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**PARLIAMENTARY DEBATES
(HANSARD)**

HOUSE OF LORDS

WRITTEN STATEMENTS AND WRITTEN ANSWERS

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Baroness Vere of Norbiton	Parliamentary Under-Secretary of State, Department for Transport
Baroness Williams of Trafford	Minister of State, Home Office
Lord Wolfson of Tredegar	Parliamentary Under-Secretary of State, Department of Justice
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Written Statements

Tuesday, 2 March 2021

National Security and Investment: Mandatory Notification Regime Consultation

[HLWS807]

Lord Callanan: My Right Honourable friend the Secretary of State for Business, Energy and Industrial Strategy Kwasi Kwarteng has today made the following statement:

Today, the Government published its response to the consultation on secondary legislation to define the sectors subject to mandatory notification under the National Security and Investment Bill.

This Government is a champion for free trade, recognising that inward investment is economically highly beneficial. Investment in UK plc boosts productivity by backing businesses to create good jobs and develop skills and will help support our economic recovery from Covid-19. The UK is open for investment, but not for exploitation.

An open approach to international investment must also include appropriate safeguards to protect our national security and the safety of our citizens. The UK and our allies face continued and broad-ranging hostile activity from foreign intelligence agencies and others, who seek to compromise our national security. When it comes to investment, we are seeing novel means to undermine the UK's national security that go beyond traditional mergers and acquisitions and also go beyond the reach of our current powers; such as structuring deals to obscure who is behind them. Such behaviour, left unchecked, can leave sensitive UK businesses vulnerable to disruption and espionage. It is crucial that the Government is able to fully combat these threats.

The National Security and Investment Bill creates a new screening mechanism enabling the government to intervene in acquisitions resulting in control over entities and assets that may pose a risk to national security.

Proposed acquirers of certain shares or voting rights in specified qualifying entities in the most sensitive sectors of the economy will be required to notify the Secretary of State and receive clearance before completing their acquisition. This is to ensure that the Government is informed of potentially sensitive acquisitions before they take place and thus able to take action ahead of time to address any risk to national security that would arise on completion. This 'mandatory regime' is supported by a voluntary notification option for relevant acquisitions across the rest of the economy and a power for the Secretary of State to scrutinise qualifying acquisitions that have not been notified.

The overwhelming majority of transactions will, though, be unaffected by these new powers. We estimate that less than 1% of all mergers and acquisitions and asset transactions will result in a notification to Government.

The consultation invited views on the sectors in scope of mandatory notification, sought responses on whether the definitions provided sufficiently clear parameters to inform businesses and investors of the need to notify, and whether the definitions were proportionate. The consultation set out the draft definitions of 17 sectors in which national security risks are more likely to rise than in the wider economy.

These sectors are:

- Advanced Materials
- Advanced Robotics
- Artificial Intelligence
- Civil Nuclear
- Communications
- Computing Hardware
- Critical Suppliers to Government
- Critical Suppliers to the Emergency Services
- Cryptographic Authentication
- Data Infrastructure
- Defence
- Energy
- Military and Dual-Use
- Quantum Technologies
- Satellite and Space Technologies
- Synthetic Biology
- Transport

Responses to this consultation suggested that many of the sector definitions were broad in scope and would require further specificity to enable acquirers to identify whether they would be in scope of mandatory notification. After careful consideration of all the responses, the Government intends to refine the definitions and has produced the next iteration of the definitions in today's publication.

The Government intends to carry out further, targeted engagement with certain sectors to finalise these definitions. The final definitions will be set out in regulations following Royal Assent to the Bill.

This approach will ensure that the regime is targeted and proportionate and keeps Britain firmly open for business. It will bring us into line with other countries, such as the USA, whose Committee on Foreign Investment also operates a mandatory notification model that investors will be familiar with and build on the best practice established around the world by like-minded countries.

In summary, it will deliver a balanced regime that provides the Government with the flexible powers it needs while keeping our country firmly open to investment.

