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**PARLIAMENTARY DEBATES  
(HANSARD)**

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

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<i>Minister</i>	<i>Responsibilities</i>
<b>Baroness Evans of Bowes Park</b>	Leader of the House of Lords and Lord Privy Seal
<b>Earl Howe</b>	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
<b>Lord Ahmad of Wimbledon</b>	Parliamentary Under-Secretary of State, Department for Transport
<b>Baroness Anelay of St Johns</b>	Minister of State, Foreign and Commonwealth Office
<b>Lord Ashton of Hyde</b>	Parliamentary Under-Secretary of State, Department for Culture, Media and Sport, Whip
<b>Lord Bates</b>	Minister of State, Department for International Development
<b>Lord Bourne of Aberystwyth</b>	Parliamentary Under-Secretary of State, Department for Communities and Local Government, Wales Office
<b>Lord Bridges of Headley</b>	Parliamentary Under-Secretary of State, Department for Exiting the European Union
<b>Baroness Buscombe</b>	Whip
<b>Earl of Courtown</b>	Deputy Chief Whip
<b>Lord Dunlop</b>	Parliamentary Under-Secretary of State, Scotland Office and Northern Ireland Office
<b>Lord Gardiner of Kimble</b>	Parliamentary Under-Secretary of State for Department for Environment, Food and Rural Affairs
<b>Baroness Goldie</b>	Whip
<b>Lord Henley</b>	Parliamentary Under-Secretary of State, Department for Work and Pensions, Whip
<b>Lord Keen of Elie</b>	Advocate-General for Scotland and Ministry of Justice Spokesperson
<b>Baroness Mobarik</b>	Whip
<b>Lord Nash</b>	Parliamentary Under-Secretary of State, Department for Education
<b>Baroness Neville-Rolfe</b>	Commercial Secretary to the Treasury
<b>Lord O'Shaughnessy</b>	Parliamentary Under-Secretary of State, Department of Health, Whip
<b>Lord Price</b>	Minister of State, Department for International Trade
<b>Lord Prior of Brampton</b>	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
<b>Baroness Shields</b>	Parliamentary Under-Secretary of State, Home Office
<b>Lord Taylor of Holbeach</b>	Chief Whip
<b>Baroness Vere of Norbiton</b>	Whip
<b>Baroness Williams of Trafford</b>	Minister of State, Home Office
<b>Lord Young of Cookham</b>	Whip
<b>Viscount Younger of Leckie</b>	Whip

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# Written Statements

*Monday, 27 March 2017*

## BEIS Non-departmental Public Bodies

[HLWS555]

**Lord Prior of Brampton:** My Rt Hon Friend the Secretary of State for Business, Energy and Industrial Strategy has today made the following statement:

I would like to inform the House that the Nuclear Decommissioning Authority (NDA) has today announced its decision to terminate its contract with Cavendish Fluor Partnership (CFP) for the management and decommissioning of 12 redundant Magnox sites (including 2 research sites) which, together with the Calder Hall reactor on the Sellafield site, formed the UK's first fleet of nuclear power stations.

The NDA ran a £6.1 billion tender process from April 2012 which resulted in a 14 year contract being awarded in September 2014 to the Cavendish Fluor Partnership – a joint venture between the British firm Cavendish Nuclear, a subsidiary of Babcock International, and the US company Fluor Inc. This decision was approved by the then Department for Energy and Climate Change and HM Treasury.

CFP started work on the Magnox estate on 1 September 2014. There then started a process to ensure that the scope of the contract assumed in the 2012 tender matched the actual status of the decommissioning to be done on each site – a process known as consolidation.

It has become clear to the NDA through this consolidation process that there is a significant mismatch between the work that was specified in the contract as tendered in 2012 and awarded in 2014, and the work that actually needs to be done.

The scale of the additional work is such that the NDA Board considers that it would amount to a material change to the specification on which bidders were invited in 2012 to tender.

In the light of this, the NDA Board, headed by a new Chair and Chief Executive, has concluded that it should exercise its right to terminate the contract on two years' notice. The contract will be terminated in September 2019, after 5 years rather than its full term of 14 years. This termination is made with the agreement of CFP.

Dealing safely with the UK's nuclear legacy is fundamental and non-negotiable. It is important to emphasise that this termination is no reflection on the performance of Cavendish Nuclear or Fluor, and work on decommissioning at all the sites will continue with the management of CFP for a further two and a half years.

During this period, the NDA will establish arrangements for a replacement contracting structure to be put in place when the current contract ends. This work will be led by the NDA's new Chief Executive, David Peattie.

I have every confidence that CFP will continue to deliver to high standards during the remainder of the contract.

Although this decision is one made by the Board of the NDA, it requires the consent of myself, the Chief Secretary to the Treasury and the Accounting Officer of my Department. That consent has been given.

We have a responsibility to ensure that the NDA's decisions reflect its legal obligations, including under procurement law, that further risks to taxpayers' money are contained and that robust arrangements are put in place to deliver this essential decommissioning programme.

In addition I can announce today that the NDA has settled outstanding litigation claims against it by Energy Solutions and Bechtel, in relation to the 2014 Magnox contract award.

The NDA was found by the High Court in its judgment of 29 July 2016 to have wrongly decided the outcome of the procurement process.

As part of the settlements, NDA has withdrawn its appeal against the judgment. While these settlements were made without admission of liability on either side, it is clear that this 2012 tender process, which was for a value of up to £6.1 billion, was flawed. The NDA has agreed settlement payments with Energy Solutions of £76.5m, plus £8.5m of costs, and with Bechtel of \$14.8m, plus costs of around £462,000 – approximately £12.5m in total.

These are very substantial costs and had the potential to rise much further if the case had proceeded to trial.

Taxpayers must be able to be confident that public bodies are operating effectively and securing value for money. Where this has not been achieved such bodies should be subject to rigorous scrutiny.

I am therefore establishing today an independent Inquiry into the conduct of the 2012 procurement process and the reasons why the 2014 contract proved unsustainable. These are separate issues but both need to be examined thoroughly by an authoritative and independent expert.

I have asked Mr Steve Holliday, the former Chief Executive of National Grid to lead the Inquiry. The Inquiry will take a 'cradle to grave' approach beginning with the NDA's procurement and ending with the contract termination.

The Inquiry will also review the conduct of the NDA and of government departments and make any recommendations it sees fit – including what further investigations or proceedings, for example possible disciplinary proceedings, may be required as a result of its findings.

The terms of reference for Mr Holliday's Inquiry will be placed in the libraries of both Houses. Mr Holliday will report jointly to me and to the Cabinet Secretary, and his report will be made available to this House, including

to the Business, Energy and Industrial Strategy Select Committee.

This was a defective procurement, with significant financial consequences, and I am determined that the reasons for it should be exposed and understood; that those responsible should properly be held to account; and that it should never happen again.

### **Boundary Commission for England: Deputy Chairman**

[HLWS558]

**Lord Keen of Elie:** My right honourable friend the Lord Chancellor and Secretary of State for Justice (Elizabeth Truss) has made the following Written Statement.

"I should like to inform the House that I have made the following appointment under Schedule 1 to the Parliamentary Constituencies Act 1986:

- The Honourable Mr Justice Nicol has been appointed as Deputy Chairman of the Boundary Commission for England, effective from 27 March 2017 until 26 March 2020."

### **Justice and Home Affairs Pre-Council Statement**

[HLWS557]

**Baroness Williams of Trafford:** My rt hon Friend the Minister of State for Fire and Policing (Brandon Lewis) has today made the following Written Ministerial Statement:

The first formal Justice and Home Affairs Council of the Maltese Presidency will take place on 27 and 28 March in Brussels. The Home Secretary, the Rt Hon Amber Rudd MP and I will represent the UK.

