

Criteria for designation National Parks

Lords amendment: No. 17

Mr. Paice: I beg to move amendment (a) to the Lords amendment.

Madam Deputy Speaker): With this we can consider amendment (b) to the Lords amendment and Lords amendments Nos. 18, 33 and 35 to 37.

Mr. Paice: I presume that it is in order for me to address the whole group, as all the amendments in it relate to national parks.

One of the reasons that I wanted to table an amendment, apart from on its own merits—to which I will return in a moment—was that most of this section is completely new to the House. The reason for that, as I am sure that the Minister would tell us, is that the Meyrick judgment handed down by the courts came after we dealt with the Bill in the House. The Government took the decision that the Bill was a suitable vehicle to revert, as they intend, the law to what it was prior to the Meyrick judgment.

I understand that the noble Lord Bach told the other place on Monday night that the Government have been granted leave to appeal to the Court of Appeal in the Meyrick case. Lord Justice Keene was quoted at column 50 in House of Lords *Hansard* on 20 March:

"The grounds are properly arguable and, in any event, raise issues of importance which ought to be considered by the Court of Appeal".

We are considering these amendments in the absence of knowing the final outcome of the Meyrick judgment.

Nevertheless, I agree with the Government that the Meyrick judgment, as it stands at the moment, is anomalous. It goes way beyond what any of us has previously understood as being the criteria for national parks, and refers to this high degree of "naturalness". The judge in the case, again quoted at column 50, said that,

"well-maintained historic parkland providing the setting for a grade 1 listed building, and well-ordered dairy fields of dairy farms would seem to be the antithesis of naturalness".—
[*Official Report, House of Lords*, 20 March 2006; Vol. 680, c. 50.]

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Arguably he is right, but if we accept that as the criteria for national parks, there probably would not be any. We all know that the British landscape has been affected by mankind since time immemorial. Certainly, all the evidence suggests that since 12000 BC, when mesolithic man first invaded the wild woods and started cutting them down, the British landscape has been in a state of change and affected by mankind. To refer to naturalness seems a bit odd in that context.

Having said that I entirely agree that Meyrick goes too far, I also believe that the amendments go too far in the other direction. I accept that the Government's intention is simply to return the law to where it was before the Meyrick judgment—although if they won the appeal such action would not be necessary, because that would emphasise that the pre-Meyrick legislation stood, or that the

interpretation of it stood. In many ways, I hope that the Government do win the appeal, but they tabled the amendments using the Bill as a vehicle, so it is therefore right for this House to have an opportunity to debate them.

Lords amendment No. 17, which would insert a new clause on criteria for designating national parks, suggests measures that I believe would extend the criteria for designation beyond where they were before Meyrick. Indeed, I think they could almost be seen to be opening the whole of rural England to such designation, which goes too far in the opposite direction. I believe passionately in national parks, but they need to have specific attributes—to which I shall return—that identify them as being areas of particular importance. If we allow the criteria to be too lax and end up being able to designate much larger swathes of rural England in the coming years, the designation of national parks as a whole will be brought into disrepute, and will not be treated with the respect to which it is entitled. That would be a great sadness, which is why I tabled amendments (a) and (b).

Lords amendment No. 17 proposes that Natural England may,

"when applying subsection (2)(a) in relation to an area, take into account its wildlife and cultural heritage".

I think that most of us would accept that it is sensible to include wildlife in a provision relating to national parks, for obvious reasons. It is the term "cultural heritage" that I find more difficult to understand. I am sure that the Minister, who has briefing papers, will point out that it was the last Conservative Government who first introduced the phrase to national parks legislation. He nods—he was going to throw that at me, so I am glad that I got in first. That is perfectly true, but anyone who reads Lord Bach's speeches and the briefing that we have all received from the Council for National Parks will observe that the terms "cultural heritage" and "landscape" appear to be interchangeable. It seems to me that the Government mean "landscape", and I would therefore prefer that word to be used in the Bill.

We all understand what "landscape" means. It deals with the issue of naturalness, because we all know that the landscape of England is affected, has been affected and will be maintained by mankind. There can thus be no dispute about the interpretation of the word, whereas I believe that the phrase "cultural heritage" is open to much more question.

