



## **Debate on the Queen's Speech: Day 3 Economic Affairs, Business, Agriculture, Environment, Energy and Transport 17 October 2019**

### **Summary**

This Lords Library Briefing is one of four prepared ahead of the five days of debate in the House of Lords on the Queen's Speech, scheduled to take place between 15 and 22 October 2019. This briefing looks at economic affairs, business, agriculture, environment, energy and transport.

The briefing identifies key bills that may be announced in the Queen's Speech. This is based on existing government commitments foreshadowing such legislation and press reports. Additional bills may be announced not covered in this briefing. Details vary but at the time of writing possible government bills include:

- A bill implementing a recommendation of the Taylor Review on Modern Working Practices to clarify the employment status test.
- An environment bill, building on the draft bill published last year and including measures intended to reduce avoidable plastic waste and improve air quality.
- An agriculture bill to provide a framework to pay subsidies to UK farmers post-Brexit. A fisheries bill may also be announced.

Several bills were lost at the close of the previous parliamentary session on 8 October 2019, having not been carried over. These included two bills concerning non-domestic ratings and the Animal Welfare (Sentencing) Bill. The Government has said it remains committed to recognising animal sentience in UK law post-Brexit but has not said whether it intends to pursue this through the Animal Welfare (Sentencing and Recognition of Sentience) Bill, published in draft in December 2017. The High Speed Rail (West Midlands–Crewe) Bill was carried over, but the future of the HS2 project is currently subject to review.

To provide context, the briefing gives a snapshot of current economic performance across several indicators. It also sets out the key announcements made in the spending round in September. In his speech, the Chancellor, Sajid Javid, announced there would be increases in spending across all government departments. Following the announcement, doubt has been expressed by some as to whether the spending round was consistent with existing fiscal rules.

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10 October 2019

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## Economic Affairs

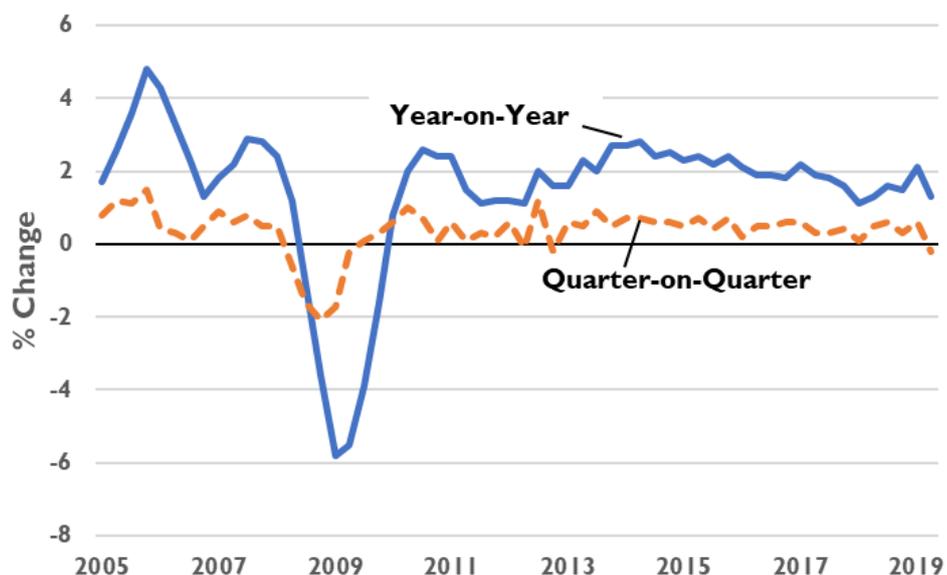
### Summary of Key Economic Indicators

This section summarises the latest data on a number of key economic indicators. It also provides historical comparisons, in most cases covering the last 20 years.

#### Economic Growth

On an annual basis, economic growth, measured by changes in real gross domestic product (GDP), has been trending downwards since 2014.<sup>1</sup> On a quarterly basis, the most recent data shows real GDP falling by 0.2% between the first and second quarters of 2019.

#### Real GDP at Market Prices: Year-on-Year and Quarter-on-Quarter Change: 1999 to Second Quarter 2019<sup>2</sup>



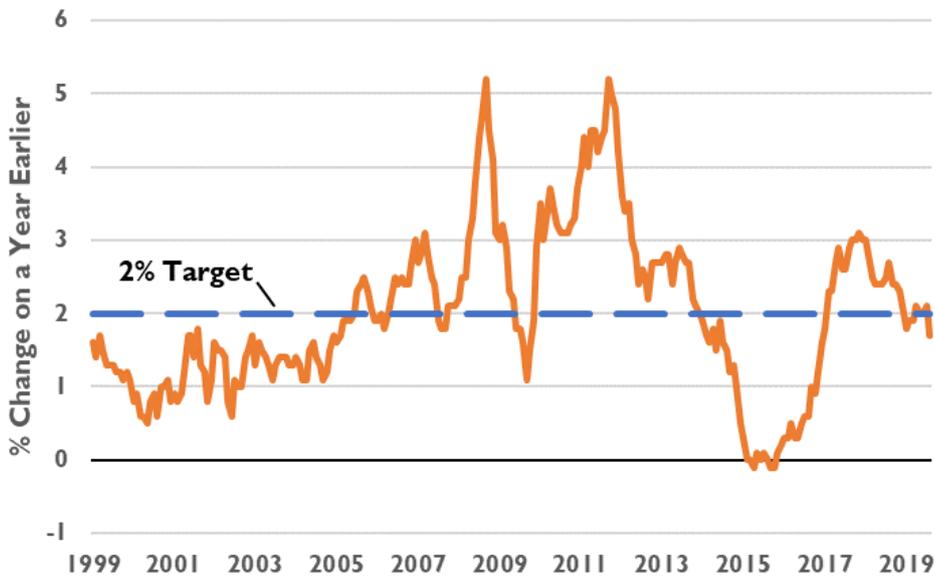
<sup>1</sup> Office for National Statistics, ‘[GDP—Data Tables](#)’, 30 September 2019, table A1 series IHYR and IHYQ.

<sup>2</sup> *ibid.*

**Inflation**

Inflation, as measured by the consumer price index (CPI), rose above the Bank of England's target rate of 2% in 2017.<sup>3</sup> However, it has been on a downward trend since early 2018. The most recent data shows a CPI inflation rate of 1.7% in the year to August 2019.

**Consumer Price Index: % Change on a Year Earlier: January 1999 to August 2019<sup>4</sup>**



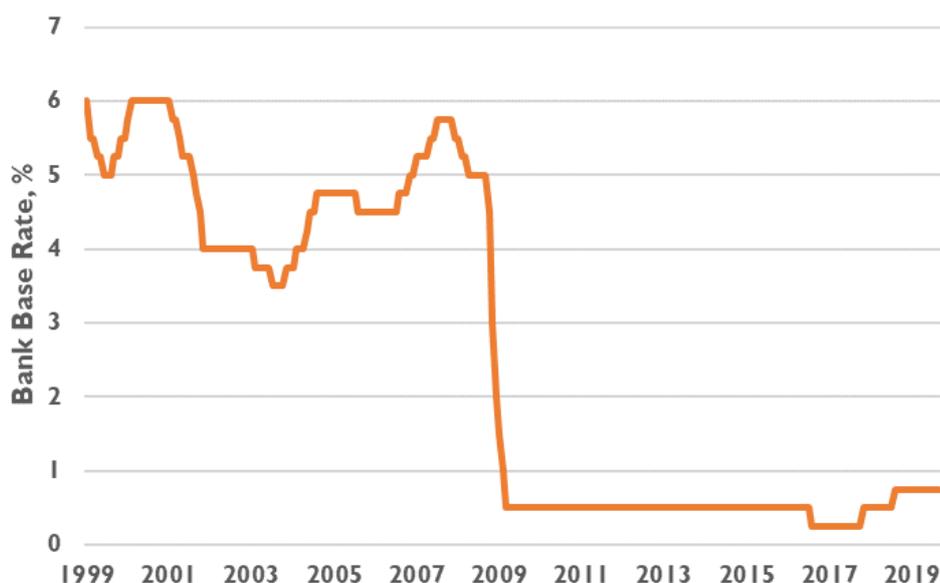
<sup>3</sup> Office for National Statistics, '[Consumer Price Inflation Tables](#)', 18 September 2019, table 20b series D7G7.

<sup>4</sup> *ibid.*

## Interest Rates

The Bank of England's base rate has been at or near historic lows since the financial crisis. There were small increases in 2017 and 2018 and the official rate is currently 0.75%.<sup>5</sup> However, recent comments from the bank suggest that the next move in interest rates may be downwards.<sup>6</sup>

### Bank of England Official Bank Rate: 1999 to September 2019<sup>7</sup>



## Employment and Unemployment

The employment rate has been trending up, and unemployment trending down, since late 2011.<sup>8</sup> The latest figures, for May to July 2019, show an employment rate of 76.1% and an unemployment rate of 3.9% among those aged 16 to 64. The remainder of the population in this age group is classed as economically inactive.<sup>9</sup> The Office for National Statistics (ONS) said that the employment rate was at a record high and the unemployment rate at its

<sup>5</sup> Bank of England, '[Official Bank Rate History](#)', accessed 20 September 2019.

<sup>6</sup> Valentina Romei and Philip Georgiadis, '[Bank of England Official Flags Rate Cut](#)', *Financial Times* (£), 27 September 2019.

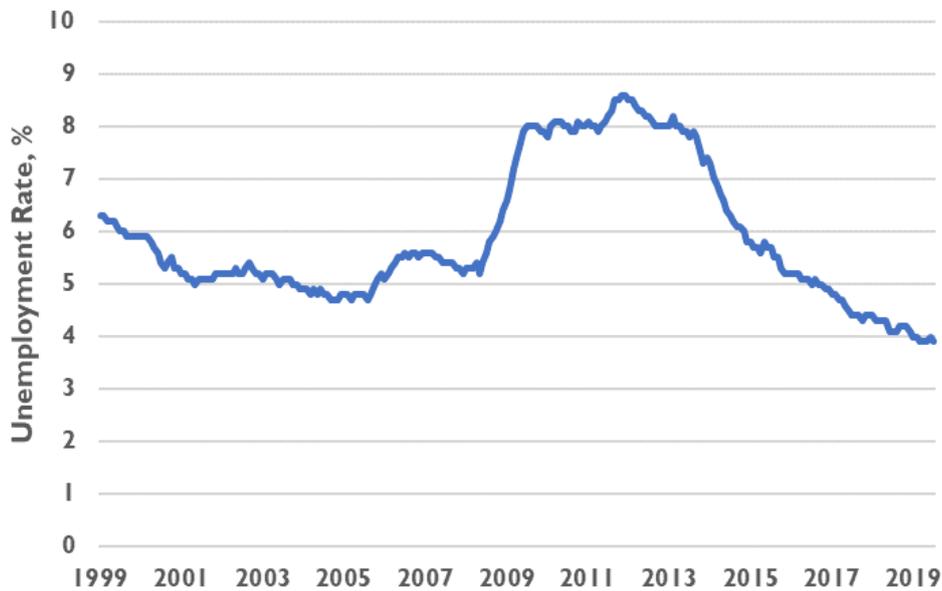
<sup>7</sup> Bank of England, '[Official Bank Rate History](#)', accessed 20 September 2019.