I will place a copy of the Consultation Response in the Libraries of the House.

Written Answers

Tuesday, 2 March 2021

Air Routes: Europe

Asked by **Baroness Harris of Richmond**

To ask Her Majesty's Government what assessment they have made of the extent of the loss of air routes in Europe since the UK left the EU. [HL13426]

Baroness Vere of Norbiton: The new UK-EU Trade and Cooperation Agreement (TCA) does not place any restriction on air services between points in the UK and points in the EU, ensuring that UK-EU trade can continue to travel freely by air.

Furthermore, the TCA recognises that, at their discretion, EU Member states may permit UK airlines to operate non-scheduled air services within and beyond the EU. The TCA also allows the UK and individual EU Member States to negotiate and agree a bilateral exchange of additional "5th Freedom" all-cargo rights. My officials are engaging closely with EU Member States and with industry on these matters.

Aviation

Asked by **Baroness Harris of Richmond**

To ask Her Majesty's Government what assessment they have made of the UK's regional aviation network. [HL13427]

Baroness Vere of Norbiton: The Government remains committed to supporting regional connectivity across all transport modes, including the importance of maintaining a thriving and competitive aviation sector in UK to deliver connectivity.

We welcome the engagement and evidence provided by the industry over the past several months through the Expert Steering Group and bi-lateral discussions and will build on this engagement and collaboration to develop measures to support regional air connectivity, particularly in the context of sector recovery.

In addition, the Union Connectivity Review will make recommendations on how the UK Government can level up transport infrastructure and improve connectivity between the four nations, looking at road, rail, air and sea links.

Aviation: Coronavirus

Asked by **Baroness Harris of Richmond**

To ask Her Majesty's Government how many meetings they have had with representatives of the aviation industry to discuss the aviation Covid-19 recovery package. [HL13425]

Baroness Vere of Norbiton: Since the onset of the pandemic, the Department for Transport has engaged very

regularly with the industry, including through both Ministerial meetings and official led sessions.

As announced on 22 February as part of the roadmap for the phased lifting of restrictions in England, the Secretary of State for Transport will also now lead a successor to the Global Travel Taskforce to develop a framework that can facilitate greater international travel when the time is right, while still managing the risk from imported cases and variants.

The Government is also developing a forward looking strategic framework on the recovery of the sector, which we engage with the industry on and will publish later this year.

Driving Licences

Asked by **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government how many certificates of entitlement (D737) have been issued since the end of the transition period for the UK's departure from the EU. [HL13477]

Baroness Vere of Norbiton: During January 2021, 1,368 certificates of entitlement (D737) were issued. Information is not yet available for February 2021.

Driving Licences: France

Asked by **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government what estimate they have made of the number of British nationals living in France who have been left without a valid driving licence since the end of the transition period for the UK's departure from the EU; and what assessment they have made of the reasons for such licences no longer being valid. [HL13474]

Baroness Vere of Norbiton: UK nationals who became resident in France before 1 January 2021 can continue to use their valid UK licences for a one-year period until 31 December 2021. There is no requirement imposed by France for these valid UK licences to be exchanged in this period until a reciprocal agreement is reached between the United Kingdom and France.

Asked by **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government what guidance they provide to British nationals living in France whose UK driving licence has just expired, or is about to expire. [HL13475]

Baroness Vere of Norbiton: The Living in France guidance published on gov.uk was updated at the end of 2020 with information for UK nationals living in France who hold UK driving licences. The rules for exchanging UK licences have not yet been confirmed by the French authorities but are the subject of discussions between the UK and French Governments. We will update this page when more information is available. UK nationals are also directed to consult the guidance published by France.

Asked by Baroness Miller of Chilthorne Domer

To ask Her Majesty's Government what progress they have made on their negotiations with the government of France on driving licences; and whether negotiations will conclude next month. [HL13476]

Baroness Vere of Norbiton: The Government is making every effort to reach an understanding with France regarding long-term licence exchange arrangements for UK nationals resident in France, and vice-versa. While those discussions are ongoing, the French Government has also confirmed that UK licence holders resident in France can continue to use their UK licence until 31 December 2021, provided that it remains valid in the UK. It is not possible at this time to say when negotiations will conclude.