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New subsection 2A(b) provides that Natural England may

"take into account the extent to which it is possible to promote opportunities for the understanding and enjoyment of its special qualities by the public."

Of course, we want the public to be able to enjoy the special qualities of a national park, but that ability has always been there. I do not understand why the Government want to open it up to that extent. The issue of enjoyment of those special qualities was clearly included in the criteria specified in the Countryside Act 1949. There have been various reports on national parks: the Addison, Dower and Hobhouse reports, and more recently the Sandford and Edwards reports. There seems to be a common theme in all that work, namely, the importance of special areas with an element of wildness, beautiful and suitable for public access at the time of designation.

That is very important point and a constant theme, so we are forced to ask what it is that the Government are changing, given that such a provision already exists in legislation. It seems that, in using the phrase

"take into account the extent to which it is possible to promote opportunities",

the Government are implying that in future the public enjoyment of such special qualities could be opened up considerably. That, in turn, raises the possibility of damaging the special qualities that caused an area's designation in the first place.

Amendment No. 17 widens the criteria too far the other way, although I readily except that Meyrick needs to be redressed if the appeal is lost. Of course, if the Government win the appeal, this whole debate could become irrelevant. Indeed, the Minister may wish to tell the House this afternoon how he sees the legislation working. If we pass all this and the Government then win the Meyrick appeal, what impact will that have? In a sense, two different pieces of legislation would apply to national parks.

Amendment No. 33 would insert a new clause defining:

"Natural beauty in the countryside."

As I understand it—the Minister will correct me if I am wrong—this, too, is part of the Government's desire to rebalance the Meyrick judgment, with which I wholly agree. Indeed, I do not disagree with any aspect of the new clause's definition of natural beauty. That is fine, but why, having included that new clause, is amendment No. 17 still necessary? I appreciate that I have spoken first and that the Minister has not had a chance to respond, but I hope that he will indeed explain why amendment No. 17 is necessary, given that amendment No. 33 defines natural beauty, and that such a definition is fundamental to the criteria for designating national parks.

We do not oppose the idea of correcting Meyrick or of national parks, but if national parks are to retain the value and esteem that people attach to them, they should remain areas with special qualities. My concern is that the Government, in their desire to rebalance the legislation following Meyrick, have gone too far the other way. In future years, attempts could be made to designate areas that perhaps do not have the special quality that we attribute to existing national parks. I

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look forward to hearing the Minister explain why it is necessary for the Government to go as far as they are going with their amendments.

Chris Huhne: I shall, if I may, address some of the issues arising from other provisions that have already been approved by the Lords.

The new clauses relating to the criteria for designating national parks have allowed for a satisfactory definition that gives us back the standard that had been established in this country for almost 60 years. The Liberal Democrats' only disappointment is that we are not discussing an amendment enabling local people to be elected to the boards of national parks, as an alternative to the Secretary of State making appointments. It is regrettable that neither the Government nor, it appears, the Conservatives could support such an amendment. However, in essence, as the hon. Member for South-East Cambridgeshire (Mr. Paice) has rightly said, the new clauses re-establish the status quo before the Meyrick High Court judgment, which ruled that the Hinton estate in the

New Forest need not form part of the South Downs national park on the ground that it was not sufficiently natural.

6.15 pm

Amendment (a) would not allow a return to the status quo before Meyrick. Substituting "landscape" for "cultural heritage" would mean that national parks would be designated on the same basis as in the past. English Heritage estimates that the historical designation includes 11,000 listed buildings, 4,000 scheduled monuments and 30 registered parks and gardens. Although the parks and gardens might reasonably be regarded as landscape, I do not see how the monuments and listed buildings could be. Therefore, the amendment would be unduly restrictive, and inconsistent with the criteria used for the designation of national parks in the past. It would be regrettable to introduce that inconsistency now.