<sup>8</sup> Office for National Statistics, '[Summary of Labour Market Statistics](#)', 10 September 2019, table 1 series MGSR and MGSX.

<sup>9</sup> The economically inactive are those who are: (i) not in work; and (ii) either not looking for work, and/or not available to work. The main inactive groups are students, people looking after family and home, long-term or temporarily sick and disabled, retired people and those who have given up looking for work (Office for National Statistics, '[A Guide to Labour Market Statistics](#)', 4 March 2019, section 6).

lowest since 1974.<sup>10</sup>

**UK Employment and Unemployment Rates Among 16 to 64 Year Olds: Seasonally Adjusted: January 1999 to July 2019<sup>11</sup>**



<sup>10</sup> Office for National Statistics, [‘Quarterly Economic Commentary: April to June 2019’](#), 30 September 2019.

<sup>11</sup> Office for National Statistics, [‘Summary of Labour Market Statistics’](#), 10 September 2019, table I series MGSR and MGSX.

## Earnings

Real average earnings rose relatively consistently in the years up to the financial crisis. They then fell to 2013 before beginning a recovery.<sup>12</sup> On the latest data, real average weekly earnings in July 2019 were £502, 4% below their pre-crisis peak.<sup>13</sup>

### **Average Weekly Earnings at Constant 2015 Prices: Great Britain, Whole Economy, Total Pay Including Bonuses, Seasonally Adjusted: 1999 to July 2019<sup>14</sup>**



<sup>12</sup> Office for National Statistics, [‘Summary of Labour Market Statistics’](#), 10 September 2019, table 16 series A3WX.

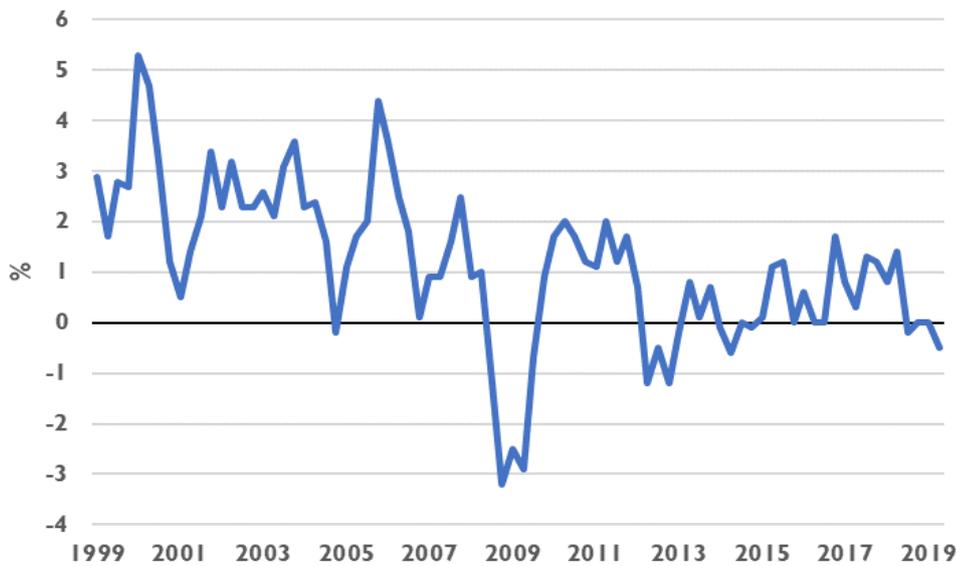
<sup>13</sup> Data expressed in constant 2015 prices.

<sup>14</sup> Office for National Statistics, [‘Summary of Labour Market Statistics’](#), 10 September 2019, table 16 series A3WX.

**Productivity**

Average productivity growth since the financial crisis has been below its earlier levels. The most recent data suggests a fall in output per hour of 0.5% between the second quarters of 2018 and 2019.<sup>15</sup>

**Output per Hour, UK: Growth in the Previous Twelve Months: 1999 to Quarter 2 2019<sup>16</sup>**



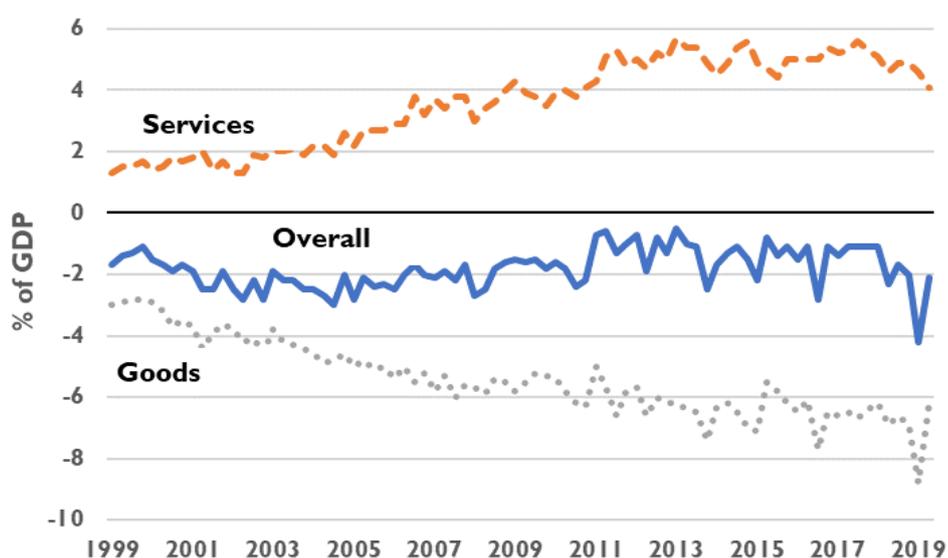
<sup>15</sup> Office for National Statistics, [‘Labour Productivity Time Series’](#), 8 October 2019, series LZVD.

<sup>16</sup> Office for National Statistics, [‘Labour Productivity Time Series’](#), 8 October 2019, series LZVD.

### Balance of Trade

For each of the last 20 years, the UK has had a deficit in trade in goods (ie it has imported more goods than it has exported). It has also had a surplus in trade in services (ie it has exported more than it has imported), but this has not been sufficient to offset the deficit in goods trade.<sup>17</sup> The latest figures show an overall deficit of 2.1% in the second quarter of 2019, although the ONS stated that trade flows in 2019 have been “volatile”.<sup>18</sup>

### UK Balance of Trade in Goods and Services: % of GDP: 1999 to Quarter 2 2019<sup>19</sup>



<sup>17</sup> Office for National Statistics, [‘Balance of Payments Time Series’](#), 30 September 2019, series D28J, D28K and D28L.

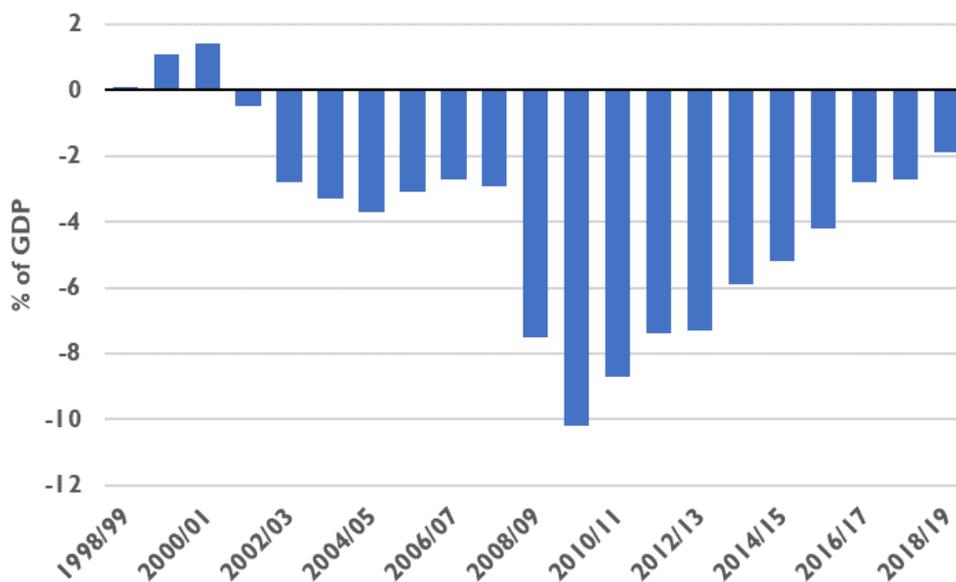
<sup>18</sup> Office for National Statistics, [‘Quarterly Economic Commentary: April to June 2019’](#), 30 September 2019.

<sup>19</sup> Office for National Statistics, [‘Balance of Payments Time Series’](#), 30 September 2019, series D28J, D28K and D28L.

## Public Finances

The public sector has been a net borrower in each year since 2001/02.<sup>20</sup> The annual deficit increased around the financial crisis, peaking at 10.2% of GDP in 2009/10, but has been reducing since. In 2018/19, net borrowing fell to 1.9% of GDP. However, borrowing in 2019/20 to date (April to August) was £31.2 billion (not shown in the chart), which is £6.8 billion higher than the same period in 2018/19.<sup>21</sup>

### Public Sector Deficit: % of GDP, Excluding Public Sector Banks: 1998/99 to 2018/19<sup>22</sup>



Public sector debt is the accumulated value of each year's deficits and surpluses, to the extent that they have not yet been repaid. The higher deficits during the financial crisis meant that overall debt rose sharply. It then levelled off and fell gradually from mid-2017 to early 2019.<sup>23</sup> The latest figures suggest that public sector net debt was 81.8% of GDP in the second quarter of 2019.

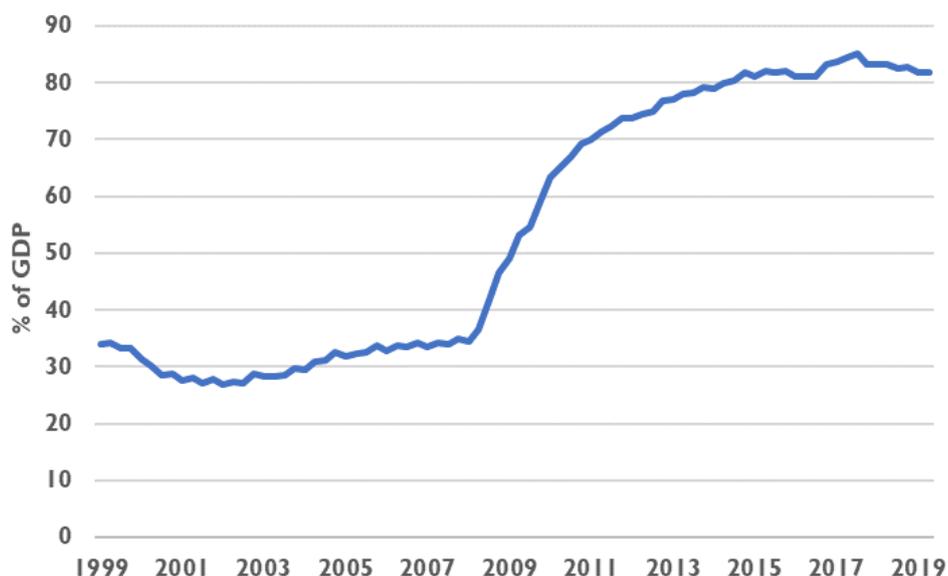
<sup>20</sup> Office for National Statistics, '[Public Sector Finances Time Series](#)', 24 September 2019, series J5IJ.