Interior day (27 March) will begin with a discussion on IT Measures Related to Border Management. The Presidency will provide a progress update on negotiations on the European Travel and Information Authorisation System (ETIAS) proposal and the Entry/Exit System (EES) proposal. The Government recognises the importance of increasing the security of the EU's external borders, however as the UK is not part of the border control aspects of the Schengen agreement it will not take part in either proposal. This item will be followed by a progress update from the Presidency on the implementation of the European Border and Coast Guard Agency (Frontex). Again, the UK will not take part in the new Agency. However, we will continue to provide support to its operations on a voluntary basis, as we have done with its predecessor.

Interior day will continue with a debate on the EU's Returns policy. The Commission will present an Action Plan to improve the effectiveness of returns from EU Member States to third countries, and a recommendation for enhanced implementation of the Returns Directive. The UK does not participate in the Returns Directive but

welcomes the Commission Communications, and the Home Secretary is likely to intervene to share UK experience and best practice in the area of returns to third countries.

Over lunch, Ministers will discuss implementation of the EU Migration policy. I expect the Presidency to reiterate its calls for Member States to meet commitments made under Relocation measures, which the UK did not opt in to, and to increase support to the European Asylum Support Agency. The Home Secretary will confirm the UK's existing commitment to deploying asylum and border experts to support Greece.

The afternoon session will start with a short item to update on the recent activities of the Radicalisation Awareness Network (RAN). The UK is supportive of the work of the RAN to bring together practitioners, civil society and policy makers to help develop tools to tackle radicalisation.

The Council will then discuss external aspects of EU Migration policy, including follow up to actions contained in the Malta Declaration and the Valetta Action Plan. The UK supports the Malta Declaration and ongoing efforts to stabilise Libya. The Home Secretary will press for concerted action to tackle organised immigration crime into and within the EU, and stress the importance of using regional partnerships, specifically the Khartoum Process, to drive forward work under the Malta Declaration.

Under 'Any Other Business', there will be an update from Austria on the "Managing Migration Challenges Together" Conference. The Commission will update on follow-up to the December 2016 EU-Internet Forum, specifically the outcomes of Commissioner Avramopoulos' visit to the United States to discuss actions that internet companies are taking to counter terrorist propaganda and extremist content online. The Presidency will also provide an update on EU responses to the European Court of Justice's TELE2-WATSON judgment on data retention, ahead of a substantive discussion on Justice day. The Home Secretary will emphasise the importance of law enforcement experts being engaged in identifying appropriate responses.

The final substantive item of Interior day will cover a progress report from the Presidency on negotiations on the reform of the Common European Asylum System (CEAS). The UK has not opted in to the majority of these measures, and is unlikely to intervene on this item.

Justice day (28 March) will begin with an update from the Presidency on its proposal to convene a Friends of the Presidency group to facilitate a common reflection process at EU level on the impact of the TELE2-WATSON judgment on data retention. The UK is committed to working with other Member States to understand the potential risks this judgment poses to investigating crime and protecting the public. I will emphasise the need to develop a common understanding on the necessity of data retention in relation to law enforcement and public safety.

On Criminal Justice in Cyberspace, the discussion will focus on strengthening and further aligning the legal frameworks and practical processes that allow access to, and the transfer of, electronic communication data to support the prevention and prosecution of crimes. I will intervene to support efforts to improve and coordinate Member States capabilities in this area.

There will then be a policy debate on the criminal justice response to Foreign Terrorist Fighter Returnees. This will involve a discussion about policy recommendations made by the European Counter Terrorism Coordinator to tackle the threat from returning foreign fighters. I will highlight the work the Foreign Secretary is leading focused on the collection of evidence that can later be used to convict returning foreign fighters.

On combating financial crime and terrorist financing, the Presidency will provide an update on the progress made at the working groups for the Directive on countering money laundering by criminal law and the Regulation on mutual recognition of freezing and confiscation orders. The UK is currently considering whether or not to participate in these measures.

The morning will end with an update on the progress of the negotiation of the Directive on certain aspects concerning contracts for the supply of digital content. The UK is broadly supportive of the objectives of the proposal.

The final agenda item on Justice day will be a lunch discussion on the protections afforded to 'whistleblowers'. The UK will share information on its system for protecting 'whistleblowers' in response to Presidency questions on the matter.

## Rail Franchising

[HLWS556]

**Lord Ahmad of Wimbledon:** My Right Honourable friend, the Secretary of State for Transport (Chris Grayling), has made the following Ministerial Statement.

I am pleased to inform the House that following a rigorous competition I intend to award the South Western rail franchise to First MTR South Western Trains Limited pending the successful completion of a standstill period of at least 10 days.

The House will know that this Government is determined to transform the way that the railways work to deliver a revolution in services for passengers. In December 2016, I set out my vision for achieving this through a new era of joined up working between train operators and Network Rail. Earlier this month my Department announced a consultation on the South Eastern franchise which explained our ambition for bringing together the operation of track and train, so that one team of people is focussed on providing the best service to passengers. Today's announcement that First MTR South Western Trains Limited has been awarded the South Western franchise means we are a step closer to achieving that ambition.

The new franchise will see closer partnership working between track and train. A railway that is predominantly run by an integrated local team of people with a commitment to the smooth operation of their routes, improving services and performance is at the heart of my vision for the network, and First MTR South Western Trains Limited expects to work even closer with Network Rail with the shared aim of giving passengers exactly that. The joint teams will work to drive higher performance, achieve greater productivity in operations, improve maintenance delivery and infrastructure renewals, and support infrastructure improvement delivery, all for the benefit of passengers across the South Western network.

The new franchise will run for seven years from 20 August 2017 to 18 August 2024, with an extension of 11 railway periods callable at my discretion.

This is the thirteenth franchise award since 2013: a rapid programme of renewal which represents the Government's determination to transform the travel experience for rail passengers across the country. In the last twelve months alone, new franchise agreements have released private funding for brand new trains in the North and the East of England. The new South Western franchise will also see investment in brand new and refurbished trains.

This Government is funding the biggest investment in rail since Victorian times, and the award of this new franchise is the latest step in making journeys better: simpler, faster and more reliable. Passengers across the South Western network will see improvements to their journeys, whether travelling into central London, or between the towns and cities in the southern and south-western counties of England. The new franchise will support the communities and boost economic growth in the regions it serves.

Passengers, local authorities, businesses and other stakeholders across the area contributed to a highly demanding and challenging specification for the new South Western franchise. Bidders were invited to demonstrate how they would meet this specification, and I am delighted that First MTR South Western Trains Limited set out an exciting plan for the franchise that will not only meet but significantly exceed these expectations.

First MTR South Western Trains Limited will oversee a £1.2 billion investment programme to improve services for passengers on all parts of the network from London to the South West. There will be 22,000 extra seats into London Waterloo each morning peak and 30,000 extra seats out of Waterloo each evening peak, and a fleet of 90 new trains will provide more space for passengers on Reading, Windsor and London routes.

The plans were designed to make optimum use of our major investment to increase platform capacity at London Waterloo. First MTR South Western Trains Limited will use the experience of one of its major shareholders MTR, who operate the busy Hong Kong metro, to deliver smooth and rapid journeys for passengers travelling around London's suburban network. Faster journeys will be delivered through a consistent fleet of new suburban



trains offering a regular, metro-style service. Passengers can look forward to more space, ensuring that the railway can support London's growth.

The train journey is only one part of the passenger experience, so we were very pleased with First MTR South Western Trains Limited's plans for significant investment in station improvements. They will deliver at least 1,500 new car park spaces, refurbished waiting rooms, more seats and new waiting shelters. There will be investment to make Southampton Central station a destination fit for the community it serves, with a new entrance canopy, improved retail, and better facilities for passengers.

The use of smart cards will be expanded, and there will be a new smart card product, automatically offering the cheapest walk-up single or day return fare. A new flexible season ticket will benefit people working fewer than five days a week, there will be a discount offered for people buying twelve consecutive monthly season tickets, and new discounts for student travel. Season, single and return tickets will be made available on smart cards across all of the franchise.

I am pleased to announce also that the new South Western franchise will introduce new Delay Repay compensation, including for delays of 15 minutes or more, and with automatic claims for smart card season tickets and advance purchased tickets bought through their digital channels.

