



House of Commons

Tuesday 2 February 2010

Votes and Proceedings

The House met at 2.30 pm.

PRAYERS.

1 Questions to the Chancellor of the Exchequer

2 Compensation Act 2006 (Amendment) Bill: Motion for leave to bring in a Bill (Standing Order No. 23)

Ordered, That leave be given to bring in a Bill to amend the Compensation Act 2006 to ensure that courts considering a claim of negligence or breach of statutory duty apply a presumption that defendants undertaking a desirable activity have satisfied the relevant standard of care; and for connected purposes;

That Jeremy Wright, Mr Mark Harper, Mrs Maria Miller, Mr David Lidington, Mr Philip Hollobone, Rob Marris, Mrs Siân C. James, Tim Farron, John Hemming, Angela Watkinson, James Duddridge and Mr Stephen Crabb present the Bill.

Jeremy Wright accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 5 March, and to be printed (Bill 58).

3 Flood and Water Management Bill: Consideration of the Bill, as amended in the Public Bill Committee

New Clause NC22—(*Huw Irranca-Davies*)—brought up, read the first and second time, and added to the Bill.

New Clause NC2—(*Miss Anne McIntosh*)—brought up and read the first time.

Question proposed, That the Clause be read a second time.

Clause, by leave, withdrawn.

New Clause NC3—(*Miss Anne McIntosh*)—brought up and read the first time.

Question proposed, That the Clause be read a second time.

Clause, by leave, withdrawn.

New Clause NC10—(*Miss Anne McIntosh*)—brought up and read the first time.

Question proposed, That the Clause be read a second time.

At 9.00 pm, the Debate was interrupted (Programme Order, 15 December).

The following Questions were put forthwith (Standing Order No. 83E).

(1) That the Clause be read a second time (Question already proposed from the Chair).

Question negatived.

(2) That New Clause NC 14 be added to the Bill (New Clause selected by the Speaker for separate decision).—(*Martin Horwood*.)

The House divided.

Division No. 68.

Ayes: 36 (Tellers: Dan Rogerson, Mr Alan Reid).

Noes: 246 (Tellers: Mr Bob Blizzard, Helen Jones).

Question accordingly negatived.

(3) That Amendments 30 to 58 be made (single Question on Amendments moved by a Minister of the Crown).—(*David Wright.*)

Question agreed to.

4 Flood and Water Management Bill: Third Reading

Motion made and Question proposed, That the Bill be now read the third time.

At 10.00 pm, the Speaker put the Question (Programme Order, 15 December).

Question agreed to.

Bill accordingly read the third time, and passed.

5 Statutory Instruments: Motions for Approval

(1) Motion made and Question put forthwith (Standing Order No 118(6)), That the draft Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2010, which were laid before this House on 15 December, be approved.—(*Mrs Sharon Hodgson.*)

Question agreed to.

(2) Motion made and Question put forthwith (Standing Order No 118(6)), That the draft Passengers' Council (Non-Railway Functions) Order 2010, which was laid before this House on 5 January, be approved.—(*Mrs Sharon Hodgson.*)

Question agreed to.

(3) Motion made and Question put forthwith (Standing Order No 118(6)), That the draft Infrastructure Planning (Decisions) Regulations 2010, which were laid before this House on 5 January, be approved.—(*Mrs Sharon Hodgson.*)

The Speaker's opinion as to the decision of the Question was challenged.

Division deferred until tomorrow (Standing Order No. 41A).

6 Financial Management

Motion made and Question put forthwith (Standing Order No 119(11)), That this House takes note of an unnumbered explanatory memorandum from HM Treasury dated 2 December 2009 on the European Court of Auditors' 2008 Annual Report, an unnumbered Explanatory Memorandum from the Department for International Development dated 3 December 2009 on the European Court of Auditors Annual Report on the activities funded by the seventh, eighth, ninth and tenth European Development Funds, concerning the financial year 2008, European Union Document No. 12139/09 and Addenda 1 and 2 on the Protection of the financial interests of the Communities, an unnumbered Explanatory Memorandum from HM Treasury dated 18 August 2009 on the European Anti-Fraud Office's ninth activity report for the period 1 January to 31 December 2008, European Union Document No. 12668/09 and Addendum 1, Commission Report on the Annual report to the discharge authority on internal audits carried out in 2008, European Union Document No. 14998/09 and Addendum 1, a Commission Report to the European Parliament on the follow-up to 2007 Discharge Decisions (Summary)—European Parliament Resolutions, European Union Document No. 16632/09, European Court of Auditors Special Report on delegating implementing tasks to executive agencies, European Union Document No. 17588/09, Commission Report to the Council on the follow-up to 2007 Discharge Decisions (Summary)—Council recommendations; and supports the Government's promotion of measures to improve the level of assurance given on the Community budget.—(*Mrs Sharon Hodgson.*)

The Speaker's opinion as to the decision of the Question was challenged.

Division deferred until tomorrow (Standing Order No. 41A).

7 Public Petitions

A Public Petition from Brian Keeler, the residents of Castle Point and others relating to Planning and Development (Essex) was presented and read by Bob Spink.

A Public Petition from persons resident in the Leominster parliamentary constituency relating to Badman Report (Leominster) was presented by Bill Wiggin.

A Public Petition from persons resident in the Bury St Edmunds parliamentary constituency relating to Badman Report (Bury St Edmunds) was presented.

8 Adjournment

Subject: Aluminium industry in the UK (Mr Philip Dunne).

Resolved, That this House do now adjourn.—(*Mrs Sharon Hodgson.*)

Adjourned at 10.32 pm until tomorrow.

