The plant is losing approximately £1 million a week, and an urgent turnaround plan is being put together with McKinsey consultants. The CEO of Tata Steel Europe will be going out to Mumbai to make a presentation in February. The potential for either full closure of the plant, losing up to 4,000 jobs, or at least a turnaround plan with between 800 to 1,200 jobs going is a matter of such substantial impact, not only in my constituency but with repercussions nationally, that I think it merits another debate on the Floor of the House, preferably with a vote. I think there is enough in it in terms of both getting a progress report from the Government on what they are doing to support the steel industry and looking at the fact that the crisis is continuing. Just because we had debates on this last year, this thing is not going away—on the contrary, it is continuing to affect us very dramatically. Those would be my main rationales.

Q25 Chair: I am second guessing what several members of the Committee might raise. First, you don't have a list of speakers. With due respect, just saying "all members of the steel APPG" doesn't pass the test of having a list of speakers to justify the debate. Plus, you have asked for two hours. There is nothing wrong with asking for two hours but, obviously, our norm is either 90 minutes, three hours or six hours—that is the guidance for debates.

Stephen Kinnock: I am sorry. That is my ignorance.

Q26 Chair: At the moment, clearly, you fall between the two stools of either 90 minutes or three hours.

Stephen Kinnock: Ninety minutes would be fine.

Q27 Chair: The second issue is that you have asked for a general debate. Even though there is a motion here, it is basically “considered,” which would allow us to allocate the debate to Westminster Hall, provided that you have sufficient speakers to justify that length of debate. That would be available to you either this Thursday, the following Thursday or even, depending on who is answering this—presumably it would be a BIS Minister—a slot in Westminster Hall on the morning of Tuesday 26 January for a 90-minute debate. Would that be acceptable to you in terms of the timeframe if this Committee is minded to grant it?

Stephen Kinnock: Yes. On the number of speakers, 55 Members of Parliament are members of the APPG, so I’m relatively confident, fishing in that pool, that we could get plenty of speakers. Next Tuesday doesn’t actually work for me.

Chair: It would be a week on Tuesday. Two weeks today.

Stephen Kinnock: Are Thursday options available?

Chair: At the moment, we have an option this Thursday and potentially next Thursday, but it may be the following Thursday. We do not know in advance about Thursdays.

Stephen Kinnock: I think this Thursday would be a bit too soon, because I would want a little bit of time to ensure that we get lots of speakers, so one of the later dates would be my preference. I think they all look okay, but I have a slight question mark in the back of my mind about the Tuesday. Although it has not actually gone into my diary, something rings an alarm bell there. Would it be all right if I were to come back to you on that?

Chair: To the Clerk, yes. I think there will probably be some negotiations this afternoon on certain things.

Q28 Mr Bone: I have been following the plight of the steel industry, which is a nationwide and cross-party issue. The summit did ask for certain things to be done, and there will be differing views of whether any or all of those things have been done, but this is not really a substantive motion. This is a general debate motion that could go to Westminster Hall. I am not trying to put you off doing that, but if it was going to be a genuine substantive motion, I would have thought that you might have wanted to say, “The Government should do,” and then a list of things such as exemptions from business rates—

Stephen Kinnock: Public procurement, anti-dumping measures.

Mr Bone: Yes. All that could be listed if you were going to go down that route. Equally, a general debate in Westminster Hall might well suit your purposes.

Stephen Kinnock: This is where I have to profess my lack of experience in this area. I’m not entirely sure what the best route to take is. I will reflect on that.

Q29 Kevin Foster: First of all, despite the fact that we have had a previous debate, given the importance of the industry and the wide spread of constituencies affected, it makes eminent sense. It is an ongoing issue to which more time could be allocated. For me, because there is quite a diversity of opinion on what the exact right solution might be, the one bonus of it being a slightly more generic motion is that everyone would be able to express their own view. I suspect that that some of our respective colleagues with steel interests in their constituencies will have radically different views on Government intervention, the roles of the European Union and world trade organisations and everything else.

Therefore, there is a part of me that says that keeping the motion relatively generic gives an opportunity for people to express all those views, whereas we could get into a debate about which type of economic theory is correct, which probably isn't the focus that you would be looking for on the afternoon.

Stephen Kinnock: Thank you. That's useful.

Chair: Thank you for attending. The Clerk will no doubt be in touch with you.

Stephen Kinnock: That's great. Thanks very much for your time.