There will be better information for passengers, so that they can make more informed decisions about their journeys. Real time information will be available on screens on trains and at stations, as well as on the website, and through the new customer app. Station staff will also be well informed through innovative use of smart devices so they can better help passengers, especially during times of disruption. There will also be live information about seating availability and crowding levels, so that passengers know the best place to stand to board the train.

Reflecting the Government's commitment to create 30,000 apprenticeships across all transport modes by 2020, First MTR South Western Trains Limited will offer more than 100 apprenticeships each year. Their plans also include funding to support Community Rail Partnerships, Station Adoption Groups, and to encourage community use and regeneration of available station space. The franchisee will reduce energy use at stations and depots by over 40%, and water use by over 18%.

This Government has set a clear vision for the future of rail travel and is investing to deliver on that vision for passengers across the country. Over the past few years the franchise renewal programme has resulted in significant new investment and exciting innovations for passengers. The new South Western franchise represents the next chapter in that journey and we look forward to working closely with First MTR South Western Trains Limited and Network Rail to ensure that passengers receive the improvements they have demanded as we transform their rail travel experience.

### State Pension Age: Independent Reports

[HLWS554]

**Lord Henley:** My honourable Friend The Parliamentary Under Secretary of State for Pensions (Richard Harrington MP) has made the following Written Statement.

In order to keep the future State Pension sustainable and fair for future generations, the Government introduced a regular and structured method for considering future changes in the State Pension age as part of the Pension Act 2014, section 27.

In line with this method, in November 2016 the Government commissioned the Government Actuary to examine two scenarios for specified proportions (32.0% and 33.3%) that reflect the core principle announced in the Autumn Statement 2013 that people should spend 'up to one third' of their adult life drawing a State Pension.

The Government also commissioned an Independent Review of State Pension age to look into wider appropriate factors around reviewing the State Pension age, led by John Cridland CBE.

Today I will lay both these reports before Parliament, and would like to take this opportunity to record my thanks to the Government Actuary and John Cridland and their respective teams for their contributions.

The Government will now consider both of these reports very carefully and will present its first Review of the State Pension age to Parliament in May 2017. The Review will be forward looking and will not recommend State Pension age changes to be made before 2028. Any proposed changes would be brought for Parliamentary consideration and would require primary legislation.

## Written Answers

*Monday, 27 March 2017*

### Abortion

*Asked by **Baroness Tonge***

To ask Her Majesty's Government what is their assessment of the number of medical doctors who need to be trained in abortion care each year, to ensure the availability of safe care for all women needing this service. [[HL5998](#)]

**Lord O'Shaughnessy:** No assessment has currently been made centrally of the number of medical doctors who need to be trained in abortion care each year. The President of the Royal College of Obstetricians and Gynaecologists has initiated a programme of work to increase the number of doctors trained to provide abortion treatment and care and is working with the Department and other national organisations.

*Asked by **Baroness Tonge***

To ask Her Majesty's Government what steps they are taking to ensure that women needing an abortion can afford the travel costs necessary to access services offered by independent abortion providers. [[HL5999](#)]

**Lord O'Shaughnessy:** Normally abortion provision is specifically commissioned to provide a service within a local area. When care is not available locally, such as in later gestations or for women with more complex needs, the commissioning organisation will meet the costs of travel. Where women face particular hardship, most independent providers will provide support with travel costs as they consider this part of their charitable remit.

### Armed Forces: Northern Ireland

*Asked by **Lord Laird***

To ask Her Majesty's Government what discussions they have had with the Northern Ireland Executive about extending the amnesty against prosecution accorded to members of the IRA to include British Service personnel charged with offences in Northern Ireland. [[HL6076](#)]

**Lord Dunlop:** There is no amnesty, immunity, or exemption from prosecution. This Government is clear that the rule of law applies to everyone equally and where there is evidence of wrongdoing this should be pursued. The UK Government remains committed to the establishment of the new bodies proposed in the Stormont House Agreement, which will address the legacy of the past in Northern Ireland in ways that are fair, balanced and proportionate.

### Brexit

*Asked by **Baroness Hayter of Kentish Town***

To ask Her Majesty's Government how many bills they are preparing as part of the process of leaving the European Union. [[HL6083](#)]

**Lord Bridges of Headley:** The Government is carefully considering what changes need to be made to the statute book to effect the United Kingdom's withdrawal from the European Union. The details of the next legislative programme will be announced in the usual manner.

### Care Homes: Fees and Charges

*Asked by **Lord Lipsey***

To ask Her Majesty's Government, in the light of research from Reform indicating that the number of deferred payments issued by local authorities has not risen since 2012, whether they plan to widen access to the Deferred Payment Scheme by raising the £23,500 means threshold. [[HL6046](#)]

**Lord O'Shaughnessy:** The Care Act 2014 introduced universal Deferred Payment Agreements (DPAs) so that people should not be forced to sell their homes in their lifetimes to pay for care. The eligibility criteria for DPAs are designed to ensure that they are available to those who would otherwise be at risk of having to sell their homes.

The Department is continuing to monitor the success of the scheme, and data on the uptake of DPAs across all local authorities will be available later this year.

### Communities and Local Government: Assets

*Asked by **Lord Kennedy of Southwark***

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Department for Communities and Local Government they are seeking to dispose of, and for what purposes. [[HL6145](#)]

**Lord Bourne of Aberystwyth:** The Government has made a commitment to release surplus government owned property with capacity of at least 160,000 homes and raising at least £5 billion from land and property disposals by 2020. Details of the government land and property released over the previous financial year will be published as part of the Transparency Review in summer 2017.

Our estate is comprised of administrative offices and other land holdings and we continue to keep the Department and Communities and Local Government (DCLG) estate under review to ensure that it meets the needs of the business. In line with central guidance, surplus property is first offered to other departments for reuse, free schools, or transfer to the Homes and Communities Agency (HCA) for much needed new homes or development. It is then offered to the open

market. Leasehold properties are also exited via lease break options and lease expiry opportunities.

During 2015/16 the DCLG and HCA disposed of 158 sites worth over £122 million.

### Consumers: Protection

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what work they are undertaking to ensure that UK consumers retain the consumer protections they are afforded as EU citizens, when the UK exits the EU. [HL6123]

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what consideration they have given to transposing current EU consumer protection legislation into UK law, when the UK exits the EU. [HL6127]

**Lord Prior of Brampton:** Through the Great Repeal Bill the Government's general approach is that the same rules and laws will apply on the day after exit as they did before, until Parliament decides otherwise after proper parliamentary scrutiny.

### Data Protection: EU Law

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what estimate they have made of the number of EU regulations governing data protection that are not capable of being incorporated into UK law by Order, and which therefore must be enacted by primary legislation. [HL6097]

**Lord Ashton of Hyde:** The Government is still assessing the best legislative approach to incorporating the GDPR into UK law. We will make an announcement in due course.

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what assessment they have made of the capability of UK businesses to comply with the General Data Protection Regulation (EU) 2016/679 by May 2018, and of the level of awareness of that Regulation. [HL6098]

**Lord Ashton of Hyde:** The Department for Culture, Media and Sport is working closely with the Information Commissioner's Office (ICO) during this transitional period. The ICO is responsible for providing guidance and advice to individuals and organisations on, amongst other things, the General Data Protection Regulation (GDPR). The ICO has issued the attached guidance on its website on how best business prepare for the GDPR. (This is available at: <https://ico.org.uk/for-organisations/data-protection-reform/guidance-what-to-expect-and-when/>)

The Answer includes the following attached material:

Preparing for the 12 Steps [preparing-for-the-gdpr-12-steps.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-15/HL6098>

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what plans they have to enact new primary legislation to ensure that the UK is in the best position to maintain international data flows with the EU, following the UK's withdrawal from the EU. [HL6099]

**Lord Ashton of Hyde:** As part of plans for the UK's exit from the EU, we will consider carefully how best to maintain our continued ability to share, receive and protect EU data with other EU member states. The UK is keen to ensure that data flows with the EU are not interrupted after the UK leaves the EU. The Government is considering all the options on the most beneficial way of ensuring that the UK's data protection regime continues to build a culture of data confidence and trust, that safeguards citizens and supports business in a global economy.