Amendment (b) is also unnecessary, as it would remove Natural England's ability to take account of the extent to which it is possible to promote opportunities for people to understand and enjoy a national park's special qualities. National parks are not wildernesses. The hon. Member for South-East Cambridgeshire made an interesting and perhaps Freudian slip when he suggested that wildness was involved. For example, the landscape around Chatsworth is outstanding and beautiful, but it could not be called wild.

National parks are designed to be resources for the enjoyment of all, and it seems odd for the Conservatives to attempt to deny it. That is why we support the Lords amendments.

Nick Herbert (Arundel and South Downs) (Con): I rise to support the amendments tabled by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice). I shall not get involved in the somewhat arcane discussion about what is natural and what is wild, as that has been discussed enough already. However, I want to explore the practical implications of changing how we designate national parks.

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First, I emphasise that the amendments made in the other place do not affect existing national parks or areas of outstanding natural beauty. The Council for National Parks sent us a briefing that was helpful—although I disagree with much of it—in which it said that the amendments were "common sense" and designed to "protect our existing network" of national parks and areas of outstanding natural beauty. However, that is not so: the amendments would change the rules of the game after the inquiry into the proposed South Downs national park has ended, but they do not affect existing national parks at all.

The retrospective nature of the provision, and the way in which it has been introduced, is to be deplored. It is the result of a court case, and although we may agree or disagree with the decision, the Government have determined, rapidly, to amend the application of the law. They have done that in the other place, without much debate. I was a member of the Standing Committee considering this Bill, and the issue did not arise, yet it has profound implications for the future designation of national parks.

Mr. Peter Bone (Wellingborough) (Con): Does my hon. Friend agree that the Government seem to be rushing? An appeal has been lodged, so would it not be better to see what the outcome is?

Nick Herbert: I agree precisely with my hon. Friend. An appeal is under way, and my hon. Friend the Member for South-East Cambridgeshire made the point very well that the amendment sits oddly with that fact. We should wait for the result of the appeal, and the amendment would throw the designation of the proposed South Downs national park into chaos and confusion.

I disagree with the hon. Member for Eastleigh (Chris Huhne) in his interpretation of what the Government are trying to do. The amendment does not restore the previous designation of national parks; it introduces a new form of designation. Areas of outstanding natural beauty and national parks have always been seen as distinct. National parks were wilder and more remote areas, while areas of outstanding natural beauty were equally attractive, but more managed, landscapes.

This matter is of great importance to my constituency, as more than half of it lies within the South Downs area of natural beauty and well over half will lie within the proposed national park. The practical effect of the amendments is that a redesignation of the national park boundaries will be possible, after a long inquiry—91 sitting days and 23 visits—has already completed its business. If, as a consequence of the amendments, the national park boundary is moved south of Arundel, it may prevent the completion of the long-awaited Arundel bypass, with a profound impact on downland villages, which will continue to suffer a large amount of displaced traffic that cannot bypass Arundel on a proper coastal highway. The point is that local residents had the opportunity to make representations to the inquiry, based on their understanding of the law at the time, but that is now being changed, after the fact, with little debate in this place. That is wrong.

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My hon. Friend the Member for South-East Cambridgeshire is right: the problem is that cultural heritage is not defined in the Bill. The concept is vague and we do not know what it means. Although his amendment would not remove wildlife from the new criteria that Natural England will have to take into account, it would nevertheless introduce a new confusion. Traditionally, wildlife has been dealt with by different instruments—through sites of special scientific interest—and not according to national park designations. Inclusion of the proposed criteria would further muddy the water.

There are good reasons, to which the Minister will not be able to respond, why a South Downs national park is not the appropriate status for the area. It was already well managed by a joint conservation board and there have been three attempts to designate it as a national park. All failed due to the special nature of the downs, which are different from some other national parks. There is only limited open access; slightly less than 3 per cent. of the downs is open, compared with between 30 and 60 per cent. in other national parks. I fear that an attempt is being made to allow a designation of national park status that would not have been permitted under previous legislation, because the downs have always been regarded as unsuitable for that.

I yield to no one in my desire to ensure that the south downs landscape is protected. It is important and superb, described by Arthur Mee in his famous "The King's England" series of inter-war county books as

"the natural glory of our island".