<sup>21</sup> Office for National Statistics, '[Quarterly Economic Commentary: April to June 2019](#)', 30 September 2019.

<sup>22</sup> Office for National Statistics, '[Public Sector Finances Time Series](#)', 24 September 2019, series J5IJ.

<sup>23</sup> *ibid*, series HF6X.

### Public Sector Net Debt: % of GDP, Excluding Public Sector Banks: 1999 to Quarter 2 2019<sup>24</sup>



### Spending Round 2019

On 4 September 2019, the Chancellor of the Exchequer, Sajid Javid, delivered the Government's spending plans for 2020/21.<sup>25</sup> He stated that day-to-day departmental spending would rise by 4.1 percent between 2018/19 and 2019/20, and that this was "the fastest planned real growth in day-to-day departmental spending in 15 years".<sup>26</sup> He said that all departments would have their budgets increased at least by inflation.<sup>27</sup>

The Chancellor said that the increase in spending would be delivered within the current fiscal rules. He described these rules as:

- keeping the structural deficit below 2 percent of GDP in 2020/21; and
- debt falling as a percentage of GDP.<sup>28</sup>

However, he said that the Government would review the "fiscal framework" as part of a budget later this year.<sup>29</sup> The Institute for Fiscal Studies (IFS) and

<sup>24</sup> Office for National Statistics, ['Public Sector Finances Time Series'](#), 24 September 2019, series HF6X.

<sup>25</sup> HM Treasury, [Spending Round 2019](#), September 2019, CP 170.

<sup>26</sup> *ibid*, p 1.

<sup>27</sup> [HC Hansard, 4 September 2019, col 188.](#)

<sup>28</sup> HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 1.

<sup>29</sup> [HC Hansard, 4 September 2019, col 181.](#)

other commentators suggested that the package announced in the spending round was not consistent with the existing fiscal rules.<sup>30</sup>

The Office for Budget Responsibility stated that a no-deal Brexit would increase government borrowing by around £30 billion per year from 2020.<sup>31</sup>

The Chancellor said that a full multi-year spending review would follow in 2020.<sup>32</sup>

## Taxation and Public Spending Announcements

The 2019 Conservative Party conference contained a number of announcements on specific public spending, which are covered in the other sections of this briefing.

On taxation, although no firm pledges have been made, several options have been raised by the Prime Minister and the Chancellor. During the Conservative Party leadership election, Boris Johnson put forward two proposals:<sup>33</sup>

- increase the threshold for paying the higher rate of income tax from £50,000 to £80,000; and
- increase the level of earnings at which workers would pay national insurance contributions (NICs).

The IFS said that raising the higher rate threshold in this way would cost “about £9 billion” and that it would benefit the 4 million taxpayers with the highest incomes.<sup>34</sup> The IFS also estimated that raising the lower earnings limit for NICs would cost around £3 billion for each £1,000 that it was increased. It commented that this “is probably the best thing one can do through the tax system to help low earners, though even this policy offers most benefit to higher earners”.

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<sup>30</sup> Institute for Fiscal Studies, [The IFS Green Budget October 2019](#), 8 October 2019, p 19; and Chris Giles, [‘Sajid Javid Signals an End to Current Fiscal Rules’](#), *Financial Times* (£), 5 September 2019. For a further discussion of the fiscal rules, including an additional rule to balance the “headline budget deficit” by the mid-2020s, see: Office for Budget Responsibility, [‘Letter to Interim Chair, House of Commons Treasury Committee’](#), 9 September 2019, pp 3–5.

<sup>31</sup> Office for Budget Responsibility, [Fiscal Risks Report](#), July 2019, CP 131, p 4; and House of Commons Treasury Committee, [Oral Evidence: Spending Round 2019, HC 2643](#), 9 September 2019, Q2–3.

<sup>32</sup> HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 1.

<sup>33</sup> BBC News, [‘Boris Johnson’s Tax Plan Would “Benefit Wealthy Most”—Institute for Fiscal Studies’](#), 25 June 2019.

<sup>34</sup> Paul Johnson and Tom Waters, [Boris Johnson’s Tax Policies: What Would They Cost and Who Would Benefit?](#), Institute for Fiscal Studies, 25 June 2019, p 2.

The Labour Party has criticised these proposals, saying that they will “overwhelmingly benefit high earners”.<sup>35</sup> Its own policy is that there would be no increases in income tax for those earning less than £80,000 a year, with tax rises for “only the top 5 percent of earners”.<sup>36</sup> It also said that there would be no increases in personal NICs or the rate of VAT.

Reports from the Conservative Party conference also suggested that the Chancellor is considering reforms to inheritance tax.<sup>37</sup>

## Brexit and Wider Economic Policy

At the Conservative Party conference, the Chancellor discussed preparations for economic policy in the event of a possible no-deal Brexit.<sup>38</sup> He said that he had “tasked the Treasury with preparing a comprehensive economic response to support the economy”, and that “working closely with the Bank of England, we are ready to draw on the full armoury of economic policy if needed”.

The IFS published its ‘green budget’ on 8 October 2019.<sup>39</sup> This included a general discussion of the UK and global situation, as well as analyses of the possible effects of various Brexit scenarios. It included the following arguments:<sup>40</sup>

- The global economic outlook has deteriorated due to developments in the Chinese economy and the “trade wars” initiated by Donald Trump.
- The outlook for UK growth is likewise weaker, partly due to global trends but more importantly due to uncertainty surrounding Brexit. This uncertainty has been “especially damaging to business investment”.<sup>41</sup>
- “Whether—and if so how and when—the UK leaves the European Union will be perhaps the key determinant of growth over the next few years”.<sup>42</sup>
- The form of Brexit will also affect the path of government borrowing and debt. As mentioned above, the IFS suggested that even a “smooth Brexit” will lead to borrowing which exceeds

<sup>35</sup> Labour Party, [‘John McDonnell Responding to Institute for Fiscal Studies Research on Boris Johnson’s Tax Proposals’](#), 27 September 2019.

<sup>36</sup> Labour Party, [‘Manifesto: Creating an Economy That Works for All’](#), accessed 7 October 2019.

<sup>37</sup> BBC News, [‘Chancellor Sajid Javid Hints at Inheritance Tax Cut’](#), 1 October 2019.

<sup>38</sup> Conservative Party, [‘The Chancellor’s Speech to Conference 2019’](#), 30 September 2019.

<sup>39</sup> Institute for Fiscal Studies, [‘The IFS Green Budget October 2019’](#), 8 October 2019.

<sup>40</sup> *ibid*, pp 15–19.

<sup>41</sup> *ibid*, p 16.

<sup>42</sup> *ibid*, p 18.

the 'fiscal rule' of 2% of GDP. Under a no-deal scenario, even one it describes as "relatively orderly", the IFS said that government debt would climb to almost 90% of national income for the first time since the 1960s.<sup>43</sup>

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<sup>43</sup> Institute for Fiscal Studies, [The IFS Green Budget October 2019](#), 8 October 2019, p 19.

## Business

### Employment Status Bill

Employment status tests determine whether or not an individual is eligible for any particular employment protection.<sup>44</sup> In July 2017, the Taylor Review of Modern Working Practices described how the current test framework is difficult to understand and is likely to lead to some individuals, particularly those with atypical contracts, missing out on key rights.<sup>45</sup> The review also noted that the employment status tests for employment rights and for tax are not aligned, causing further confusion.<sup>46</sup>

In December 2018, as part of its response to the Taylor Review, the Government committed to bringing forward legislation to clarify the employment status test and to prevent employers from misclassifying or misleading their staff.<sup>47</sup>

## Business Taxation

### Corporation Tax

The Government has previously announced that the main rate of corporation tax will reduce from 19% to 17% on 1 April 2020.<sup>48</sup> The then Chancellor of the Exchequer, George Osborne, argued that corporation tax is “one of the most distortive and unproductive taxes”. He said that the cut would benefit over one million businesses.<sup>49</sup>

The Labour Party has criticised these and earlier reductions to corporation tax.<sup>50</sup> It said that its policy is to “ask large corporations to pay a little more while still keeping UK corporation tax among the lowest of the major developed economies”.<sup>51</sup>

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<sup>44</sup> Department for Business, Energy and Industrial Strategy, [Good Work: The Taylor Review of Modern Working Practices](#), 11 July 2017, p 33.

<sup>45</sup> *ibid*, p 26. Examples of atypical contracts would be agency workers and those on zero-hours contracts.

<sup>46</sup> *ibid*, p 38.

<sup>47</sup> Department for Business, Energy and Industrial Strategy, [Good Work Plan](#), December 2018, Cm 9755, p 9.

<sup>48</sup> HM Revenue and Customs, [Rates and Allowances: Corporation Tax](#), 10 June 2019. The cut was first announced in the 2016 budget: HM Treasury, [Budget 2016: Some of the Things We've Announced](#), 16 March 2016.

<sup>49</sup> [HC Hansard, 16 March 2016, cols 957–8](#); and HM Treasury, [Budget 2016: Some of the Things We've Announced](#), 16 March 2016.

<sup>50</sup> Labour Party, [Tory Austerity to Hand £110 Billion in Corporate Giveaways, New Figures Reveal](#), 22 June 2018.

<sup>51</sup> Labour Party, [Manifesto: Creating an Economy That Works for All](#), accessed 7 October 2019.

## **Business Rates**

One of the bills which fell at prorogation, the Non-Domestic Rating (Lists) Bill, would have implemented the Government's commitment to alter the length of time between revaluations in the business rates system. The bill would have brought forward the date of the next revaluation to 2021 (from 2022) in England and Wales. In England, it would also have replaced the existing five-year revaluation cycle with a three-year cycle (with subsequent revaluations in 2024, 2027 and so on).<sup>52</sup> There has been no indication of whether the Government intends to reintroduce this bill in the new session.

A second bill lost at prorogation was the Non-Domestic Rating (Public Lavatories) Bill. This would have exempted from business rates any buildings which are standalone public lavatories. Again, there has been no indication whether this will be reintroduced.