### Department for Business, Energy and Industrial Strategy: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Department for Business, Energy and Industrial Strategy they are seeking to dispose of, and for what purposes. [HL6147]

**Lord Prior of Brampton:** Following the Machinery of Government changes, the Department for Business, Energy and Industrial Strategy is currently considering how best to align the reform agendas of its two predecessor Departments. This will include considering what the right footprint for the Department should be, in order to best deliver its objectives.

To contribute to the Government's commitment to release surplus land to deliver up to 15,000 housing starts this Parliament, the Department is tasked with identifying surplus land to support 1,000 housing units. We have already identified land to support 977 housing units.

### East Coast Railway Line

*Asked by Lord Bradshaw*

To ask Her Majesty's Government, further to the Written Answer by Lord Ahmad of Wimbledon on 16 March (HL5882), in the light of the very heavy use that is made of the East Coast Main Line and the fragility of the infrastructure, whether they consider that four per cent of the enhancement spend in Control Period 6 is adequate to sustain this railway line. [HL6202]

**Lord Ahmad of Wimbledon:** This government set out ambitious outcomes for the East Coast Main Line as part of the 2012 High Level Output Specification. The East Coast Main Line infrastructure enhancements will enable



capacity for an additional 2 additional trains per hour between Kings Cross and Doncaster and an additional train per hour between York and Newcastle. The enhancements also enable the introduction of the new Intercity Express Programme trains which will increase reliability, seating capacity and reduce journey times, allowing the fastest services to achieve 4 hours from London to Edinburgh and 2 hours from London to Leeds. The first of these enhancements, the opening of a new platform at Doncaster, has already been delivered.

### East Coast Railway Line: Repairs and Maintenance

*Asked by Baroness McIntosh of Pickering*

To ask Her Majesty's Government, in the light of disruption to services on the East Coast mainline, what recent discussions they have held with Network Rail on its maintenance programme; and when the existing overhead electric wires will be replaced. [HL6047]

**Lord Ahmad of Wimbledon:** Whilst the maintenance and renewal of rail infrastructure, including the overhead electricity supply, is a matter for Network Rail overseen by the independent regulator, the Office of Rail and Road, we have regular discussions with Network Rail throughout the year regarding their performance. Future plans for renewal of overhead lines on this route will be set out in Network Rail's Strategic Business Plan later this year.

### East Suffolk Railway Line

*Asked by Lord Bradshaw*

To ask Her Majesty's Government, further to the Written Answer by Lord Ahmad of Wimbledon on 14 March (HL5764), whether they would look favourably on a proposal to use a high quality rail replacement bus service in place of a passenger train at less busy times on the rail line between Ipswich and Felixstowe if it were to be brought forward by the operator and Network Rail. [HL6201]

**Lord Ahmad of Wimbledon:** If a proposal were to be brought forward by the train operator and Network Rail, we would consider it carefully. No proposal has however been submitted. The specification and provision of rail replacement services is a commercial and operational matter for the operator and Network Rail, not the Government.

### Electrical Safety

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what consideration they have given to retaining the Low Voltage Directive (2014/35/EU) and the Electrical Equipment (Safety) Regulations 1994, when the UK exits the EU. [HL6126]

**Lord Prior of Brampton:** Through the Great Repeal Bill the Government's general approach is that the same rules and laws will apply on the day after exit as they did before, until Parliament decides otherwise after proper parliamentary scrutiny.

### EU Action: Parliamentary Scrutiny

*Asked by Lord Boswell of Aynho*

To ask Her Majesty's Government, for each Government department, from July to December 2016, on how many occasions a scrutiny reserve resolution in (1) the House of Lords, and (2) the House of Commons, was overridden; and in respect of how many documents an override occurred in (a) both Houses, or (b) either House. [HL6012]

**Lord Bridges of Headley:** Between July and December 2016, 557 Explanatory Memoranda on EU documents were submitted for scrutiny.

Across both Houses there were 33 occasions when the Government supported decisions in the EU Council of Ministers before the scrutiny procedures had been completed by either one or both Scrutiny Committees.

In each case the Government explained to the Scrutiny Committees why it was important for the proposal to be supported before clearance had been provided. As with previous six-monthly periods, the largest category of instrument were fast-moving and sensitive EU restrictive measures where there were 22 such instruments (67% of the total number) adopted before scrutiny could be completed.

The figures requested are set out below:

Department	(1). House of Lords Override	(2). House of Commons override	(1). No. of overrides in both Houses	(2). Total no. of overrides
Business, Energy and Industrial Strategy	0	1	0	1
Culture, Media and Sport	1	2	1	2
Environment, Food and Rural Affairs	1	2	1	2
Foreign and Commonwealth Office*	22	26*	22	26
HM Treasury**	1	1	1	1
International Trade	0	1	0	1
Totals	25	33	25	33

\* In addition to the formal overrides listed here, there were 40 occasions when Council Decisions were adopted prior to scrutiny by the House of Commons European Scrutiny Committee due to their limited marking (ie internal EU limited distribution marking for content not intended to be in the public domain).

**\*\* An override on the Proposal for a Council Directive laying down rules against tax avoidance practices that directly affect the functioning of the internal market, was identified to have occurred at the 27 June 2016 ECOFIN, after the answer had been published for the override figures for January-June 2016 (HL 1405).**

## Fly-tipping

*Asked by Lord Blencathra*

To ask Her Majesty's Government whether they will ask the National Crime Agency to investigate large-scale fly tipping gangs. [HL6011]

**Baroness Williams of Trafford:** The NCA is accountable to the Home Secretary and through the Home Secretary, to Parliament, but it is operationally independent. The Home Secretary sets the NCA's strategic priorities and holds the Director General to account for the discharge of NCA functions. Within that framework, the Director General sets the NCA's operational priorities.

The DG NCA has the power and responsibility to direct the NCA, including deciding which operations the NCA should run against which organised crime groups and threats and how those operations should be conducted.

## Foreign and Commonwealth Office: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Foreign and Commonwealth Office they are seeking to dispose of, and for what purposes. [HL6146]

**Baroness Anelay of St Johns:** The Foreign and Commonwealth Office (FCO) constantly reviews its global estate in the light of changing operational needs in order to optimise its use and ensure it remains safe, secure, fit for purpose and value for money. As a consequence, the FCO regularly acquires and disposes of property assets. In order to maximise the price received for the sale of our assets and keep our negotiations with landlords confidential, it is not our policy to release details of our disposals programme in advance.

## Free Movement of People

*Asked by Baroness Lister of Burtersett*

To ask Her Majesty's Government, further to the Written Answer by Baroness Williams of Trafford on 28 February (HL5522), whether they intend to remove from the UK those EU citizens who are residing in the UK otherwise than in accordance with the Free Movement Directive. [HL5917]

**Baroness Williams of Trafford:** Under EU law, EU nationals who wish to stay in the UK for longer than three months can only do so if they are exercising a Treaty right. This means that they must be a jobseeker, worker, self-employed, self-sufficient or a student. The Free Movement Directive (2004/38/EC) requires students and self-sufficient persons to have comprehensive sickness

insurance and sufficient resources to support themselves and their families to not become a burden on the UK's social assistance system.

At present the UK remains in the EU, and as such, EU nationals continue to be subject to the rights and responsibilities set out in existing legislation which governs the exercise of free movement in the UK. EU nationals that do not meet the requirements of the Free Movement Directive are not lawfully resident in the UK and may be liable to removal.

However, because it is relatively straight forward to rectify and establish a right to reside in the UK, longstanding Home Office practice is not to seek the removal of EU nationals solely because they do not have comprehensive sickness insurance but have otherwise met the requirements under EU law.