Email: Surveillance

Asked by Lord Blencathra

To ask Her Majesty's Government what plans they have to introduce legislation to ban tracking pixels in emails. [HL13568]

Baroness Barran: The use of tracking technology is already regulated by the Privacy and Electronic Communications Regulations 2003 and the UK General Data Protection Regulation. This legislation gives individuals specific privacy rights in relation to organisations' use of cookies, tracking pixels and similar technologies that track information about people accessing a website or other electronic services. It also requires organisations to give people clear and comprehensive information about the use of tracking technologies, and a choice about whether or not they are applied on devices.

The ICO has produced the attached guidance for organisations on the use of tracking technologies, available on its website at:

<https://ico.org.uk/for-organisations/guide-to-pecr/guidance-on-the-use-of-cookies-and-similar-technologies/what-are-cookies-and-similar-technologies/#cookies5>

The Answer includes the following attached material:

Cookies Guidance [guidance-on-the-use-of-cookies-and-similar-technologies-1-0.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2021-02-23/HL13568>

High Speed 2 Railway Line: Wendover

Asked by Lord Berkeley

To ask Her Majesty's Government, further to the Written Answer by Baroness Vere of Norbiton on 9 February (HL12883), on what (1) dates, and (2) times, did EKFB contractors meet with (a) HS2 Ltd, and (b) officials at the Department for Transport, to provide

advice on the scrutiny of the Wendover Mined Tunnel, as such scrutiny has developed. [HL13564]

Baroness Vere of Norbiton: Design contractors working on behalf of EK (as it was at the time) were present at one meeting between officials from the Department for Transport and HS2 Ltd to discuss the Wendover Mined Tunnel proposal. The meeting took place on 1 April 2019 at 3pm.

Large Goods Vehicles: Concrete

Asked by Lord Austin of Dudley

To ask Her Majesty's Government what estimate, if any, they have made of the number of volumetric concrete mixer vehicles produced in the UK in each of the past five years. [HL13347]

Baroness Vere of Norbiton: No specific estimate has been made of the number of this vehicle type produced in the UK on an annual basis in each of the past five years. A total of 1,106 volumetric concrete mixers are currently in circulation in Great Britain operating under Vehicle Special Orders permitting them to operate at higher than usual weights. The Department's estimate is that these vehicles represent the vast majority of the type in operation at that time and that the service life of the vehicles average effectively about ten to twelve years.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government what plans they have to consult utilities and highways representatives on the impact the loss of operators of 38.4 tonne and 44 tonne volumetric concrete mixer vehicles from 2028 will have on emergency repairs. [HL13348]

Baroness Vere of Norbiton: There are no plans for further discussions with utilities and highways representatives about the maximum weights of volumetric concrete mixers. The Department recognises the use of the vehicles in repair operations and also higher effects on structures associated with vehicles operating on roads in excess of the standard weight limits.

Dispensations to allow extra weights for vehicles operating in 2018 were designed to allow the market to adjust to the vehicles complying, during the course of this decade, with the standard weights applicable to heavy goods vehicles. After that volumetric concrete mixer vehicles are allowed to continue to be operated at standard weights, as before the dispensations made in 2018.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government, further to the report by Regeneris Consulting Economic Value of Mobile Batching Plant Sector and Consequences of Weight Change Policy, published in February 2015, what assessment they have made of the value to the UK economy of (1) the manufacturing, and (2) the servicing, of volumetric concrete mixer vehicles in each of the last five years. [HL13349]

Baroness Vere of Norbiton: No estimate has been made of the value to the UK economy of manufacturing and servicing of volumetric concrete mixers on an annual basis.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government, further to the decision to cut the permitted weight of volumetric concrete mixer vehicles from 38.4 tonnes to 32 tonnes, what assessment they have made of the number of extra vehicles that will be required to transport concrete. [HL13350]