Everybody would agree with that. The problem is the basis for the protection of the downs, and there are long-standing arguments about the democratic deficit that will be caused by designating it as a national park. For instance, it will involve a large number of planning decisions—far more

than in any other national park. Despite my commitment to the downs landscape, it is not appropriate to designate the area as a national park.

Local opinion is divided, but people are entitled to certainty. If they make representations to an inquiry they should know what the law is, and the House should not attempt to change the law retrospectively after the inquiry has been completed. That is important. If the amendment is accepted, the Minister should do the right thing and reopen the inquiry, especially if the area's status is changed as proposed. If there are new criteria, local authorities and local people should be able to make representations based on them. The Minister should then make his decision. It is wrong to make such changes so late, on the back of this Bill, simply because the Government disagree with the result of a court case that will sit uncomfortably with the decision that they want to make about national park status.

Jim Knight: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Deputy Speaker: Order. The Minister is supposed to be speaking to amendment (a) to Lords amendment No. 17.

Jim Knight: Thank you for that helpful guidance, Madam Deputy Speaker.

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I oppose amendment (a). The effect of amendments (a) and (b)—if I make take them together, Madam Deputy Speaker—would be to exclude "cultural heritage" and promoting

"opportunities for the understanding and enjoyment of its special qualities by the public"

from the considerations that can inform the designation criteria for national parks.

To turn first to amendment (a), I hope to persuade the House that cultural heritage has been at the core of our concept of national parks in England since the 1940s. It was recognised by the founding fathers of the national parks movement that England and Wales have nothing that approaches the wilderness areas that were being designated in the United States at the time. In England and Wales, it was always recognised that the most exceptional landscapes demonstrate a harmony between man and nature. That encompasses cultural heritage, which, as was rightly pointed out by the hon. Member for Eastleigh (Chris Huhne), includes the built heritage produced by working the land.

For example, hon. Members would agree that the Yorkshire Dales national park is outstanding. I would invite members to pause and reflect for a moment, as I speak, and imagine the quintessential Yorkshire dales landscape. I am sure that their thoughts would include a pattern of stone walls, field barns and farm houses—all part of the cultural heritage of the Yorkshire dales, which we should include as part of our purpose in designating national parks.

John Mann (Bassetlaw) (Lab): Does the Minister agree that the designation of the Yorkshire Dales national park also ought to include a good youth hostel? Will he consider giving some assistance to the youth hostels in the Yorkshire dales that are about to close?

Jim Knight: As ever, my hon. Friend is ingenious in finding ways to make representations on important causes, and the future of youth hostels is certainly one of them. I will bear his comments in mind.

Mr. Patrick McLoughlin (West Derbyshire) (Con): The Minister was unable to help the hon. Member for Bassetlaw (John Mann), but he recently visited my constituency and Backdale quarry, and he was incredibly helpful in assisting the Peak district by issuing a stop notice. So I was very disappointed yesterday to receive a press statement that said:

"A public inquiry into quarrying at Backdale on Longstone Edge—due to resume next week—has been cancelled after"

the Deputy Prime Minister

"declared the Peak District National Park Authority's enforcement action to be null and void."

How can anyone take any reassurance from the Government's word on the national parks, when a junior Minister gives the go-ahead and approval for an action that is then cancelled and overridden by the Deputy Prime Minister? If the Minister cannot give me an answer today, will he ensure that he makes a statement before the House rises tomorrow?

Jim Knight: I will certainly look into the point that the right hon. Gentleman makes and find a suitable opportunity to respond fully; I am certainly unable to do so now.

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These Lords amendments are intended to clarify the interpretation of the statutory criteria for the designation of national parks under the National Parks and Access to the Countryside Act 1949, in line with how they have been generally understood and applied for the past 56 years. As we have heard, they are being introduced in response to a judgment on a High Court challenge to the New Forest national park designation order of 2005. The amendments return the situation to one in which we have what were generally understood, prior to the judgment, to be the relevant criteria, but with greater clarity.

6.30 pm

Mr. Bone *rose*—

Jim Knight: Let me just make a little more progress, and then I will give way.