## Health Services

*Asked by Baroness Wheeler*

To ask Her Majesty's Government how NHS England will ensure adherence to national standards, once responsibility for commissioning specialised services is devolved or delegated to clinical commissioning groups. [HL6095]

*Asked by Baroness Wheeler*

To ask Her Majesty's Government how NHS England will ensure that levels of data publication on outcomes and costs are maintained, once responsibility for commissioning specialised services is devolved or delegated to clinical commissioning groups. [HL6096]

**Lord O'Shaughnessy:** NHS England will continue to remain responsible for specialised services, including when the day-to-day commissioning of those services is delegated to clinical commissioning groups (CCGs).

To support CCGs to move to place-based commissioning arrangements for relevant specialised services, NHS England is in the process of developing a framework of options for CCGs, ranging from less formal 'seat at the table' type arrangements, to more formal joint arrangements, delegated commissioning, or devolution.

Depending on the type of arrangement that is pursued in a given geographical area, there will be different implications for governance arrangements and how reporting and assurance arrangements would operate.

NHS England is working through these various implications – including reviewing the existing reporting and assurance arrangements for specialised commissioning and determining whether these may need to change in light of moving to place-based arrangements. This will include exploring the issues set out here around ensuring adherence to national standards and data transparency.

NHS England is keen to test and engage with key stakeholders as it develops its framework of options.

## Human Rights: Republic of Ireland

*Asked by Lord Laird*

To ask Her Majesty's Government, further to the Written Answer by Lord Dunlop on 13 March (HL5767) concerning the government of Ireland's approach to human rights, what discussions they have had with the government of Ireland concerning (1) property in the Republic of Ireland being available for sale only to those with a qualification in the Irish language; (2) official and semi-official jobs being available only to those with a qualification in the Irish language; and (3) welfare allowances for certain types of clothing being available only to those of the Roman Catholic faith. [HL6093]

**Lord Dunlop:** The issues around the provision of property for sale, jobs and welfare allowances in Ireland are matters for the Irish Government. The UK and Irish governments meet regularly both at ministerial and official level to discuss issues of mutual interest and concerns including matters relating to human rights in Northern Ireland and Ireland.

## Immigration

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government how many further leave to remain applications, made on the basis of (1) family, and (2) private, life were made in each year since 2014. [HL6017]

**Baroness Williams of Trafford:** Data on UK Visas and Immigration temporary and permanent migration activities including In-Country Work In Progress Casework, and Percentage of Temporary and Permanent Migration in-country visa applications for each Route, processed within Service Standards, is published on the .GOV.UK website. The relevant Routes are 'Spouse/Partner' and 'HR/Complex Case' as indicated on worksheet InC\_01 and InC\_01a.

<https://www.gov.uk/government/collections/migration-transparency-data>

The relevant tables are also attached to this answer.

The Answer includes the following attached material:

2014 figures [Copy of 2014 Temporary Migration Data Appendix One.xlsx]

2015 figures [Copy of 2015 Temporary Migration Data Appendix Two.xlsx]

2016 figures [Copy of 2016 Temporary Migration Data Appendix Three.xlsx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-13/HL6017>

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government how many further leave to remain applications made on the basis of (1)

family, and (2) private, life were determined within usual Home Office service standards in each year since 2013. [HL6019]

**Baroness Williams of Trafford:** Data on UK Visas and Immigration temporary and permanent migration activities including In-Country Work In Progress Casework, and Percentage of Temporary and Permanent Migration in-country visa applications for each Route, processed within Service Standards, is published on the .GOV.UK website. The relevant Routes are 'Spouse/Partner' as indicated on worksheet InC\_02.

<https://www.gov.uk/government/collections/migration-transparency-data>

The Answer includes the following attached material:

2014 figures [Copy of 2014 Temporary Migration Data Appendix One.xlsx]

2015 figures [Copy of 2015 Temporary Migration Data Appendix Two.xlsx]

2016 figures [Copy of 2016 Temporary Migration Data Appendix Three.xlsx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-13/HL6019>

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government what was the average length of time taken to determine an initial further leave to remain application made on the basis of (1) family, and (2) private, life in (a) 2015, and (b) 2016. [HL6020]

**Baroness Williams of Trafford:** Data on UK Visas and Immigration temporary and permanent migration activities including In-Country Work In Progress Casework, and Percentage of Temporary and Permanent Migration in-country visa applications for each Route, processed within Service Standards, is published on the .GOV.UK website. In this instance the data provided on worksheet InC\_05 gives an overall picture across Temporary and Permanent Migration and is not determined by Route.

<https://www.gov.uk/government/collections/migration-transparency-data>

The relevant tables are also attached to this answer.

The Answer includes the following attached material:

2014 figures [Copy of 2014 Temporary Migration Data Appendix One.xlsx]

2015 figures [Copy of 2015 Temporary Migration Data Appendix Two.xlsx]

2016 figures [Copy of 2016 Temporary Migration Data Appendix Three.xlsx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-13/HL6020>

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government what was the average length of time taken to determine a second or subsequent further leave to remain application made on the basis of (1) family, and (2) private, life in (a) 2015, and (b) 2016. [HL6021]

**Baroness Williams of Trafford:** Home Office Systems cannot be interrogated in a way that will provide any meaningful response to the question. A manual review of all applications submitted within the stipulated timeframe would be needed in order to provide an accurate response and this would incur a disproportionate cost to the public purse.

Therefore, the average length of time taken to determine a second or subsequent further leave to remain application made on the basis of (1) family, and (2) private, life in (a) 2015, and (b) 2016 cannot be provided.

The versions for previous years are available here:

<https://www.gov.uk/government/publications/temporary-and-permanent-migration-data-november-2014>

<https://www.gov.uk/government/publications/temporary-and-permanent-migration-data-february-2015>

<https://www.gov.uk/government/publications/temporary-and-permanent-migration-data-november-2016>

These tables have also been attached to this answer.

The Answer includes the following attached material:

2014 data [Copy of 2014 Temporary Migration Data Appendix One.xlsx]

2015 data [Copy of 2015 Temporary Migration Data Appendix Two.xlsx]

2016 data [Copy of 2016 Temporary Migration Data Appendix Three.xlsx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-13/HL6021>

## Individual Savings Accounts

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government what estimate they have made of (1) the total value of UK ISA investment funds for the last year for which figures are available, and (2) the total amount invested in those funds since ISAs were established. [HL6119]

**Baroness Neville-Rolfe:** The market value of ISA and Personal Equity Plans (PEP) Stocks and Shares Funds as at 5 April 2016 was £267 billion. The market value of Cash ISAs as at 5 April 2016 was £251 billion.

The amounts subscribed into ISAs in the years since 1999-2000 are set out in HM Revenue and Customs' published ISA statistics. The relevant section of Table 9.4 is attached. <sup>[1]</sup>

[1]

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/547217/Full\\_Statistics\\_Release\\_August\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/547217/Full_Statistics_Release_August_2016.pdf)

The Answer includes the following attached material:

attachment to HL6119 [Amounts subscribed.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-15/HL6119>

## Industrial Strategy Challenge Fund

*Asked by Lord Stevenson of Balmacara*

To ask Her Majesty's Government what proportion of the new Industrial Strategy Challenge Fund of £4.7 billion, recently allocated to the Research Councils, they estimate will go to the cultural and creative industries; and what proportion of the first round of spending will be allocated to the Arts and Humanities Research Council. [HL6107]

**Lord Prior of Brampton:** We are increasing research and development investment by £4.7 billion over the period 2017-18 to 2020-21. As part of this, the new Industrial Strategy Challenge Fund (ISCF) will help capitalise on our strengths in science and innovation.

In the 2017 Budget we announced an initial investment of £270 million in 2017-18 for the ISCF to kick start the development of disruptive technologies which have the potential to transform the UK economy. The first wave of investments will include funding challenges to develop batteries to power the next generation of electric vehicles, robotics systems for hazardous environments, and new medicine manufacturing technologies.

Details of further ICSF investments for 2017-18 will follow in due course.

## Internet

*Asked by Baroness Eaton*

To ask Her Majesty's Government what discussions they have had with the charity sector regarding concerns raised by charities about trends towards making government and business services available online only. [HL6065]

**Lord Ashton of Hyde:** The government is focused on making services available to citizens in the most effective ways, including using digital technologies. We work closely with the charity sector to understand and meet the challenges of a rapidly changing digital landscape.

