



PROCEDURE AND PRIVILEGES COMMITTEE

Minutes of the meeting held via Microsoft Teams on Tuesday 1 December 2020

[Items highlighted will be redacted before publication of the Minutes]

Present:

Lord McFall of Alcluith (Chair)	Lord Judge
Lord Ashton of Hyde	Lord McAvoy
Lord Bew	Lord Mancroft
Lord Eames	Lord Morris of Aberavon
Baroness Evans of Bowes Park	Lord Newby
Lord Whitty	Baroness Smith of Basildon
Lord Fowler	Lord Stoneham of Droxford
Lord Geddes	Baroness Thomas of Winchester
Baroness Harris of Richmond	Baroness Warwick of Undercliffe

with the Clerk of the Parliaments.

1. Balloted Questions for Short Debate in hybrid Grand Committee

The Chairman introduced his paper which followed a request from the usual channels to establish a temporary new procedure for ballots for Questions for Short Debate to be taken in the hybrid Grand Committee. During the pandemic the Grand Committee had almost exclusively been used for Bills and secondary legislation, and there was a desire to provide more opportunities for backbenchers to initiate business.

The Chief Whip said that originally the proposal had been to start the balloted QSDs in December but this had been delayed until January following a request from the Administration because staff were already over stretched.

The Chair had written to the Government Chief Whip on behalf of the Select Committee Chairs forum to request more time for the debate of Select Committee reports. The Chief Whip noted this was an issue for the business managers but said that he wanted in due course to make time for debates on Select Committee reports and general debates.

It was agreed that members of the frontbenches (rather than party spokespersons) would not be able to initiate balloted QSDs and that the Liberal Democrats would provide a list to the Table Office. The Committee discussed the analogous position in the physical House for topical oral questions, PNQs, and topical QSDs for the Parliamentary Works Sponsor Body spokesperson and decided that balloted QSDs to the SDS or the Parliamentary Works Sponsor Body spokesperson should be inadmissible.



The Committee *agreed* that from January balloted QSD Grand Committees would be held every five sitting weeks on a Thursday. Four hour-long Questions chosen by ballot would be taken.

2. Hybrid proceedings: stock take business

The Chair introduced the stocktake paper on hybrid proceedings.

The Committee agreed that in January it should consider how to gradually return to normal proceedings in the New Year in line with any decisions made by the Commission about social distancing on the Estate.

A number of points were made about difficulties with hybrid proceedings and particularly the lack of spontaneity that they engendered. The Committee welcomed the work to establish the new hub at Bracknell which would make spontaneity more possible. It was agreed that at its next meeting the Committee would consider a paper containing recommendations for further improvements to hybrid proceedings.

The Committee considered the events of 4 November when a member who wanted to test the opinion of the House was not able to move his amendment.. The Committee *agreed* that a member who might wish to trigger a division should make this clear either during their speech or by emailing the clerk during the debate – following either of these courses of action would not oblige them to trigger a division but would leave that option open to them.

3. Hereditary peer by-elections

The Chairman introduced the paper which firstly asked the Committee to decide whether to recommend a further suspension of hereditary peers by-elections and, in the event that the Committee wanted to proceed with hereditary peer by-elections, asked them to consider the method by which the by-elections should be run.

The Chief Whip pointed out that that, whilst a temporary suspension was justified, the by-elections were required under the House of Lords Act 1999 and therefore he thought the by-elections should go ahead as soon as possible.

The Leader of the Liberal Democrats reminded the Committee that local elections had been suspended until May 2021 and suggested it would therefore be perverse for the House to go ahead with the by-elections. The Lord Speaker suggested that the House of Lords by-elections were different as they could be held using postal or online ballots whereas local elections required voting in person.

The Leader of the Opposition felt there was a reputational risk to the House of holding elections whilst other elections were suspended. She acknowledged that the by-elections



could not be postponed indefinitely but as the situation had not changed materially she favoured a further suspension. The Convenor agreed that the current national emergency appeared to give the House grounds to delay the by-elections. Several members of the Committee suggested that any return to holding by-elections should be proceeded with in tandem with a return to normal proceedings in the House.

The Chair, in summary, said he thought there was a consensus around a further suspension and proposed that the Committee should recommend a further suspension of hereditary peers by-elections until the end of January 2021 when the Committee will further consider the matter. The Committee divided on the question (See Annex for division list).

The Committee *agreed* on division to recommend a further suspension of hereditary peers by-elections until after the next meeting of the Committee in January 2021.

4. Re-setting oral questions limits

The Committee discussed whether to recommend the re-setting of the oral question and topical oral question limits from 18 December (one year since the beginning of the present session). The Chief Whip, supported by the Leader of the Opposition, said he thought resetting the limit was a good idea but that it would make most sense to reset the limits on an annual basis starting from January 2021.

The Committee *agreed* to recommend to the House that the limits per member on oral question and topical oral questions should be reset on an annual basis starting from January 2021. The Committee further agreed that the limits per member on balloted debates and topical Questions for Short Debate should be reset on an annual basis starting from January 2021.

5. Any Other Business

Chloe Mawson
Clerk to the Procedure Committee



Annex

Division

The Committee divided on the Question that Standing Order 10 “Hereditary peers: by-elections” be suspended until the end of January 2021 when the Procedure Committee will further consider the matter.”

The result was :Contents: 13, Not-contents: 4.

	CONTENT	NOT CONTENT
Lord McFall of Alcluith (Chair) (DID NOT VOTE)		
Lord Ashton of Hyde		X
Lord Bew	X	
Lord Eames	X	
Baroness Evans of Bowes Park		X
Lord Fowler		X
Lord Geddes	X	
Baroness Harris of Richmond	X	
Lord Judge	X	
Lord McAvoy	X	
Lord Mancroft		X
Lord Morris of Aberavon	X	
Lord Newby	X	
Baroness Smith of Basildon	X	
Lord Stoneham of Droxford	X	
Baroness Thomas of Winchester	X	
Viscount Ullswater (ABSENT FROM MEETING)		
Baroness Warwick of Undercliffe	X	
Lord Whitty	X	



TOTAL	13	4
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