Baroness Vere of Norbiton: The permitted maximum laden weight of volumetric concrete mixers has not been reduced. A temporary arrangement to enable market adjustments to the operation of the vehicles complying in practice to the standard weights applicable to heavy goods vehicles has been put in place. The longer-term market adjustments may include the same vehicle making more journeys or increased use of other vehicle types for concrete transport.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government what assessment they have made of the impact that banning 38.4 tonne and 44 tonne volumetric concrete mixer vehicles from 2028 will have on CO2 emissions. [HL13351]

Baroness Vere of Norbiton: A special dispensation was made for volumetric concrete mixers in operation or on order by the end of 2018 to allow them to operate at weights higher than the usual maxima. Articulated vehicles are allowed to operate at maximum laden weights of up to 44 tonnes, depending on their axle configurations.

No specific estimate has been made of the effect on CO2 emissions of requiring operators of volumetric concrete mixers to comply with the standard weight limits applicable to heavy goods vehicles (and other specialised vehicles). A total of 1,106 volumetric concrete mixers are currently in circulation in Great Britain operating under Vehicle Special Orders permitting them to operate at higher than usual weights. The Department's estimate is that these vehicles represent the vast majority of the type in operation.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government, further to the report by Regeneris Consulting Economic Value of Mobile Batching Plant Sector and Consequences of Weight Change Policy, published in February 2015, what estimate they have made of the number of additional vehicle miles required to transport concrete since the permitted weight of volumetric concrete mixer vehicles was reduced to 32 tonnes. [HL13647]

Baroness Vere of Norbiton: Further to the response to HL13350, the permitted maximum laden weight of volumetric concrete mixers has not been reduced. A temporary arrangement to enable market adjustments to

the operation of the vehicles complying in practice to the standard weights applicable to heavy goods vehicles has been put in place. The longer-term market adjustments may include the same vehicle or other vehicles types travelling for additional distances.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government what estimate they have made of the number of fatal accidents caused by mobile concrete batching plants in each of the last five years. [HL13649]

Baroness Vere of Norbiton: No specific estimate has been made of fatal accidents caused by mobile concrete batching plants in each of the last five years.

Asked by Lord Austin of Dudley

To ask Her Majesty's Government what estimate they have made of the number of fatal accidents caused by 32 tonne drum ready-mix concrete vehicles in each of the last five years. [HL13650]

Baroness Vere of Norbiton: No specific estimate has been made of fatal accidents caused by 32 tonne drum ready-mix concrete vehicles in each of the last five years.

Public Transport

Asked by Lord Greaves

To ask Her Majesty's Government, further to the statement by the Prime Minister on 22 February (HC Deb, col 626–8), whether they plan to provide advice to the public on returning to using public transport; and if so, when. [HL13698]

Baroness Vere of Norbiton: We maintained public transport services so that those who need to travel can continue to do so. Travel advice encourages people use active travel modes where possible and practice social distancing whilst travelling on the public transport network for those needing to make essential journeys.

As restrictions ease we will expect journeys on public transport to increase. Operators have put in place a whole range of measures, such as enhanced cleaning, so passengers can travel safely. We will continue to provide advice on how people can travel safely; this includes on public transport.

Qualifications: UK Relations with EU

Asked by Baroness Hayter of Kentish Town

To ask Her Majesty's Government what assessment, if any, they have made of the impact of the UK–EU Trade and Cooperation Agreement on (1) UK professional international mountain leaders, generally, and (2) those leading mountain tours across several EU member states. [HL13429]

Asked by Baroness Hayter of Kentish Town

To ask Her Majesty's Government what progress has been made on the Mutual Recognition of Professional

Qualifications under the UK–EU Trade and Cooperation Agreement; and whether they will take steps to ensure that UK mountain professionals benefit from Mutual Recognition Agreements. [HL13431]