The government recognises its duty to provide for all, and if people cannot use or access the Internet, it will not be a barrier to them accessing government services. The Government will always ensure assistance is available to people who need it, be it over the phone, face to face, or via webchat.



## Large Goods Vehicle Drivers: Road Traffic Offences

*Asked by Lord Blencathra*

To ask Her Majesty's Government, in the light of EU regulations requiring HGV drivers to have a 45 hour break every week, what plans they have to introduce criminal penalties for lorry drivers who sleep in their cabs during breaks. [HL6007]

**Lord Ahmad of Wimbledon:** The EU drivers' hours regulations allow HGV drivers to take a daily rest or a reduced weekly rest in their vehicle, provided the vehicle is stationary and is fitted with suitable sleeping facilities. However, the regulations do not allow a regular weekly rest period of 45 hours to be taken in the vehicle. Subject to stakeholder views, the Driver and Vehicle Standard Agency will be enforcing this through a £300 fixed penalty notice/financial penalty deposit.

## Mesothelioma

*Asked by Lord Wills*

To ask Her Majesty's Government what estimate they have made of the cost to the NHS of treating mesothelioma in each of the last 10 years. [HL6004]

**Lord O'Shaughnessy:** The information requested is not held national level.

## Ministry of Justice: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Ministry of Justice they are seeking to dispose of, and for what purposes. [HL6067]

**Lord Keen of Elie:** The Department's estate is comprised of a wide range of premises, including prisons, courts, probation premises, administrative offices and other land holdings. The Ministry of Justice keeps its estate under review to ensure that it meets the needs of the business.

In line with central guidance, surplus property is generally first offered to other departments for reuse, free schools, or transfer to the Homes and Communities Agency for much needed new homes or development. It is then offered to the open market. Leasehold properties are also exited via lease break options and lease expiry opportunities.

## National Infrastructure Commission

*Asked by Lord Berkeley*

To ask Her Majesty's Government what is their policy on whether members of the House of Lords who vote against the Government may continue to act as members of the Board of the National Infrastructure Commission. [HL5992]

**Baroness Neville-Rolfe:** The responsibilities of Commissioners on the National Infrastructure Commission are set out in their Framework Document [[1]]. These include complying with the Code of Conduct for Board Members of Public bodies [[2]]. The Framework Document does not include specific guidance on political activity.

[1]

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/585374/NIC\\_framework\\_document\\_web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/585374/NIC_framework_document_web.pdf)

[2]

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/409604/code-of-conduct\\_tcm6-38901.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409604/code-of-conduct_tcm6-38901.pdf)

## National Parks

*Asked by Lord Judd*

To ask Her Majesty's Government whether they will refer to the National Parks in their 25-year plan for the environment; and whether this plan will set out arrangements for the National Parks' long-term protection and enhancement. [HL6033]

**Lord Gardiner of Kimble:** Our environment is enormously valuable and we have long-standing protections for our most precious landscapes through our network of national parks.

We are committed to the goal of being the first generation to leave the natural environment of England in a better state than that in which we found it and we will publish a 25 year environment to deliver this ambition.

The plan has not yet been written but it is a manifesto commitment to publish in the course of this parliament and we will engage with interested stakeholders, including national parks, to help inform its development.

We have an 8-Point Plan for England's National Parks, launched on 23 March 2016. It sets out our priorities for improving National Parks in England over the period from 2016 until 2020.

*Asked by Lord Judd*

To ask Her Majesty's Government what assessment they have made of the high level of planning protection afforded to National Parks, and the specific responsibilities and duties that apply to development decisions both within the Parks and their adjacent settings; and whether this will be reflected in the new 25-year plan for the environment. [HL6034]

**Lord Gardiner of Kimble:** The National Planning Policy Framework is clear on the protections in place for national parks. We would only expect to see major development in exceptional circumstances. Our environment is enormously valuable, and we have long-standing protections for our most precious landscapes through our network of national parks and areas of outstanding natural beauty.

On 23 March 2016, we launched an 8-Point Plan for England's National Parks. It sets out our priorities for



improving National Parks in England over the period from 2016 until 2020.

We are committed to the goal of being the first generation to leave the natural environment of England in a better state than that in which we found it and we will publish a 25 year environment plan to deliver this ambition.

The plan has not yet been written but it is a manifesto commitment to publish in the course of this Parliament and we will engage with interested stakeholders, including national parks, to help inform its development.

### **NHS: Negligence**

*Asked by Lord Freyberg*

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 13 March (HL5763), for which major disease burdens or procedures disease-level analysis is possible; and whether such disease-level analysis has been undertaken in the last 10 years. [HL6013]

**Lord O'Shaughnessy:** The term 'disease burdens' is a term not recognised by the National Health Service Litigation Authority (NHS LA) in undertaking analysis of claims. The NHS LA claims management system records the cause of an incident notified as part of a claim and the injury which is the outcome of the incident. These 'causes' and 'injuries' form a list of codes on which it is possible to undertake analysis of the claims held in the claims management system. Sometimes the code relates to a group of conditions within a specialty, such as cardiovascular conditions, and therefore it is not always possible to undertake analysis at individual disease or procedure level. It should also be noted that claims can be multi-factoral and/or settled on a number of bases.

Due to the large amount of data in relation to the 'cause' and 'injury' codes used for clinical negligence in the NHS LA claims management system, a list is attached.

No disease-level analysis has been undertaken in the last ten years. The NHS LA is able to undertake analysis related to the causes and injuries described on the list attached.

The Answer includes the following attached material:

Cause and injury codes [HL6013 Cause and Injury codes.docx]

The material can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-13/HL6013>

### **Non-domestic Rates**

*Asked by Lord Beecham*

To ask Her Majesty's Government what estimate they have made of the cost to (1) the NHS, and (2) schools, of increases in business rates following revaluation. [HL6072]

**Lord Bourne of Aberystwyth:** The effect of the revaluation of business rates on schools and NHS bodies will depend on the specific circumstances and location of the relevant property. A £3.6 billion transitional relief scheme will provide support for the minority of properties which face an increase in rates as a result of the 2017 revaluation, and applies equally to public bodies such as the NHS and to schools.

### **North Korea: Assassination**

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government what assessment they have made of reports that North Korea has issued orders to assassinate a British businessman who helped to facilitate the defection of North Korea's then deputy ambassador to London. [HL5988]

**Baroness Anelay of St Johns:** Any credible threat to the safety of a British national or a resident of the UK is matter for the relevant police authority to investigate.

### **North Korea: Human Rights**

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government whether they intend to introduce human rights sanctions against North Korea, in line with those imposed by the United States. [HL5989]

**Baroness Anelay of St Johns:** As I set out in written question HL2194, we will always carefully consider the impact and benefits of sanctions measures before they are imposed. These considerations include our ability to defend the legality of the sanctions should they be challenged under EU law and the likelihood of achieving our objectives of stability on the Korean peninsula and improved human rights for North Koreans.

### **Northern Ireland Government**

*Asked by Lord Kilclooney*

To ask Her Majesty's Government, in the light of the comments by the Irish Premier that he has agreed with the Prime Minister "there will be no return to direct rule", whether they have decided that there will be no return to direct rule if a Northern Ireland Executive is not established. [HL6167]

**Lord Dunlop:** Political stability in Northern Ireland is the responsibility of the UK Government. The Government remains focused on securing the resumption of devolved government and the formation of an Executive within the statutory timeframe of 27 March. It is not speculating on any other outcome.

*Asked by Lord Laird*

To ask Her Majesty's Government whether they have given, as part of the current discussions concerning the Northern Ireland Executive, an undertaking to the government of the Republic of Ireland that they would

not impose direct rule from Westminster; and if so, who agreed to this, on what date, and why. [HL6168]

**Lord Dunlop:** Political stability in Northern Ireland is the responsibility of the UK Government. The Government remains focused on securing the resumption of devolved government and the formation of an Executive within the statutory timeframe of 27 March. It is not speculating on any other outcome.