Other proceedings

General Committees: Reports

9 Children, Schools and Families Bill

Mr Clive Betts (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

10 Crime and Security Bill

Frank Cook (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

11 Third Delegated Legislation Committee

Mr David Wilshire (Chairman) reported the draft Electronic Commerce Directive (Hatred against Persons on Religious Grounds or the Grounds of Sexual Orientation) Regulations 2010.

General Committees: Appointments

The Speaker appoints the Chairman of General Committees and allocates Statutory Instruments to Delegated Legislation Committees.

The Committee of Selection nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).

12 Third Delegated Legislation Committee (Draft Electronic Commerce Directive (Hatred against Persons on Religious Grounds or the Grounds of Sexual Orientation) Regulations 2010)

Members: Charlotte Atkins, Ann Clwyd, Mr Don Touhig and Derek Wyatt discharged and Mr David Chaytor, Meg Munn, Ian Stewart and Dr Desmond Turner nominated in substitution.

European Committees: Appointments

13 European Committee B in respect of European Union Document No. 17708/09 relating to an Agreement between the European Union and Japan on the Mutual Legal Assistance in Criminal Matters

Members: Martin Salter discharged and Des Browne nominated in substitution.

Reports from Select Committees

14 Business, Innovation and Skills Committee

Further Education funding and the Skills Funding Agency: Evidence, to be printed (HC 347-i) (Peter Luff).

15 Culture, Media and Sport Committee

(1) *The future for local and regional media*: Written evidence, to be published;

(2) *London 2012 Olympic Games and Paralympic Games: Legacy*: Written Evidence, to be published;

(3) *Press standards, privacy and libel*: Written evidence, to be published

(Mr John Whittingdale).

16 Defence Committee

Readiness and recuperation of the Armed Forces: Looking towards the Strategic Defence Review: Fourth Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 53) (Mr James Arbuthnot).

17 Environmental Audit Committee

(1) *Adapting to Climate Change*: Written evidence, to be published;

(2) *Air Quality*: Written evidence, to be published

(Mr Tim Yeo).

18 Home Affairs Committee

The Government's Approach to Crime Prevention: Evidence, to be printed (HC 242-iii) (Keith Vaz).

19 Justice Committee

(1) *The work of HM Chief Inspector of Prisons*: Evidence, to be printed (HC 354-i);

(2) *Crown Dependencies*:

(i) Evidence, to be printed (HC 56-ii);

(ii) Written evidence, to be published

(Sir Alan Beith).

20 Liaison Committee

The Prime Minister: Evidence, to be printed (HC 346-i) (Mr Alan Williams).

21 South West Regional Select Committee

(1) *Transport in the South West*: First Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 146);

(2) *Prospects for the South West economy*:

(i) Evidence, to be printed (HC 355-i);

(ii) Written evidence, to be published

(Alison Seabeck).

22 Welsh Affairs Committee

(1) *Proposed Legislative Competence Order relating to School Governance*: Seventh Report, with written evidence, to be printed, with the Formal Minutes relating to the Report, and written evidence reported and ordered to be published on 15 December under the title of

Proposed National Assembly for Wales (Legislative Competence) (Education) Order 2010 (HC 274);

(2) *Wales and Whitehall*: Evidence, to be printed (HC 246-iv)

(Dr Hywel Francis).

Reports from Other Committees

23 House of Commons Members Estimate Committee

Review of past ACA payments: First Report, to be printed (HC 348) (The Speaker).

John Bercow

Speaker

The Speaker will take the Chair at 11.30 am.

Sitting in Westminster Hall

No. 21

The sitting began at 9.30 am.

Adjournment

Subjects

Population and immigration (Hon Nicholas Soames).

Thameslink programme (Patrick Hall).

Multiple sclerosis risk sharing drugs (Mr James Gray).

Education maintenance allowance (John Robertson).

Schools funding in Cornwall (Matthew Taylor).

Resolved, That the sitting be now adjourned.—(*Mr George Mudie*.)

Adjourned at 2.00 pm until tomorrow.

Alan Haselhurst

Deputy Speaker

APPENDIX

Papers presented or laid upon the Table:

Papers subject to Affirmative Resolution:

1 Children and Young Persons

Draft Safeguarding Vulnerable Groups Act 2006 (Controlled Activity and Miscellaneous Provisions) Regulations 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Ed Balls).

2 National Health Service

Draft Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham).

3 Rehabilitation of Offenders

Draft Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw).

Papers subject to Negative Resolution:

4 Agriculture

Hill Farm Allowance Regulations 2010 (S.I., 2010, No. 167), dated 29 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Hilary Benn).

5 Local Government

Business Rate Supplements (Administrative Expenses) (England) Regulations 2010 (S.I., 2010, No. 134), dated 26 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary John Denham).

6 Senior Courts of England and Wales

Court Funds (Amendment) Rules 2010 (S.I., 2010, No. 172), dated 28 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw).

Other Papers:

7 Building Britain's Future

Building a society for all ages - consultation response (by Command) (Cm. 7800) (Secretary Yvette Cooper).

8 National Audit

Report by the Comptroller and Auditor General on Business, Innovation and Skills: Helping over-indebted consumers (by Act); to be printed (HC 292) (Clerk of the House).

Withdrawn Papers:

9 Pensions

Draft Financial Assistance Scheme (Miscellaneous Amendments) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (laid 20 January).

10 Weights and Measures

Draft Weights and Measures (Specified Quantities) (Unwrapped Bread and Intoxicating Liquor) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (laid 25 January).