## **National Living Wage**

At the 2019 Conservative Party conference, the Chancellor of the Exchequer, Sajid Javid, announced plans to increase the national living wage to two-thirds of median earnings over the next five years.<sup>53</sup> He said that this was equivalent to a projected £10.50 an hour, compared with the current level of £8.21. He also stated that the Government would extend the national living wage to all workers over the age of 21, compared with 25 and over today.<sup>54</sup> The Government said that the increase would take place over five years "if economic conditions allow".<sup>55</sup>

The Confederation of British Industry (CBI) stated that it shares the ambition to end low pay, but said that "increasing productivity is the only way to sustainable pay rises". It called for an evidence-based approach to increases in minimum wages.<sup>56</sup> The Trades Union Congress (TUC) said it had "long campaigned for a minimum wage over £10, and an end to the discrimination young workers suffer from lower rates".<sup>57</sup>

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<sup>52</sup> For further information on this bill, see: House of Lords Library, [Non-Domestic Rating \(Lists\) Bill](#), 26 September 2019.

<sup>53</sup> Conservative Party, [The Chancellor's Speech to Conference 2019](#), 30 September 2019.

<sup>54</sup> Department for Business, Energy and Industrial Strategy, [National Living Wage and National Minimum Wage: Government Response to the Low Pay Commission's Autumn 2018 Recommendations](#), 29 October 2018.

<sup>55</sup> HM Treasury et al, [Chancellor Announces Support for Post-Brexit Future](#), 30 September 2019.

<sup>56</sup> Confederation of British Industry, [Our Response to the Chancellor of the Exchequer's Speech](#), 30 September 2019.

<sup>57</sup> Trades Union Congress, [No Deal Would Overwhelm Chancellor's Minimum Wage Promise, Warns TUC](#), 30 September 2019.

## Making Tax Digital

The Government's proposals for digitalisation of tax administration are known as Making Tax Digital. The bulk of these measures were legislated for in the Finance (No. 2) Act which accompanied the 2017 budget, although some have yet to come into force.<sup>58</sup>

In November 2018, the Government announced that the measures not yet legislated for would be contained in the 2019–20 Finance Bill.<sup>59</sup> These relate to the penalty and interest regime for late filings and late payments.

## Brexit Preparations

During the Conservative Party conference, the Secretary of State for Business, Energy and Industrial Strategy, Andrea Leadsom, spoke about the efforts which the Government has made to prepare businesses for Brexit.<sup>60</sup> These include an advertising campaign targeted at businesses which export to the EU, detailed guidance to particular sectors and "local business readiness events".<sup>61</sup>

The Chancellor of the Exchequer also said that money for no-deal preparations had been doubled to £4 billion.<sup>62</sup> However, the CBI said that the key issue for businesses was to secure a deal with the EU.<sup>63</sup>

## Broadband Investment to Support Business

Also at the Conservative Party conference, the Chancellor announced a fund of £5 billion to roll out "gigabit-capable broadband in the hardest to reach 20 percent of the country".<sup>64</sup> He described this as one of a package of measures to promote economic growth.

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<sup>58</sup> HM Revenue and Customs, '[Overview of Making Tax Digital](#)', 27 June 2019.

<sup>59</sup> House of Lords Economic Affairs Committee, '[Making Tax Digital for VAT: Treating Small Businesses Fairly](#)', 22 November 2018, HL Paper 229 of session 2017–19, pp 11 and 28.

<sup>60</sup> Conservative Party, '[Leadsom: Just Get On With It!](#)', 30 September 2019.

<sup>61</sup> BBC News, '[Get Ready for Brexit' Advertising Campaign Launches](#)', 2 September 2019; Department for Exiting the European Union, '[How to Prepare if the UK Leaves the EU With No Deal](#)', 12 October 2018; and Department for Transport et al, '[Events to Help you Get Ready for Brexit](#)', 3 October 2019.

<sup>62</sup> Conservative Party, '[The Chancellor's Speech to Conference 2019](#)', 30 September 2019.

<sup>63</sup> Confederation of British Industry, '[Our Response to the Chancellor of the Exchequer's Speech](#)', 30 September 2019.

<sup>64</sup> HM Treasury et al, '[Chancellor Announces Support for Post-Brexit Future](#)', 30 September 2019.

## Apprenticeship Levy

In March 2019, the Government stated that it was undertaking a review of the apprenticeship levy.<sup>65</sup> The levy was one of a number of reforms to the apprenticeship system announced by the then Prime Minister, David Cameron, in 2015, and was introduced in April 2017.<sup>66</sup> Its purpose is to provide financial support for an increase in the number of apprenticeships. The levy is paid by employers in the UK with an annual pay-bill of over £3 million.<sup>67</sup>

The apprenticeship system, including the levy, has been criticised by a number of commentators, including the House of Lords Economic Affairs Committee.<sup>68</sup> For example, the committee said that the target of three million new apprenticeship starts by 2020 “prioritises quantity over quality” and should be scrapped. It also said that the levy funding system might leave less money available for entry-level apprenticeships.<sup>69</sup>

## Other Government Initiatives

In her speech to the 2019 Conservative Party conference, Andrea Leadsom set out her department's priorities.<sup>70</sup> These included steps to “transform the productive capacity of our economy” through a series of “grand challenges”. Among these she described:<sup>71</sup>

- the “world's biggest DNA research project that will help to prevent and even cure diseases like cancer, Parkinson's and dementia”;
- the growth of a commercial satellite industry and the development of “space flight”; and

<sup>65</sup> House of Lords, '[Written Question: Apprenticeships: Taxation](#)', 20 March 2019, HLI4289.

<sup>66</sup> HM Government, [Queen's Speech 2015: Background Briefing Notes](#), 27 May 2015, p 5; and Education and Skills Funding Agency, '[Apprenticeship Funding: How It Works](#)', 13 March 2019.

<sup>67</sup> The operation of the levy, and changes made since its introduction, are discussed in more detail in: House of Lords Library, [Apprenticeship Levy and Workplace Opportunities for Young People](#), 27 June 2019.

<sup>68</sup> House of Lords Economic Affairs Committee, [Treating Students Fairly: The Economics of Post-School Education](#), 11 June 2018, HL Paper 139 of session 2017–19, pp 75–7. For a commentary on other criticisms and the Government's position, see: House of Lords Library, [Apprenticeship Levy and Workplace Opportunities for Young People](#), 27 June 2019, pp 8–15.

<sup>69</sup> House of Lords Economic Affairs Committee, [Treating Students Fairly: The Economics of Post-School Education](#), 11 June 2018, HL Paper 139 of session 2017–19, pp 75–7.

<sup>70</sup> Conservative Party, '[Leadsom: Just Get On With It!](#)', 30 September 2019.

<sup>71</sup> *ibid.*

- the development of automation in areas such as self-driving cars and drone deliveries.

Mrs Leadsom said that further priorities were to reduce red tape for businesses and to reduce business taxes.<sup>72</sup>

In his speech at the conference the Chancellor, Sajid Javid, also announced a Brexit “red tape challenge”.<sup>73</sup> This would allow businesses to notify the Government, through an online portal, of regulations deriving from the EU which could be improved or removed after Brexit. He said that this would allow the Government to “replace inefficient EU programmes with better, home grown-alternatives”, in areas such as retail and green technology. The TUC has previously linked the reduction of EU red tape to possible reductions in workers’ rights.<sup>74</sup>

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<sup>72</sup> Conservative Party, [‘Leadsom: Just Get On With It!’](#), 30 September 2019.

<sup>73</sup> Conservative Party, [‘The Chancellor’s Speech to Conference 2019’](#); and BBC News, [‘Tory Conference: National Living Wage to Rise to £10.50, Says Chancellor’](#), 30 September 2019.

<sup>74</sup> Trades Union Congress, [‘Protecting Health and Safety After Brexit’](#), 17 May 2017, p 5.

## Agriculture, Environment and Energy

### Background

The Conservative Party's 2017 general election manifesto included commitments to improve the UK's natural environment and support environmental protection internationally. The manifesto stated that a Conservative government would ensure the current generation would be the first to "leave the environment in a better state than [they] inherited it".<sup>75</sup> To this end, in January 2018, the Government, then led by Theresa May, published its *25 Year Environment Plan*.<sup>76</sup> This set out the following objectives:

- improving the UK's air and water quality;
- protecting the UK's plants, trees and wildlife;
- managing pressures on the environment, including mitigating and adapting to climate change; and
- supporting diplomatic efforts to protect biodiversity around the world.<sup>77</sup>

### Environment Bill

Currently, as an EU member state, several environmental principles must apply to UK policy decisions. Following the decision to begin preparations for the UK's departure from the EU, there have been calls for the Government to ensure these environmental principles remain in place.<sup>78</sup>

During the passage of the European Union (Withdrawal) Bill, an amendment was agreed in the House of Commons requiring the Government to publish a draft bill. This bill would have to set out what environmental principles would apply in the UK following its departure from the EU and how they would be upheld.<sup>79</sup> The requirement to publish a draft bill was included in section 16 of the European Union Withdrawal Act 2018.

<sup>75</sup> Conservative Party, [Conservative Party Manifesto 2017](#), 2017, p 26.

<sup>76</sup> Department for Environment, Food and Rural Affairs, [A Green Future: Our 25 Year Plan to Improve the Environment](#), 11 January 2018.

<sup>77</sup> Further information on the 25 Year Environment Plan is provided in House of Commons Library, [25 Year Environment Plan](#) (17 January 2018).

<sup>78</sup> During the passage of the European Union (Withdrawal) Bill, the Government was defeated in the Lords, on an amendment, tabled by Lord Krebs (Crossbench). This amendment would have required existing environmental principles to remain in force following the UK's withdrawal from the EU: [HL Hansard, 16 May 2018, col 705](#).

<sup>79</sup> HC *Hansard*, 13 June 2018, col 1043. Further information on this amendment is provided in the House of Commons Library briefing, [Brexit and the Environment](#) (8 August 2018, pp 36–7).

The Government published a draft Environment (Principles and Governance) Bill in December 2018.<sup>80</sup> The Government also said the draft bill would enable it to implement the objectives of the *25 Year Environment Plan*.<sup>81</sup>

The draft bill set out a set of environmental principles to be established in UK law. If passed, these would apply following the UK's withdrawal from the EU. For example, the list of principles includes the 'precautionary principle'. This principle currently applies for all EU member states. It establishes that, where there is a threat of serious or irreversible damage to the environment:

[...] lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.<sup>82</sup>

The principles also include the 'polluter pays' principle. Under this, the costs of environmental damage should be borne by those causing the damage.<sup>83</sup> The bill would require the Secretary of State to set out in a policy statement how these environmental principles would be interpreted and applied.<sup>84</sup>

The bill also proposed the establishment of an Office for Environmental Protection. This body would scrutinise environmental law, investigate complaints and take enforcement action.<sup>85</sup>

The draft bill was subject to pre-legislative scrutiny by both the House of Commons Environmental Audit Committee and House of Commons Environment, Food and Rural Affairs Committee.<sup>86</sup> The House of Commons Environmental Audit Committee recommended that the Government needed to do more to establish the independence of the proposed Office for Environmental Protection.<sup>87</sup> The House of Commons Environment, Food and Rural Affairs Committee similarly argued that it would be

<sup>80</sup> Department for Environment, Food and Rural Affairs, [Draft Environment \(Principles and Governance\) Bill](#), 19 December 2018, Cm 9751.