The Court found that the interpretation of the designation criteria should not be informed by national park purposes and appeared to favour a more restrictive interpretation of what could be considered to be "natural" in the context of "natural beauty". During the past 56 years, the criteria for designation have been understood and read in the light of the purposes of national parks. In 1991 a report by the national parks review panel, "Fit for the Future", reviewed the criteria and the purposes and recommended that there should be more explicit references to the wildlife and cultural heritage of the parks in the first purpose.

The Government accepted that recommendation, as the hon. Member for South-East Cambridgeshire (Mr. Paice) pointed out, and used the Environment Act 1995 to amend the preservation and conservation purpose in section 5(1) of the 1949 Act. No changes were made to the designation criteria because it was thought to be generally understood at the time that the criteria were informed by the purposes. However, that assumed link was broken by the Meyrick judgment handed down last November. Therefore, the Government believe that we should now

take explicit steps to make sure, in statute, that the 1995 Act changes do indeed apply to the designation criteria as well as to the purposes.

Mr. Bone: Will the Minister deal with the point about the appeal that has been lodged? Why do we need to have legislation now, before the appeal has been dealt with?

Jim Knight: I was going to deal with that question when I responded to some of the points made by the hon. Member for Arundel and South Downs (Nick Herbert). There are a number of reasons why we need to act now. A degree of uncertainty would otherwise be created in respect of other issues relating to national parks and areas of outstanding natural beauty. I am not referring specifically to the south downs. The Countryside Agency is considering other issues in relation to extensions to some national parks, for example. We need to be able to offer certainty for that work to be continued. The opportunity to revise the 1949 Act in the future would be very uncertain. It could be many years before Parliament has another

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opportunity to restore what we believe is the status quo. That is why we would like to act now. If the Bill achieves Royal Assent, as I hope it will in the next day or so, I will have to consider what our position should be on the appeal, in the light of having made those changes.

The main amendment, Lords amendment No. 17, adapts the criteria by incorporating the terminology of the purposes to make it clear that national park purposes are behind the criteria. As I have explained, we believe that that approach is what was intended by the original legislation. I have already talked about amendment (a). I think from what has been said that amendment (b) is an objection to the forward-looking nature of promoting

"opportunities for . . . understanding and enjoyment".

By that I mean that in deciding whether a piece of land should be designated, one can consider whether, through the actions of the national park authority, or someone else, its values for understanding and enjoyment could be increased. I must point out that that was fully explored in the New Forest inquiry and the Meyrick judgment.

The second criterion for designation in the 1949 Act, which amendment (b) does not alter, refers to opportunities for open air recreation. It is inherent in the word "opportunities" that an appropriate degree of looking to the future was intended; that point was even accepted by both the claimants and the judge in the Meyrick judgment. In response to the point about potential damage to the very environment and landscape that we are seeking to protect through national park status, the Sandford principle applies to national park authorities, so in the last resort their decisions would have to come down in favour of the environment. I could go on, but I suspect that some of my hon. Friends would not find that to their taste.

Mr. Paice: Lords amendment No. 33 reaches the heart of the Meyrick judgment on what natural beauty is by defining it in a way that I—and the whole House, I am sure—am more than happy with. Perhaps the Minister will explain why that is not sufficient, and why Lords amendment No. 17 is necessary on top of it.

Jim Knight: Lords amendment No. 17 specifically and only deals with national parks. Lords amendment No. 33 addresses the degree of naturalness that is needed to meet the natural beauty criteria for areas of outstanding natural beauty and thus clarifies matters for all definitions of

natural beauty in statute. It is important to make that distinction. Lords amendment No. 17 deals with purpose, and we have a balance between purpose and criteria.

Lords amendments Nos. 35 to 37 provide for the commencement of the provisions two months after the Act has passed. I commend the Lords amendments to the House.

Mr. Paice: May I first pick up a point—

Mr. Deputy Speaker (Sir Michael Lord): Order. Technically, the hon. Gentleman needs the leave of the House.