### Northern Ireland Office: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Northern Ireland Office they are seeking to dispose of, and for what purposes. [HL6142]

**Lord Dunlop:** The Northern Ireland Office does not have any land or buildings which it owns, leases or controls which it is seeking to dispose of.

### Offenders: New Businesses

*Asked by Lord Watts*

To ask Her Majesty's Government, further to the Written Answer by Lord Keen of Elie on 8 March (HL5604), how many ex-prisoners have undertaken enterprise courses. [HL6113]

**Lord Keen of Elie:** This information is not held centrally and could only be obtained at disproportionate cost.

### Overseas Loans: Republic of Ireland

*Asked by Lord Kilclooney*

To ask Her Majesty's Government what is the outstanding amount of the UK loan to the government of Ireland; how much interest on that loan has been paid to the UK by the government of Ireland; and when that loan will be paid off. [HL6089]

**Baroness Neville-Rolfe:** I refer the noble Lord to the most recent statutory report on the UK's bilateral Loan to Ireland, which the Treasury provided to Parliament as required by Section 2 of the Loans to Ireland Act 2010. The last report was laid in Parliament on 13 October 2016 and is available in the Printed Paper Office <sup>[1]</sup>.

This report shows the outstanding principal is £3,226,960,000, with repayments due in tranches from 15 April 2019 until 26 March 2021. An interest payment was made by the Republic of Ireland on 15 December 2016, and therefore the interest payments received now total £357,822,962.56.

[1] The report is available here: <https://www.gov.uk/government/publications/report-under-section-2-of-the-loans-to-ireland-act-2010-1-april-2016-to-30-september-2016>

### Probate: Fees and Charges

*Asked by Lord Myners*

To ask Her Majesty's Government what was the rationale behind the new rates for grant of probate announced in the budget. [HL6156]

**Lord Keen of Elie:** The Government set out its rationale for reforming the fees for grants of probate in its response to consultation on the fees published on Friday 24 February.

The Government is committed to providing a modern, world-leading justice system which is proportionate and accessible. The best way to protect access to justice is with a properly funded courts and tribunals service.

Fees are necessary to support an effective courts and tribunals system that supports victims and vulnerable people, and is easy for ordinary people to use. In 2015/16, the Government spent around £1.9 billion on our courts and tribunals and recovered only around £700m through fees and other income. We do not believe that the taxpayer should continue to meet all of this cost.

A key change will be the threshold under which no fee is payable increasing from £5,000 to £50,000. More than half of estates in England and Wales will pay no probate fees. The fees will be implemented on a banded structure, increasing in line with estate values, meaning higher fees are paid by those who can afford to do so. Over 90 per cent of estates will pay £1,000 or less for this service and no one will pay more than 1 per cent of the total estate in fees.

### Products: Safety

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what consideration they have given to transposing current EU product safety legislation into UK law, when the UK exits the EU. [HL6124]

**Lord Prior of Brampton:** Through the Great Repeal Bill the Government's general approach is that the same rules and laws will apply on the day after exit as they did before, until Parliament decides otherwise after proper parliamentary scrutiny.

*Asked by Baroness Hayter of Kentish Town*

To ask Her Majesty's Government what consideration they have given to transposing current EU market surveillance legislation into UK law, when the UK exits the EU. [HL6125]

**Lord Prior of Brampton:** Through the Great Repeal Bill the Government's general approach is that the same rules and laws will apply on the day after exit as they did before, until Parliament decides otherwise after proper parliamentary scrutiny.

## Public Sector: Contracts for Services

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government whether they will establish an inquiry (1) into which local authorities and other public authorities within England have sub-contracted service provision to contractors whose operations for the provision of those services are located in Scotland, and (2) into the cost of the contracted services provided. [HL6118]

**Lord Bourne of Aberystwyth:** The Government does not have any plans to establish an inquiry into the matter of which local authorities and other public authorities within England have sub-contracted service provision to contractors whose operations for the provision of those services are located in Scotland, or into the matter of the cost of the contracted services provided.

As locally-elected, independent bodies, such matters are for the local authorities themselves to manage. As a matter of course, all local authorities and other public authorities should ensure that they are providing the highest quality services, which local residents expect and deserve.

## Royal Parks: VAT

*Asked by Lord Stevenson of Balmacara*

To ask Her Majesty's Government whether VAT will be charged on money paid by HM Government to the Royal Parks charity; whether VAT is payable in full by the Royal Parks to HM Revenue and Customs in respect of services it provides to the HM Government; whether VAT will be chargeable and payable to HM Revenue and Customs on goods and services, such as catering, provided by the Royal Parks charity to others, including the general public, on the same terms as apply to other providers of goods and services; and whether other arrangements for VAT, not covered by those indicated above, will apply to the Royal Parks charity, for example on the purchase of services supplied by others, including in respect of maintenance and repairs of assets. [HL6106]

**Baroness Neville-Rolfe:** Whilst it is not possible to comment on the affairs of individual taxpayers, the general rule is that VAT is due to HM Revenue and Customs (HMRC) on taxable supplies made by VAT registered persons, including charities. This is the case whether the supplies are made to HM Government or to others. In turn suppliers can normally recover, from HMRC, the VAT they pay on their costs.

## Scotland Office: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what land or buildings owned by, leased by, or under the control of, the Scotland Office they are seeking to dispose of, and for what purposes. [HL6144]

**Lord Dunlop:** The Government has made a commitment to release surplus government owned property with capacity of at least 160,000 homes and raising at least £5 billion from land and property disposals by 2020.

The details of the government land and property released over the previous financial year will be published as part of the Transparency Review in summer 2017.

## Sewage: Water Treatment

*Asked by Lord Berkeley*

To ask Her Majesty's Government, further to the Written Answer by Lord Gardiner of Kimble on 10 March (HL5599) stating that they have not yet taken a decision as to the timing of any review of the waste water National Policy Statement, when they will make that decision; and whether they expect to undertake such a review within the next five years. [HL5991]

**Lord Gardiner of Kimble:** The 2012 National Policy Statement (NPS) for Waste Water states that a review can be expected approximately every five years. A decision will be taken this year on whether a review of the NPS is necessary at this point in time, in line with the provisions of Section 6 of the Planning Act 2008. These provisions include consideration of whether there has been a significant change in circumstances on the basis of which the NPS was decided and whether this would have a material impact on the policy itself.

## Shipping: Registration

*Asked by Lord MacKenzie of Culkein*

To ask Her Majesty's Government whether there has been a recent review into regulations governing ship registration with a view to increasing the number of ships on the UK shipping register; and if so, what was the outcome. [HL6109]

**Lord Ahmad of Wimbledon:** The UK Ship Register (UKSR) Advisory Panel Report, issued in May 2015, recommended that government review the regulations on the registration of ships under the UK Flag to identify changes which will attract ships to the UK Flag, without reducing standards.

An amending Statutory Instrument is currently in preparation to redefine the meaning of an "original document", clarifying where hard copies of documents must be submitted to allow registration. This aims to improve efficiency within the registration process and enable the introduction of online registration.

Further opportunities to improve legislation in relation to ship registration will be considered as part the wider UKSR transformation programme. However, no proposals have yet been developed.

## Shipping: Surveillance

*Asked by Lord MacKenzie of Culkein*

To ask Her Majesty's Government what research is being undertaken to find improved methods, for example the use of radar and optical satellites, to track and monitor merchant and fishing vessels which switch off their Automatic Identification System signals. [HL6110]

**Lord Ahmad of Wimbledon:** Other than the Channel Navigation Information Service, that monitors ships movements in the Dover Strait, Her Majesty's Coastguard does not actively monitor all vessel movements around the United Kingdom's coastal waters.

Her Majesty's Coastguard has recently supported law enforcement authorities in identifying anomalous vessel movements specifically in the Dover Strait by trialling a new radar system that can identify movements for those vessels that are not transmitting an Automatic Identification System (AIS) signal or have a legal requirement to have AIS device fitted.