<sup>81</sup> Department for Environment, Food and Rural Affairs, '[Draft Environment \(Principles and Governance\) Bill 2018 Policy Paper](#)', 23 July 2019.

<sup>82</sup> Department for Environment, Food and Rural Affairs, [Information Paper on The Policy Statement on Environmental Principles](#), December 2018, p 11.

<sup>83</sup> *ibid.*

<sup>84</sup> *ibid.*

<sup>85</sup> Further Information on the Draft Environment (Principles and Governance) Bill 2018 is provided in the House of Commons Library briefing, [Environmental Principles and Governance: The Draft Bill](#) (30 January 2019).

<sup>86</sup> House of Commons Environmental Audit Committee, [Scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), 25 April 2019, HC 1951 of session 2017–19; and House of Commons Environment, Food and Rural Affairs Committee, [Pre-legislative Scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), 30 April 2019, HC 1893 of session 2017–19.

<sup>87</sup> House of Commons Environmental Audit Committee, [Scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), 25 April 2019, HC 1951 of session 2017–19, pp 57–9.

“inappropriate” for the Chair and the other non-executive members of the board to be appointed by the Secretary of State alone, and that the Government should review its proposed appointments process.<sup>88</sup>

The Labour Party has criticised aspects of the Government's proposals. The Shadow Environment Secretary, Sue Hayman, has argued that, while the proposals were “a step in the right direction”, the Government needed to clarify how much funding would be provided to enable these environmental objectives to be delivered.<sup>89</sup>

### **New Bill**

The Government has confirmed it will be introducing a new Environment Bill. This would include a set of environmental principles similar to those in the draft bill.<sup>90</sup>

In an oral evidence session with the House of Commons Environment, Food and Rural Affairs Committee, Theresa Villiers, following her appointment as Secretary of State for Environment, Food and Rural Affairs, said the proposals in the draft bill would be revised before the Environment Bill was published.<sup>91</sup> This, she stated, would allow the Government to take on a number of the proposals put forward by the committee, including those relating to the independence of the planned Office for Environmental Protection. Previously, Dr Thérèse Coffey, the former Minister of State at the Department for Environment, Food and Rural Affairs, stated that the Government did not intend to add further principles to those included in the Draft Environment (Principles and Governance) Bill.<sup>92</sup> She argued the principles set out in the draft legislation were sufficient to meet the Government's environmental aims.

During the 2019 Conservative Party conference, Ms Villiers said the Environment Bill would “embed environmental ambition and accountability at the heart of government”.<sup>93</sup>

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<sup>88</sup> House of Commons Environment, Food and Rural Affairs Committee, [Pre-legislative Scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), 30 April 2019, HC 1893 of session 2017–19, p 53.

<sup>89</sup> Labour Party, [‘Sue Hayman Responds to Draft Environment Bill’](#), 20 December 2018.

<sup>90</sup> House of Commons, [‘Written Question: Wildlife: Conservation’](#), 29 May 2019, 255654.

<sup>91</sup> House of Commons Environment, Food and Rural Affairs Committee, [Oral Evidence: Is Defra ready for Brexit?, HC 1669](#), 9 September 2019, Q297.

<sup>92</sup> House of Commons, [‘Written Question: Environment \(Principles and Governance\) Bill \(Draft\)’](#), 15 July 2019, 275769.

<sup>93</sup> Theresa Villiers, [‘Theresa Villiers MP: We Can Hand on the Natural Environment in a Better State Than We Found It’](#), *Politics Home*, 29 September 2019.

She also stated the key goals of the bill would be to:

- improve air quality;
- help restore natural habitats and increase biodiversity;
- reduce waste and increase recycling and reuse; and
- improve the management of the UK's water resources.<sup>94</sup>

### **Plastic Waste**

In his 2018 budget, the then Chancellor of the Exchequer, Philip Hammond, announced a consultation on introducing a plastic waste tax in England from April 2022.<sup>95</sup> This would apply to plastic packaging which does not contain at least 30 percent recycled plastic. In July 2019, the Government stated that—following this consultation—it was in the process of designing the plastic waste tax.<sup>96</sup> It again confirmed that the tax would be introduced in April 2022.

There have been calls on the Government to do more to combat plastic pollution. In September 2019, the House of Commons Environment, Food and Rural Affairs Committee published a report on plastic food and drink packaging.<sup>97</sup> It argued the Government was not doing enough to reduce plastic waste.<sup>98</sup> It recommended the Government expand the number of businesses required to report on their packaging. It also argued that, instead of applying a 30 percent recycled content threshold, the plastic packaging tax should be modulated. It recommended there should be lower fees for higher levels of recycled content.

During the 2019 Conservative Party conference, Ms Villiers stated the Environment Bill would include measures intended to reduce avoidable plastic waste. During a question and answer session following her speech to conference, she argued more progress needed to be made by retailers and food producers.<sup>99</sup> She said the Government would introduce the principle of “extended producer responsibility”.<sup>100</sup> This would require those creating excess packaging to be responsible for the “whole life cost” of plastic waste, including its disposal. She said that measures would be included in the bill to enable the Government to achieve this aim.

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<sup>94</sup> Theresa Villiers, [‘Theresa Villiers MP: We Can Hand on the Natural Environment in a Better State Than We Found It’](#), *Politics Home*, 29 September 2019.

<sup>95</sup> HM Treasury, [Budget 2018](#), October 2018, HC 1629 of session 2017–19, p 48.

<sup>96</sup> House of Commons, [‘Written Question: Plastics: Taxation’](#), 16 July 2019, 274573.

<sup>97</sup> House of Commons Environment, Food and Rural Affairs Committee, [Plastic Food and Drink Packaging](#), 12 September 2019, HC 2080 of session 2017–19.

<sup>98</sup> *ibid*, p 3.

<sup>99</sup> Guardian Official YouTube Channel, [‘Conservative Party Conference Enters Second Day—Watch Live’](#), accessed 30 September 2019.

<sup>100</sup> *ibid*.

## **Air Quality**

The Government has said that the Environment Bill would include measures to ensure the improvement of air quality in the UK.<sup>101</sup> In his statement on the 2019 spending round, the Chancellor of the Exchequer, Sajid Javid, also said the Treasury would increase funding by more than £30 million for improving air quality.<sup>102</sup>

There have been calls on the Government to introduce a separate bill to improve air quality. In a letter to the *Times* published in September 2019, a group of doctors, MPs and Members of the House of Lords argued the Government needs to introduce new legislation specifically targeted at improving air quality.<sup>103</sup> The letter proposed that this legislation should establish the rights of people to breathe clean air. They also argued the bill should establish a duty on the State and on public authorities to combat air pollution.

Chris Philp (Conservative MP for Croydon South) has also tabled a private member's bill, using the ten-minute rule bill procedure, entitled the Clean Air (No. 2) Bill.<sup>104</sup> This included measures such as the establishment of new low emission zones and a requirement that local authorities should undertake tree-planting and encourage the use of electric vehicles. The bill did not receive second reading and fell at the end of the 2017–19 session.

## **Emissions Targets**

On 12 June 2019, the then Prime Minister, Theresa May, announced a target to reduce the UK's net contribution to climate change to zero by the year 2050.<sup>105</sup> This included legislating for net zero emissions. In her statement, she argued that this was an “ambitious target”, but that it was crucial “to ensure we protect our planet for future generations”.<sup>106</sup>

During his statement on the 2019 spending round, the Chancellor of the Exchequer, Sajid Javid, said the Treasury would provide £30 million towards the development of decarbonisation schemes in order to meet this 2050 target.<sup>107</sup> He also said further details would be included in the Government's

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<sup>101</sup> Theresa Villiers, '[Theresa Villiers MP: We Can Hand on the Natural Environment in a Better State Than We Found It](#)', *Politics Home*, 29 September 2019.

<sup>102</sup> HM Treasury, '[Spending Round 2019](#)', September 2019, CP 170, pp 19–20.

<sup>103</sup> *Times* (£), '[Times Letters: Toxic Exchanges in Parliament Over Brexit](#)', 28 September 2019.

<sup>104</sup> [HC Hansard, 3 September 2019, cols 78–80](#).

<sup>105</sup> Prime Minister's Office, '[PM Theresa May: We Will End UK Contribution to Climate Change by 2050](#)', 12 June 2019.

<sup>106</sup> *ibid*.

<sup>107</sup> HM Treasury, '[Spending Round 2019](#)', September 2019, CP 170, p 18.

National Infrastructure Strategy, which would be published in autumn 2019.<sup>108</sup>

The Prime Minister, Boris Johnson, said in his speech to the 2019 Conservative Party conference that the Government would ensure that the UK “[led] the world with clean green technology and in reducing greenhouse gases that cause climate change”.<sup>109</sup> During the same conference, the Secretary of State for Business, Energy and Industrial Strategy, Andrea Leadsom, the Secretary of State for Environment, Food and Rural Affairs, Theresa Villiers, and the Housing Secretary, Robert Jenrick, issued a joint statement. This outlined the following policies intended to ensure the UK met its 2050 target. According to the statement, the Government would:

- Provide up to £1 billion of investment in the automotive industry to support the reduction of emissions.
- Create more green spaces in the UK. This would include the planting of up to one million trees by 2024 in Northumberland, forming what the Government has described as the “Great Northumberland Forest”.
- Provide initial funding of £220 million for the development of a fusion power plant at the Culham Centre for Fusion Energy in Oxfordshire. The target would be for this new plant to be built by 2040.
- Introduce a new “Future Homes Standard” by 2025, intended to improve energy efficiency in homes.<sup>110</sup>

Responding to these proposals, Greenpeace and Friends of the Earth have argued that the Government’s funding proposals would not be sufficient to ensure it met its 2050 target.<sup>111</sup> The energy industry trade association, Energy UK, has also argued the Government needed to do more to ensure the UK met its 2025 emissions target. While it welcomed proposals regarding the car industry and energy efficiency in homes, it argued the Government needed to provide more investment to support improvements in efficiency in the power sector.

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<sup>108</sup> [HC Hansard, 4 September 2019, col 184.](#)

<sup>109</sup> Conservative Party, [‘Prime Minister: Let’s Get Brexit Done and Take This Country Forward’](#), 2 October 2019.

<sup>110</sup> Further information on the Government’s Future Homes Standard consultation is provided in the Lords Library Briefing for Day 4 of the debate on the Queen’s Speech.

<sup>111</sup> Rob Merrick, [‘Tories Ignore Tough Climate Change Recommendations in 2050 Net Zero Plan. But Promise Nuclear Fusion Instead’](#), *Independent*, 28 September 2019.