Mr. Paice: My sincere apologies, Mr. Deputy Speaker. With the leave of the House—I was told to say that, but I usually forget what I am told.

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May I first pick up on the point made by the hon. Member for Eastleigh (Chris Huhne) when he suggested that I made a Freudian slip by using the word "wild"? I did not. My use of the word was intentional, not Freudian, and the word was taken directly from the very Hobhouse report that set the criteria for the 1949 Act, which referred to wild areas and wild moorland. I did not use the word "wilderness", as he suggested.

The principal issue is obviously a matter of interpretation. There is a question of whether Lords amendments Nos. 17 and 33 take the criteria further than simply reverting back to those in the 1949 Act, as subsequently amended—in other words, before the Meyrick judgment. My hon. Friend the Member for Arundel and South Downs (Nick Herbert) rightly referred to the south downs, and it is widely believed that the purpose of the Government amendments is to reopen the south downs issue. That is a matter for my hon. Friend and others who represent the area to debate another time, but as my hon. Friends have said, it is worrying that the Government are acting in a bit of a rush.

I do not know whether the Minister can shed any light on when the appeal will be heard, but it would be perfectly sensible to wait for its outcome. I am worried to hear the Minister say that if the Lords amendments are passed and the Bill gets Royal Assent in the next few days, he will have to think again about the appeal. He implies—I am putting words in his mouth, but I think that most people understood this—that the appeal may then be dropped. That would be a serious judgment to make. The matter should go to appeal because I do not think that the conclusions of Lord Justice Keene in the Meyrick case should be allowed to stand, regardless of what we might do to the Bill tonight, for the reasons that we have described.

The Government are going a little further than they need to. I want the criteria for national park designation to be as they were prior to the Meyrick judgment. I am worried that the Lords amendments, especially Lords amendment No. 17, could open the criteria wider than that and give scope for applications for the designation of areas that most of us would not describe as having the special qualities that a national park should have. For those reasons, I will press amendment (a) to a Division.

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 162, Noes 380.

Division No. 206

[6.39 pm

AYES

Afriyie, Adam
Ainsworth, Mr. Peter
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baldry, Tony
Barker, Gregory
Baron, Mr. John
Bellingham, Mr. Henry
Benyon, Mr. Richard
Beresford, Sir Paul
Binley, Mr. Brian
Bone, Mr. Peter
Boswell, Mr. Tim
Bottomley, Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Brokenshire, James
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Butterfill, Sir John
Carswell, Mr. Douglas
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Davies, David T.C. (*Monmouth*)
Davies, Philip
Davies, Mr. Quentin
Djanogly, Mr. Jonathan
Dodds, Mr. Nigel
Donaldson, Mr. Jeffrey M.
Dorrell, rh Mr. Stephen
Dorries, Mrs. Nadine
Duddridge, James
Duncan, Mr. Alan
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evans, Mr. Nigel
Evennett, Mr. David

Fabricant, Michael
Fallon, Mr. Michael
Field, Mr. Mark
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Mr. Christopher
Garnier, Mr. Edward
Gauke, Mr. David
Gibb, Mr. Nick
Gillan, Mrs. Cheryl
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Green, Damian
Greening, Justine
Greenway, Mr. John
Gummer, rh Mr. John
Hague, rh Mr. William
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hoban, Mr. Mark
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hunt, Mr. Jeremy
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Kawczynski, Daniel
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Lait, Mrs. Jacqui
Lancaster, Mr. Mark
Lansley, Mr. Andrew
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Loughton, Tim
Luff, Peter
Mackay, rh Mr. Andrew

Maclean, rh David
Main, Anne
Malins, Mr. Humfrey
Maples, Mr. John
Mates, rh Mr. Michael
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McCrea, Dr. William
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Mitchell, Mr. Andrew
Moss, Mr. Malcolm
Mundell, David
Murrison, Dr. Andrew
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Ottaway, Richard
Paice, Mr. James
Penrose, John
Pickles, Mr. Eric
Prisk, Mr. Mark
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Robathan, Mr. Andrew
Robertson, Mr. Laurence
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, Mr. Ian
Turner, Mr. Andrew
Tyrrie, Mr. Andrew
Vaizey, Mr. Edward
Vara, Mr. Shailesh