The trial was an operational success and it is hoped to expand this specific capability in to other maritime areas that intelligence suggests criminal activity is taking place.

*Asked by Lord MacKenzie of Culkein*

To ask Her Majesty's Government how many vessels have been examined in UK ports where there is suspicion of illegal activity by reason of (1) their Automatic Identification System signals being switched off, or (2) without good reason, those signals not being transmitted in line with the International Maritime Organisation SOLAS convention, during some part of their voyage to a UK port. [HL6111]

**Lord Ahmad of Wimbledon:** Her Majesty's Coastguard monitors vessel movements within the UK's search and rescue region to ensure maritime safety.

HM Coastguard has not requested for any vessel to be examined at a UK port because of an absence of an Automatic Identification System signal because of a suspicion of illegal activity.

## Social Enterprises: Offenders

*Asked by Lord Watts*

To ask Her Majesty's Government, further to the Written Answer by Baroness Buscombe on 9 March (HL5605), whether they will clarify whether their commitment to social enterprises includes social enterprises which support or employ ex-prisoners. [HL6022]

**Lord Ashton of Hyde:** Social enterprises play an important role in the government's mission of building an economy that works for everyone and we recognise the value of social enterprises in helping offenders find employment. The government is building on its role as a world leader in social enterprise by championing

procurement for social value, supporting social enterprise awareness campaigns, building the social investment market, using social enterprises to address issues at scale and expanding social investment tax relief. Social enterprises employing or supporting ex-prisoners, or indeed anyone with a disadvantage that makes it difficult for them to access the job market, are included in the government's social enterprise support set out above.

## Social Rented Housing

*Asked by Lord Beecham*

To ask Her Majesty's Government what assessment they have made of the impact of the reduction in social housing rents on the maintenance and improvement of the existing housing stock, and on the building of new houses between now and 2022. [HL6120]

**Lord Bourne of Aberystwyth:** The fiscal impact of the social rent reduction policy on public finances was included as part of the Office for Budget Responsibility's policy costings for Budget 2015 which can be (attached) found at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/443195/Policy\\_costings\\_summer\\_budget\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/443195/Policy_costings_summer_budget_2015.pdf) on page 53

In September 2015 the Department for Communities and Local Government carried out an impact assessment of the effect of the social rent reduction policy on housing associations which can be (attached) found at <http://www.parliament.uk/documents/impact-assessments/IA15-006F.pdf> on page 4.

Social housing providers are well placed to manage these reductions and have proved themselves to be more than capable of adapting and responding to change. The Government is investing £7.1 billion in the expanded Affordable Homes Programme from 2016-21, which will support housing associations and local authorities to build another 225,000 affordable homes by March 2021.

The Answer includes the following attached material:

Impact assessments [170320 Impact Assessment - HL6120.pdf]

Summer Budget 2015 [170320 Policy costings summer budget 2015 - HL6120.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-16/HL6120>

## Syria: Armed Conflict

*Asked by Lord Hylton*

To ask Her Majesty's Government, in the light of the statement by the Secretary of State for International Development on 15 March (HC Deb, col 444) stating that 1.5 million people are living under siege-like conditions in Syria, where those figures were obtained from, and how the 1.5 million figure is calculated. [HL6130]



**Lord Bates:** The UN estimates that 643,000 people live in areas that it classifies as ‘besieged’ and 879,000 in areas that it classifies as ‘militarily encircled.’ Under the UN definitions, restrictions placed on ‘besieged’ areas are more severe than those on ‘military encircled’ areas. However, the populations in all these locations are surrounded by armed forces which are restricting aid deliveries and the movement of people, including the sick and wounded. The Government therefore combines the two to reach the approximate and continually fluctuating figure of 1.5 million people living under siege-like conditions.

### Tobacco

*Asked by Lord Palmer*

To ask Her Majesty’s Government when the contract for the provision of tobacco control legislation enforcement – national support for local authorities, between the Department of Health and ITSA Ltd, ended or will end; how it will be evaluated; whether they intend to extend or re-tender that contract; and if so, what is the timeframe. [HL6138]

**Lord O’Shaughnessy:** The current contract for the provision of support to local authorities in the enforcement of tobacco control legislation will end in September 2018. The Chartered Trading Standards Institute, who hold the contract, provide regular updates to the Department on agreed milestones and deliverables and will submit a final report at the end of the contract to aid the Department in its evaluation. No decision has yet been taken on any future agreement to support local authorities in tobacco control.

### Toys and Games

*Asked by Lord Harris of Haringey*

To ask Her Majesty’s Government, further to the Written Answer by Lord Price on 6 March (HL5447), what assessment they have made of concerns for child security and privacy presented by the marketing of My Friend Cayla dolls in the UK. [HL5889]

**Lord Ashton of Hyde:** The Government is aware of reports that some internet-connected children’s toys potentially pose a risk in terms of cybersecurity. As with all internet connected devices, the quality of these products varies.

The cyber security of the UK is a top priority for the Government. Manufacturers of internet-connected devices should ensure those devices have appropriate security measures built in and seek to ensure emerging technologies are secure by default.

Where internet-connected products are collecting personal data, organisations that process that personal data in the UK must comply Data Protection Act’s (DPA) eight data protection principles.

These include requiring personal data to be processed fairly and lawfully; to be accurate and up-to-date; not to be kept for longer than is necessary; and to be processed

in accordance with the rights of the data subjects under the DPA. Failure to comply with the Act is an offence. Further information about these obligations can be found on the ICO’s website at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

### VAT

*Asked by Lord Harris of Haringey*

To ask Her Majesty’s Government how many businesses are likely to be affected by the introduction of the flat rate for limited cost businesses in the VAT Flat Rate Scheme; and what estimate they have made of the proportion of these that are operated by self-employed individuals. [HL5973]

**Baroness Neville-Rolfe:** Of the 411,000 businesses that use the VAT Flat Rate Scheme (FRS), we estimate that 128,000 have limited costs. We have not estimated how many of these businesses are operated by self-employed individuals. Of the FRS population as a whole, around 87% are incorporated companies, 11% are sole proprietors and 2% are partnerships.

### Wales Office: Assets

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty’s Government what land or buildings owned by, leased by, or under the control of, the Wales Office they are seeking to dispose of, and for what purposes. [HL6143]

**Lord Bourne of Aberystwyth:** The Government has made a commitment to release surplus government owned property with capacity of at least 160,000 homes and raising at least £5 billion from land and property disposals by 2020. The details of the government land and property released over the previous financial year will be published as part of the Transparency Review in summer 2017.

Departments released a total of 468 sites in 2015/16, which generated £973 million.

No land or property releases were contributed by the Wales Office.

The Wales Office is a small Government Department with a single building on Whitehall and lease of half a floor in Cardiff Bay.

### World War II: Wrecks

*Asked by Lord West of Spithead*

To ask Her Majesty’s Government which government department is dealing with the illegal salvaging of UK and other nations’ ships and submarines lost in Far Eastern Waters in WW2. [HL6153]

*Asked by Lord West of Spithead*

To ask Her Majesty’s Government whether the war graves of HMS Prince of Wales and Repulse have had



most of their after sections destroyed and removed.  
[HL6154]

**Earl Howe:** The Ministry of Defence works closely with the Foreign and Commonwealth Office when there is evidence of illegal salvage of our vessels overseas. The Government is aware of the illegal removal of material from the wrecks of HMS PRINCE OF WALES and HMS REPULSE. We strongly condemn any desecration of any site of maritime military remains. By invoking the principle of Sovereign Immunity, and by designating specific vessels under the Protection of Wrecks Act 1973

and the Protection of Maritime Remains Act 1986, we endeavour to protect these important sites where we are able.

Where we have evidence of desecration of the wrecks of Royal Navy vessels, we will take appropriate action, including working with regional Governments and partners to prevent inappropriate activity at such sites. It should be appreciated however, given that Royal Navy wrecks are spread throughout vast locations around the world, that there are limitations on what protection we can provide.

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