## Animal Welfare Bills

One of the bills that fell due to prorogation was the Animal Welfare (Sentencing) Bill.<sup>112</sup> The bill would have increased the maximum sentence in England for those found guilty of an animal cruelty offence to five years in prison. Currently, the maximum sentence is a six-month sentence and/or an unlimited fine. Increasing the maximum length of sentence to five years in prison had previously been recommended by the House of Commons Environment, Food and Rural Affairs Committee in 2016.<sup>113</sup> The bill would have brought England in line with Scotland and Northern Ireland where the maximum sentence is currently five years.<sup>114</sup>

The Animal Welfare (Sentencing) Bill reached the end of committee stage in the House of Commons but did not reach report stage before the end of the 2017–19 session. It did not receive a carry-over motion prior to prorogation.

The lack of a carry-over motion was criticised at the time of the Government's first attempt to prorogue parliament. Battersea Dogs and Cats Home stated it was "very disappointed" that the bill had fallen and urged the Government to reintroduce the bill in the new session.<sup>115</sup>

Following the return of Parliament on 25 September 2019, a number of MPs stated their support for the bill and urged the Government to find time for it to be debated.<sup>116</sup> The Leader of the House of Commons, Jacob Rees-Mogg, responded by iterating the Government's support for the bill and its importance.<sup>117</sup>

The proposal to extend the maximum sentence for animal cruelty offences was originally consulted on as part of the draft Animal Welfare (Sentencing and Recognition of Sentience) Bill.<sup>118</sup> This draft bill was published in December 2017 and included separate provisions regarding animal sentience. The then Secretary of State for the Environment, Food and Rural Affairs, Michael Gove, said the purpose of these draft provisions was to set out how

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<sup>112</sup> [HC Hansard, 26 June 2019, col 668](#). Further information on the bill during the 2017–19 session is provided on the UK parliament website: [Animal Welfare \(Sentencing\) Bill 2017–19](#), accessed 2 October 2019.

<sup>113</sup> House of Commons Environment, Food and Rural Affairs Committee, [Animal Welfare in England: Domestic Pets](#), 16 November 2016, HC117 of session 2016–17.

<sup>114</sup> Further information on the bill is provided in the House of Commons Library briefing, [Animal Welfare \(Sentencing\) Bill 2017–19](#) (3 September 2019).

<sup>115</sup> BBC News, ['What Laws Have Been Lost After Parliament's Suspension?'](#), 12 September 2019.

<sup>116</sup> [HC Hansard, 25 September 2019, cols 829 and 842](#).

<sup>117</sup> *ibid.*

<sup>118</sup> Department for Environment, Food and Rural Affairs, ['Consultation on the Draft Animal Welfare \(Sentencing and Recognition of Sentience\) Bill'](#), 12 December 2017.

the Government would establish in UK domestic law that animals were sentient creatures.<sup>119</sup> This followed calls in the House of Commons and the House of Lords to ensure animal sentience continued to be recognised following the UK's departure from the EU.<sup>120</sup>

The House of Commons Environment, Food and Rural Affairs Committee criticised these provisions, arguing the Government had published the draft bill before defining the key concepts underpinning it, including the concept of 'sentience'.<sup>121</sup> In its response to its consultation, the Government noted these and other concerns.<sup>122</sup> It said it would work on how its proposals could be refined. Alternative provisions have yet to be introduced as part of a government bill. In September 2019, the Government stated it was still committed to making "any necessary changes" to UK domestic law to ensure animal sentience was recognised after the UK's departure from the EU.<sup>123</sup> It said it was considering the best means by which to bring this about in practice.

During the 2019 Conservative Party conference, the Government announced it would consult on several new animal welfare policies, including:

- Improving the welfare of live animals transported for slaughter.<sup>124</sup> This would include banning long journeys. The announcement followed a commitment in the 2017 Conservative manifesto to take steps to control the export of live farm animals.<sup>125</sup> The Secretary of State for Environment, Food and Rural Affairs, Theresa Villiers, has argued such a ban would be made possible by the UK's departure from the EU.<sup>126</sup>
- Banning the trade, import and/or sale of primates as pets. The consultation would consider the potential impact on rescue centres and animal welfare charities if such restrictions were

<sup>119</sup> House of Commons, '[Written Statement: Animal Welfare](#)', 12 December 2017, HCWS340.

<sup>120</sup> [HC Hansard, 15 November 2017, cols 475–34](#); and [HL Hansard, 17 October 2017, cols 571–3](#).

<sup>121</sup> House of Commons Environment, Food and Rural Affairs Committee, [Pre-Legislative Scrutiny of the Draft Animal Welfare \(Sentencing and Recognition of Sentience\) Bill 2017](#), HC 709 of session 2017–19.

<sup>122</sup> Department for Environment, Food and Rural Affairs, [Animal Welfare \(Sentencing and Recognition of Sentience\) Draft Bill: Consultation Response](#), August 2018, p 13.

<sup>123</sup> House of Commons, '[Written Question: Animal Welfare](#)', 9 September 2019, HL17731. Further information on animal sentience in the UK and the UK withdrawal from the EU is provided in the House of Commons Library briefing, [Animal Sentience and Brexit](#) (8 July 2018).

<sup>124</sup> Department for Environment, Food and Rural Affairs, '[New Measures Protect Animal Welfare and Increase Woodland Cover](#)', 1 October 2019.

<sup>125</sup> Conservative Party, [Conservative Party Manifesto 2017](#), 2017, p 26.

<sup>126</sup> Fiona Harvey, '[Tories Focus on Animal Welfare Over Climate Crisis in Green Agenda](#)', *Guardian*, 28 September 2019.

introduced.<sup>127</sup>

- Requiring for pet cats to be microchipped. The Government has stated this proposed requirement would be similar to that currently in place for dogs.<sup>128</sup>
- Banning the import and export of trophies from the hunting of endangered species. This proposed change would widen the ban on ivory products, currently in place under the Ivory Act 2018, to other items made from endangered animals.<sup>129</sup>

## Agriculture and Fisheries Bills

During the 2017–19 session, the Government, then led by Theresa May, introduced separate bills concerning agriculture and fisheries in the UK.<sup>130</sup> The bills would have enabled new regimes for the farming and fisheries industries to be established following the UK's withdrawal from the EU.

These bills both fell due to prorogation. At the time of prorogation, the Government said the current common agricultural policy (CAP) rules and processes would remain in place until new legislation was passed.<sup>131</sup> The Government said the CAP rules would be retained in UK law after the UK's departure from the EU under the European Union (Withdrawal) Act 2018.

The falling of the Agriculture Bill and the Fisheries Bill was criticised in the House of Commons.<sup>132</sup> Responding to these criticisms, the Leader of the House of Commons, Jacob Rees-Mogg, argued that the Government had already passed all of the “essential” legislation to enable the UK to leave the EU.<sup>133</sup> He also said there was a risk in continuing with Government bills as they might have been amended in such a way that they no longer delivered the objects of government policy.

However, the Secretary of State for Environment, Food and Rural Affairs, Theresa Villiers, has said separately that it is the Government's intention to move forward with these bills.<sup>134</sup>

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<sup>127</sup> Department for Environment, Food and Rural Affairs, '[New Measures Protect Animal Welfare and Increase Woodland Cover](#)', 1 October 2019.

<sup>128</sup> *ibid.*

<sup>129</sup> *ibid.*

<sup>130</sup> [HC Hansard, 12 September 2018, col 771](#); and [HC Hansard, 25 October 2018, col 481](#).

<sup>131</sup> HM Government, [No-Deal Readiness Report](#), October 2019, CP 179, p 103.

<sup>132</sup> [HC Hansard, 26 September 2019, col 926](#).

<sup>133</sup> *ibid.*

<sup>134</sup> Theresa Villiers, '[Theresa Villiers MP: We Can Hand On The Natural Environment In A Better State Than We Found It](#)', *Politics Home*, 29 September 2019; House of Commons Environment, Food and Rural Affairs Committee, [Oral Evidence: Is Defra ready for Brexit?](#), [HC 1669](#), 9 September 2019, Q300.

## **Agriculture Bill**

The Agriculture Bill was intended to establish a new framework for providing subsidies for UK farmers and making other market interventions. It would have replaced the framework that currently exists under the EU CAP. It was introduced in the House of Commons on 12 September 2018.<sup>135</sup> The bill reached the end of committee stage in the Commons on 20 November 2018 but did not reach report stage.<sup>136</sup>

The then Secretary of State for Environment, Food and Rural Affairs, Michael Gove, said that the bill would have enabled the UK Government “to reward farmers better for the environmental and other public goods that they provide”.<sup>137</sup> The bill would also have brought into force in UK law the UK’s obligations under the World Trade Organisation Agreement on Agriculture.

The Government has confirmed that an Agriculture Bill will feature in the 2019 Queen’s Speech.<sup>138</sup> It has suggested that the bill might be altered following scrutiny in the House of Commons. The Government has described the introduction of a new Agriculture Bill as:

[...] an opportunity to reflect on the scrutiny of the House of Commons and improve the legislation that will underpin our new domestic agriculture policy.<sup>139</sup>

The Government has not described how this new bill might differ from the Agriculture Bill introduced during the 2017–19 session.

During her speech to conference on 30 September 2019, the Secretary of State for Environment, Food and Rural Affairs, Theresa Villiers, restated the Government’s commitment to the objectives of the Agriculture Bill. She said:

[...] we must release our farmers from the rigidity and bureaucracy of the common agricultural policy. Based on public money for public goods, our new support system will reward farmers for environmental stewardship and help them become more productive, more sustainable and more successful.<sup>140</sup>

<sup>135</sup> [HC Hansard, 12 September 2018, col 771.](#)

<sup>136</sup> [Public Bill Committee, Agriculture Bill, session 2017–19, 20 November 2018, 14th sitting.](#)

<sup>137</sup> [HC Hansard, 10 October 2018, col 156.](#)

<sup>138</sup> BBC Radio 4, ‘[Farming Today](#)’, 30 September 2019.

<sup>139</sup> House of Commons, ‘[Written Question: Agriculture Bill](#)’, 9 September 2019, 286776.

<sup>140</sup> Conservative Party, ‘[Theresa Villiers: Speech to Conservative Party Conference 2019](#)’, 30 September 2019.

She also stated the Government would ensure food standards would be maintained following the UK's withdrawal from the EU. She said:

We should be proud that our farmers produce some of the highest quality food in the world to some of the highest standards and we will not water down those standards in future trade negotiations.

The Government has committed to maintaining the same level of funding that farmers currently receive under the CAP after the UK's departure from the EU.<sup>141</sup> Separately to this commitment, the Government announced it would make available £160 million of extra funding to farmers in Scotland.<sup>142</sup> The Chancellor of the Exchequer, Sajid Javid, stated this would be a one-off payment. It was intended to compensate Scottish farmers, who Mr Javid described as having "lost out" in the 2013 allocation of CAP funding within the UK.<sup>143</sup>

### **Fisheries Bill**

The Fisheries Bill was introduced in the House of Commons on 25 October 2018, but did not complete report stage.<sup>144</sup> The bill was intended to come into force following the UK's departure from the EU.