Viggers, Peter
Villiers, Mrs. Theresa
Walker, Mr. Charles
Watkinson, Angela
Whittingdale, Mr. John
Wilson, Mr. Rob
Wilson, Sammy
Winterton, Ann
Winterton, Sir Nicholas
Wright, Jeremy
Young, rh Sir George

Tellers for the Ayes:

Andrew Rosindell and
Mr. Crispin Blunt

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, rh Mr. Bob
Alexander, Danny
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Atkins, Charlotte
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Baker, Norman
Balls, Ed
Banks, Gordon
Barlow, Ms Celia
Barrett, John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh Mr. Alan
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Brake, Tom
Breed, Mr. Colin
Brennan, Kevin

Brooke, Annette
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Mr. Des
Browne, Mr. Jeremy
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Cable, Dr. Vincent
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Caton, Mr. Martin
Challen, Colin
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Clegg, Mr. Nick
Clelland, Mr. David
Clwyd, rh Ann
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank
Cooper, Rosie
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Darling, rh Mr. Alistair

Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Dean, Mrs. Janet
Denham, rh Mr. John
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobbin, Jim
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Farron, Tim
Field, rh Mr. Frank
Fisher, Mark
Fitzpatrick, Jim
Flello, Mr. Robert
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael (*Worcester*)
Foster, Michael Jabez (*Hastings and Rye*)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goldsworthy, Julia
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hancock, Mr. Mike

Hanson, Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Healey, John
Heath, Mr. David
Hemming, John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Holmes, Paul
Hood, Mr. Jimmy
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Hughes, Simon
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric

Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Mr. Charles
Kennedy, rh Jane
Khabra, Mr. Piara S.
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, Mr. David
Laxton, Mr. Bob
Lazarowicz, Mark
Leech, Mr. John
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
MacDougall, Mr. John
Mackinlay, Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Marshall, Mr. David
Marshall-Andrews, Mr. Robert
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCabe, Steve
McCarthy, Kerry
McCarthy-Fry, Sarah
McCartney, rh Mr. Ian
McDonagh, Siobhain
McDonnell, John
McFadden, Mr. Pat
McFall, rh Mr. John
McGuire, Mrs. Anne

McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Mr. Tony
Meale, Mr. Alan
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Miliband, rh Mr. David
Miliband, Edward
Miller, Andrew
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Morley, Mr. Elliot
Mountford, Kali
Mudie, Mr. George
Mulholland, Greg
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Norris, Dan
O'Brien, Mr. Mike
Olnier, Mr. Bill
Öpik, Lembit
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Price, Adam
Primarolo, rh Dawn
Pugh, Dr. John
Purchase, Mr. Ken
Purnell, James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, Mr. Alan
Reid, rh John

Rennie, Willie
Robinson, Mr. Geoffrey
Rogerson, Mr. Dan
Rooney, Mr. Terry
Rowen, Paul
Ruane, Chris
Ruddock, Joan
Russell, Bob
Russell, Christine
Ryan, Joan
Salter, Martin
Sanders, Mr. Adrian
Seabeck, Alison
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andrew
Smith, rh Mr. Andrew
Smith, Ms Angela C. (*Sheffield, Hillsborough*)
Smith, Angela E. (*Basildon*)
Smith, Geraldine
Smith, rh Jacqui
Smith, John
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Mr. Gerry
Swinson, Jo
Tami, Mark
Taylor, Ms Dari
Taylor, David
Taylor, Matthew
Teather, Sarah
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark

Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Ussher, Kitty
Vaz, Keith
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Wareing, Mr. Robert N.
Watson, Mr. Tom
Watts, Mr. Dave
Webb, Steve
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Mr. Alan
Williams, Mrs. Betty
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. Michael
Winnick, Mr. David
Winterton, Ms Rosie
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:

Mr. Frank Roy and
Mr. Ian Cawsey

Question accordingly negatived.

29 Mar 2006 : Column 957

Lords amendment agreed to.