The UK government has stated that, on leaving the EU, the common fisheries policy will no longer apply for the UK.<sup>145</sup> The UK will instead become an independent coastal state. As such, the UK will be responsible for managing fisheries in the UK's Exclusive Economic Zone, an area that extends 200 nautical miles from the UK's coast.

The EU common fisheries policy establishes a number of objectives for fisheries policy in the EU. These objectives include that the fisheries policy of member states should be environmentally sustainable.<sup>146</sup> The *25 Year Environment Plan*, published under Theresa May's Government, stated that it would seek to maintain and protect the UK's marine environment.

The Fisheries Bill was a framework bill enabling the UK government to amend retained EU law relating to fisheries. Fisheries is a devolved matter in the UK, so the bill also includes powers for devolved administrations to

<sup>141</sup> HM Government, [No-Deal Readiness Report](#), October 2019, CP 179, p 103.

<sup>142</sup> [HC Hansard, 4 September 2019, col 186](#).

<sup>143</sup> *ibid.*

<sup>144</sup> [HC Hansard, 25 October 2018, col 481](#).

<sup>145</sup> Department for Environment, Food and Rural Affairs, '[Gove Launches Fisheries Bill to Take Back Control of UK Waters](#)', 25 October 2018.

<sup>146</sup> Fisheries Bill, clauses 1–6.

amend retained EU legislation.<sup>147</sup>

The Fisheries Bill set out objectives for the fisheries policies of the UK and devolved administrations. This included sustainability and the protection of the ecosystem. Under the bill, these objectives would have been included in a Joint Fisheries Statement issued by the UK Government and devolved administrations and in a separate Secretary of State's fisheries statement.

In January 2019, the House of Commons Environment, Food and Rural Affairs Committee, in its report on the bill, argued that the Government needed to establish greater oversight of this new fisheries regime. It recommended that the bill should be amended so that the joint fisheries statement and the Secretary of State's fisheries statement are subject to an interim review every three years and full review every six years.<sup>148</sup> It also recommended an independent assessment be published alongside these statements and the establishment of a non-statutory advisory body on the UK's fisheries policy. The Government has yet to publish a response to this report.

During the 2019 Conservative Party conference, the Government did not set out any changes it was intending to make to the Fisheries Bill if it were reintroduced in the new session. However, the Prime Minister stated that, following the UK's departure from the EU, the Government's intention was to "turbo-charge the Scottish fishing sector".<sup>149</sup>

## Other Announcements

### Smart Meters

On 16 September 2019, the Government launched a consultation on the continued roll-out of smart meters in Great Britain after 2020. This is when the current regulatory framework for their roll-out ends. The consultation includes proposals to legislate for a new regulatory framework which would place certain obligations on energy suppliers to pursue faster smart meter roll-out, linked to four design principles:

- to encourage consumers to benefit from the rollout of smart meters, including how to use the data from their smart meters;

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<sup>147</sup> Further information on the Government's fisheries policy and the Fisheries Bill is provided in the House of Commons Library briefing, [Fisheries and Brexit](#) (5 September 2019).

<sup>148</sup> House of Commons Environment, Food and Rural Affairs Committee, [Beyond the Common Fisheries Policy: Scrutiny of the Fisheries Bill](#), HC 1722 of session 2017–19, 20 January 2019, p 26.

<sup>149</sup> Conservative Party, [Prime Minister: Let's Get Brexit Done and Take This Country Forward](#), 2 October 2019.

- to deliver a market-wide rollout of smart meters as soon as possible, that ensures value for money, and maintains installation quality so that consumers can derive maximum benefit and have a good experience.
- to normalise smart meters so they are the default meter used in Great Britain; and
- to give certainty to the whole sector to invest and plan, ahead of and beyond 2020.<sup>150</sup>

The Government has estimated that around 30 million smart meters will have been installed by the end of 2020. The initial legal obligation required energy companies to take “all reasonable steps” to complete roll-out to over 50 million homes and businesses by the end of 2020. At the end of June 2019, the number installed was 15 million.<sup>151</sup>

Smart meters are technologically advanced gas and electricity meters that offer various “intelligent functions”. For example, they include displays of how much energy a household is using and they communicate meter readings directly to energy suppliers. As a result, suggested benefits include:

- more up-to-date information on energy use, expressed in monetary terms;
- easier management of energy use, to save money and reduce emissions;
- an end to estimated billing; and
- over time, smart meters will make switching suppliers easier.<sup>152</sup>

The cost of installation of smart meters is not paid by individuals, but is covered by consumers through the overall cost of energy bills. The Government has recently estimated the costs of the programme at £13.5 billion, but with benefits of £19.5 billion to consumers, representing a net benefit of £6 billion.<sup>153</sup> However, this net benefit is less than originally estimated, with the Government revising the figures from an initial predicted net benefit of £6.7 billion.<sup>154</sup> This is due to increases in expected costs.

Concerns have been raised over the escalating costs of the roll-out and the functionality of the smart meters. For example, in November 2018, the

<sup>150</sup> Department for Business, Energy and Industrial Strategy, [Delivering a Smart System](#), 16 September 2019, p 8.

<sup>151</sup> *ibid*, p 11.

<sup>152</sup> Department for Business, Energy and Industrial Strategy, [Smart Meters: A Guide](#), 4 January 2018.

<sup>153</sup> Department for Business, Energy and Industrial Strategy, [Smart Meter Roll-Out: Cost-Benefit Analysis \(2019\)](#), 16 September 2019, p 63.

<sup>154</sup> National Audit Office, [Rolling Out Smart Meters](#), 23 November 2018.

National Audit Office stated:

The facts are that the programme is late, the costs are escalating, and in 2017 the cost of installing smart meters was 50% higher than the Department assumed. 7.1 million extra SMETS1 meters [an older model of the meter] have been rolled out because the Department wanted to speed up the programme. The Department knows that a large proportion of SMETS1 meters currently lose smart functionality after a switch in electricity supplier and there is real doubt about whether SMETS1 will ever provide the same functionality as SMETS2 [a newer form of meter]. The full functionality of the system is also dependent on the development of technology that is not yet developed.<sup>155</sup>

In addition, the BBC has reported some consumer dissatisfaction with the functionality of smart meters, with many meters apparently not working as intended.<sup>156</sup>

### **Biodiversity**

The Government has also made a number of recent announcements intended to help support global biodiversity. The Chancellor of the Exchequer, Sajid Javid, announced in his statement on the 2019 spending round that the Treasury would provide £30 million towards terrestrial and marine biodiversity measures.<sup>157</sup> Specifically, this funding would go towards:

- implementing the Ivory Act 2018;
- improvement of the marine environment in the UK and UK Overseas Territories, referred to as the 'Blue Belt' programme; and
- supporting the UK's contribution to international efforts to improve global biodiversity.

On 23 September 2019, the Government announced the creation of a new biodiversity fund.<sup>158</sup> This fund would be worth £220 million and would support international efforts to protect endangered wildlife. Specifically, funding would be provided for the protection of natural habitats and combatting poaching.

<sup>155</sup> National Audit Office, '[Rolling Out Smart Meters](#)', 23 November 2018.

<sup>156</sup> BBC News, '[Smart Meters: Why They are Driving Some People Mad](#)', 14 May 2019.

<sup>157</sup> HM Treasury, '[Spending Round 2019](#)', September 2019, CP 170, p 18.

<sup>158</sup> Department for Environment, Food and Rural Affairs and Department for International Development, '[PM Launches New Action Plan to Save the Natural World](#)', 23 September 2019.

The Shadow Environment, Food and Rural Affairs Secretary, Sue Hayman, criticised this announcement, arguing the total amount proposed was “paltry”.<sup>159</sup>

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<sup>159</sup> Labour Party, [‘Government Biodiversity Fund—Sue Hayman Responds’](#), 22 September 2019.

## Transport

### Unmanned Aircraft Bill

In evidence to the House of Commons Science and Technology Committee in July 2019 the Parliamentary Under Secretary of State for Transport, Baroness Vere of Norbiton, indicated that a bill on the issue of unmanned aircraft was awaiting parliamentary time:

We are working very closely across Government in responding to the different challenges produced by unmanned aircraft. For example, we are working very closely with the Home Office on the unmanned aircraft Bill. It is pretty much ready to go, and we are just looking for parliamentary time. [...]<sup>160</sup>

Detailing the purpose of the bill, Baroness Vere stated:

The unmanned aircraft Bill focuses on powers. It plugs the gap that the police have told us they feel exists at the moment. The registration system comes in at the end of November. The unmanned aircraft Bill will make sure that there are appropriate offences for not being registered. It will include stop and search. At the moment, a police constable cannot stop and search somebody if they suspect they have committed an offence with an unmanned aircraft and shoved it in their bag. We need to fill that particular gap. It covers entry to a house looking for a specific unmanned aircraft—all those sorts of thing.<sup>161</sup>

In answer to a recent parliamentary question on the subject the Government provided background on recent changes to regulation:

The Government has already acted to regulate this sector and has introduced amendments to the Air Navigation Order 2016 in 2018 and 2019, both times following a full public consultation. The Government keeps its regulatory framework for unmanned aircraft under ongoing review as it is vital that unmanned aircraft are used safely and securely.

From 30 November 2019, it will be a legal requirement for remote pilots of an unmanned aircraft to take a competency test, to ensure that they have a good understanding of the rules, and for those who are responsible for an unmanned aircraft to register with the CAA.<sup>162</sup>

<sup>160</sup> House of Commons Science and Technology Committee, [Oral Evidence: Commercial and Recreational Drones Use in the UK, HC 2021](#), 9 July 2019, Q45.

<sup>161</sup> *ibid*, Q462.

<sup>162</sup> House of Commons, '[Written Question: Unmanned Air Vehicles: Safety](#)', 30 September 2019, 291042.

For more information regarding the regulation of unmanned aircraft, please see the House of Commons Library briefing.<sup>163</sup>

## High Speed Rail (West Midlands–Crewe) Bill

High Speed 2 is a high speed rail infrastructure project which would connect London, Leeds, Manchester and the West Midlands. The project is planned to be undertaken in phases:

- Phase 1: London to West Midlands. Target completion date 2026;
- Phase 2a: West Midlands to Crewe. Target completion date 2027; and
- Phase 2b: target completion date 2033, comprising:
  - Crewe to Manchester; and
  - West Midlands to Leeds.<sup>164</sup>

The project was initially launched by the Labour Government in 2009 and has been backed by the subsequent Coalition and Conservative governments.<sup>165</sup>

A bill approving phase 2a of the project is currently in the House of Lords having been carried over from the previous session. The High Speed Rail (West Midlands–Crewe) Bill received its second reading in the House of Lords on 9 September 2019 and completed its House of Commons stages on 15 July 2019.<sup>166</sup> It is a hybrid bill, meaning it has characteristics of both a public bill and a private bill. As a result, the bill has gone through some additional stages to a typical public bill (such as scrutiny by a hybrid bill committee).<sup>167</sup> It was originally introduced in July 2017. The legislation approving phase 1 of the project received royal assent on 23 February 2017.<sup>168</sup>

There is currently some uncertainty about the future of the project. On 21 August 2019, the government announced an independent review of the project, chaired by Douglas Oakervee (former president of the Institution of Civil Engineers) and deputy-chaired by Lord Berkeley (Labour).<sup>169</sup>

<sup>163</sup> House of Commons Library, [Civilian Drones](#), 11 February 2019.

<sup>164</sup> House of Lords Library, [High Speed Rail \(West Midlands–Crewe\) Bill](#), 15 August 2019, p 1.

<sup>165</sup> *ibid*, pp 2–3.

<sup>166</sup> UK Parliament website, [‘High Speed Rail \(West Midlands–Crewe\) Bill 2017–19’](#), accessed 23 September 2019.

<sup>167</sup> House of Lords Library, [High Speed Rail \(West Midlands–Crewe\) Bill](#), 15 August 2019, p 4.

<sup>168</sup> UK Parliament website, [‘High Speed Rail \(London–West Midlands\) Act 2017’](#), accessed 23 September 2019.

<sup>169</sup> Department for Transport, [‘Government Announces Independent Review into HS2 Programme’](#), 21 August 2019.

The Government set out the following terms of reference for the inquiry:

The independently led government review will look at whether and how HS2 should proceed, using all existing evidence on the project to consider:

- its benefits and impacts;
- affordability and efficiency;
- deliverability and scope; and
- its phasing, including its relationship with Northern Powerhouse Rail.<sup>170</sup>

Since the instigation of the review, there have been reports coming out that HS2 will be delayed and that the costs of the project were increasing. The Secretary of State for Transport, Grant Shapps, has stated that the first phase of the project could be delayed by up to five years, with the second phase possibly delayed to 2035 to 2040.<sup>171</sup> He also stated that projected costs had risen from £62 billion to between £81 billion and £88 billion. More recently, there has been speculation the figure could rise to £106.4 billion.<sup>172</sup>

The Opposition has shown its backing for HS2, stressing the importance of improving rail infrastructure in the country.<sup>173</sup> However, Labour have criticised the Government's handling of the project and the increasing costs.

Further information on the topic, including a brief analysis of commentary published by parliamentary committees, can be found in the House of Lords Library briefing [High Speed Rail \(West Midlands–Crewe\) Bill: Briefing for Lords Stages](#) (15 August 2019).

## Railways

### **Northern Powerhouse Rail**

Northern Powerhouse Rail (NPR) is a proposed rail infrastructure project which would improve connections to a number of towns and cities in the north of England. This includes new or upgraded rail lines between cities such as Hull, Leeds, Liverpool, Manchester, Newcastle and Sheffield, and Manchester Airport.<sup>174</sup>

<sup>170</sup> Department for Transport, '[Government Announces Independent Review into HS2 Programme](#)', 21 August 2019.

<sup>171</sup> BBC News, '[HS2 Railway to be Delayed by Up to Five Years](#)', 3 September 2019.

<sup>172</sup> Edward Malnick, '[High Speed 2 Will Cost £106.4 billion—Almost Double the Amount Claimed by Theresa May—Official Review Panel Told](#)', *Telegraph* (£), 21 September 2019.

<sup>173</sup> Labour Party, '[Andy McDonald Comments on Spiralling Cost of HS2](#)', 20 July 2019.

<sup>174</sup> Transport for the North, '[Northern Powerhouse Rail](#)', accessed 4 October 2019.

The project aims to deliver economic, quality of life, environmental and educational benefits. For example, Transport for the North estimated it will increase the number of seats between key cities by up to 35,000 per hour and will reduce journey times by an average of 30 to 45 minutes. In addition, it believed it would bring a 2% increase to productivity in the region and gross value added (GVA) benefits of up to £3.4 billion a year.

The project is still at the planning and development stages.

The Government has indicated its backing for the project. In a speech on 27 July 2019, the Prime Minister committed to funding the Leeds to Manchester section of the line and stated that he wanted plans for the route to be ready this autumn.<sup>175</sup> It is estimated this section of the line will cost around £9 billion.<sup>176</sup> However, although the Government has stated its backing for the Northern Powerhouse Rail project generally, it has not yet specified how it would be investing in its development beyond the Leeds to Manchester line.

Henri Murison, Director of the Northern Powerhouse Partnership, recently emphasised the importance of the entire project being supported and it linking to parts of the HS2 plans. He stated:

We will only realise the true potential of NPR if it includes the new line to Liverpool, parts of HS2 Phase 2b and upgrades, such as the East Coast mainline as far as Newcastle. The new line between Leeds and Manchester through Bradford City Centre, for example, will be most valuable when it is part of that full network.<sup>177</sup>

The Shadow Chancellor, John McDonnell, has stated Labour's backing for the project.<sup>178</sup>

### **Williams Rail Review**

The Williams Rail Review was established in September 2018 to look at the structure of the whole rail industry and the way passenger rail services are delivered. The Government stated that the review will make "recommendations for reform that prioritise passengers' and taxpayers'

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<sup>175</sup> Prime Minister's Office, '[PM Speech at Manchester Science and Industry Museum](#)', 27 July 2019.

<sup>176</sup> Rob Parson, '[I Have Bought the Argument that North Needs HS2 and Northern Powerhouse Rail, Says Boris Johnson](#)', *Yorkshire Post*, 7 September 2019.

<sup>177</sup> Geraldine Scott, '[Boris Johnson Hints He Could Back Northern Powerhouse Rail in Full](#)', *Yorkshire Post*, 2 October 2019.

<sup>178</sup> BBC News, '[Leaders Call for £39bn for Northern Powerhouse Rail Project](#)', 15 August 2019.

interests".<sup>179</sup> It is being chaired by Keith Williams, deputy chairman of the John Lewis Partnership.

A consultation for the review was launched in March 2019 and the review's findings and recommendations are due to be published in autumn 2019. The Government states that it intends reforms to begin in 2020.

## Other Announcements

### **Bus Network**

The Government has committed to improving the bus network across the country. Most recently, the Chancellor, Sajid Javid, stated that the Government would invest £220 million in improvements to bus services in England.

Setting out further details on the announcement, the Department for Transport stated that this would include:

- a national bus strategy focused on passenger priorities;
- a review of the annual £250 million bus service operators' grant to ensure it supports the environment and improved passenger journeys;
- investing up to £50 million to deliver Britain's first all-electric bus town or city;
- improving information for bus passengers through new digital services and at bus stops;
- trialling a new 'superbus' network approach to deliver low fare, high frequency services and funding a 4-year pilot of a lower fare network in Cornwall;
- an ambition for all buses to accept contactless payment for passenger convenience;
- £30 million extra bus funding to be paid direct to local authorities to enable them to improve current bus services or restore lost services; and
- £20 million to support demand-responsive services in rural and suburban areas.<sup>180</sup>

Commenting on bus services in April 2019, Labour criticised the cuts that had been made to the network. The party stated that it would spend

<sup>179</sup> Department for Transport, '[Williams Rail Review](#)', accessed 9 October 2019.

<sup>180</sup> Department for Transport, '[A Better Deal for Bus Users](#)', 30 September 2019.

£1.3 billion a year to reverse cuts to around 3,000 routes and to fund the expansion of new services in England.<sup>181</sup>

### **Roads and Cars**

On 30 September 2019, the Chancellor committed £29 billion to the new road investment strategy, which he stated would be launched soon.<sup>182</sup> A draft of the strategy was published by the Department for Transport in October 2018: [Draft Road Investment Strategy 2—Government Objectives](#). The document stated that the strategy was focused on investment in a network that supports the economy, is safer and more reliable, is better integrated and is more environmentally friendly.<sup>183</sup>

Also speaking on 30 September 2019, the Transport Secretary, Grant Shapps, announced the Government would be reviewing the commitment to end the sale of new petrol and diesel cars in 2040, with the aim of possibly bringing it forward to 2035. He stated that the revised deadline was based on supplementary advice the Government had received from the Committee on Climate Change.<sup>184</sup>

### **Aviation**

In a speech on 19 September 2019, the Transport Secretary set out a number of policies relating to the aviation industry, many to do with reducing emissions and improving efficiency.<sup>185</sup> For example, this included a possible consultation on how the aviation industry can contribute to the carbon emissions targets and its continued support for the Future Flight Challenge. The Future Flight Challenge is seeking ideas from research organisations and industry to achieve:

- greener flight;
- new services and ways to travel; and
- increased mobility, better connectivity and reduced congestion.<sup>186</sup>

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<sup>181</sup> BBC News, [‘Labour Pledges to Reverse Cuts to 3,000 Bus Routes in England’](#), 25 April 2019.

<sup>182</sup> Conservative Party, [‘Chancellor’s Speech to Conference 2019’](#), 30 September 2019.

<sup>183</sup> Department for Transport, [Draft Road Investment Strategy 2—Government Objectives](#), October 2018, pp 3–4.

<sup>184</sup> Conservative Party, [‘Grant Shapps: Speech to Conservative Party Conference 2019’](#), 30 September 2019.

<sup>185</sup> Department for Transport, [‘An Electric Revolution in the Skies’](#), 19 September 2019.

<sup>186</sup> Innovate UK, [‘Developing the Future of Flight: Take Part in the Challenge’](#), 30 September 2019.

In addition, noting Boris Johnson's previous opposition to the project, Grant Shapps has indicated that questions remain over the planned expansion of Heathrow.<sup>187</sup> He stressed that he would be monitoring it very carefully as Transport Secretary, particularly whether the financial costs are justifiable and the court cases challenging the project on the grounds of emissions. However, he did highlight the fact that the House of Commons has previously voted in favour of the project.

The expansion of Heathrow is opposed by the London Assembly and by local councils and residents. For example, the chair of the London Assembly Environment Committee, Caroline Russell, has stated it should not go ahead.

The London Assembly has spent many years investigating Heathrow Airport's expansion plans. We've heard from Heathrow Airport, climate activists, academics and overflowed Londoners on how they view the proposed expansion of Heathrow. There are many reasons for why the expansion should not go ahead. The impact of noise and air pollution, increased congestion and the demolition of villages in west London are all reasons why the third runway plans should be dropped. The UK has committed to net zero carbon emissions and the expansion undermines this commitment.<sup>188</sup>

The decision to expand Heathrow is due to be considered by the high court in a four-day hearing on 21 October 2019.<sup>189</sup>

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<sup>187</sup> Politics Home, '[Transport Secretary Grant Shapps Suggests Boris Johnson Could Scrap Heathrow Third Runway Plan](#)', 14 August 2019.

<sup>188</sup> London Assembly, '[Expanding Heathrow Airport is the Wrong Move](#)', 15 August 2019.

<sup>189</sup> BBC News, '[Heathrow Third Runway Campaigners Get High Court Go-ahead](#)', 22 July 2019.