Asked by Lord Aberdare

To ask Her Majesty's Government what progress they have made on the mutual recognition of professional qualifications; and what plans they have to ensure that UK Mountain Professionals will benefit from Mutual Recognition Agreements. [HL13552]

Baroness Barran: The UK-EU Trade and Cooperation Agreement (TCA) provides a framework under which the UK and the EU may agree Mutual Recognition Agreements (MRAs) on the recognition of professional qualification covering the UK and all 27 EU Member States. Once an arrangement is adopted under the TCA, UK professionals will be able to use the terms outlined in the arrangement to secure recognition for their professional qualifications within EU Member States.

Arrangements are implemented on a profession-by-profession basis and depend upon reciprocal cooperation from both the UK and EU Member States. The framework enables UK and EU professional bodies or authorities to make recommendations on MRAs to the Partnership Council. Once an arrangement has been adopted, a professional qualified in the UK (e.g. an engineer) will be able to use the terms outlined in the arrangement to secure recognition of their qualifications within an EU Member State.

The Government continues to engage with stakeholders in the tourism sector to hear their priorities for the UK's future relationship with the EU. Officials are currently engaging with the tourism trade bodies, including the British Association of International Mountain Leaders (BAIML) to gather feedback on priority regulators and qualifications for the tourism sector.

The Government will provide help and guidance to UK regulatory authorities and professional bodies to help them benefit from these provisions as well as other recognition paths. Where visas apply, our agreement with the EU contains measures that will help ensure processes are as prompt and smooth as possible.

Rail Review

Asked by Baroness Randerson

To ask Her Majesty's Government whether they intend to publish the Williams Rail Review; and, if so, when. [HL13485]

Baroness Vere of Norbiton: The Government will publish a White Paper with details on the Government's plans for rail reform in due course.

Regional Planning and Development: Finance

Asked by Baroness Valentine

To ask Her Majesty's Government when they plan to publish the prospectus for the Levelling Up Fund announced in the Spending Review 2020, published on 15 December 2020. [HL13624]

Asked by Baroness Valentine

To ask Her Majesty's Government what criteria will be used for assessing bids to the Levelling Up Fund; and what part the indices of multiple deprivation will play in those assessments. [HL13625]

Lord Agnew of Oulton: The £4.8bn Levelling Up Fund will invest in infrastructure that improves everyday life across the UK, including regenerating town centre and high streets, upgrading local transport, and investing in cultural and heritage assets. The Government launched the prospectus for the Fund at Budget, opening bids UK-wide for the first round of funding starting in 21-22. The prospectus provides guidance to local areas on the process for submitting bids, the types of projects eligible for funding, and how bids will be assessed.

Roads: Litter

Asked by Lord Black of Brentwood

To ask Her Majesty's Government when they last made an assessment of litter collection by Highways England on (1) the M11 motorway, and (2) the A406 road; and what assessment they have made of Highways England's performance. [HL13371]

Baroness Vere of Norbiton: The Office for Rail and Road monitors Highways England's performance. Their most recent Annual Assessment acknowledged Highways England's actions to address litter on the Strategic Road Network (SRN) and that Highways England is continuing to work towards achieving the vision set out in its litter strategy. Highways England's litter collection on the SRN will be reported on as an annual performance indicator from the end of this financial year.

The A406 is not part of the SRN and responsibility for litter collection lies with the relevant local authority.

Travel Restrictions: Entertainers

Asked by Baroness Bull

To ask Her Majesty's Government what assessment they have made of the effect of cabotage restrictions on touring performers; and what plans they have to address such effects. [HL13573]

Baroness Vere of Norbiton: The Department for Transport's assessment is that the UK-EU Trade and Cooperation Agreement will allow for the vast majority of haulage operations that were being undertaken by UK hauliers before the end of the transition period.

The agreement does introduce some limits, and UK hauliers will only be allowed to undertake two movements within the EU before returning to the UK. These rules will apply to specialist hauliers, such as hauliers who carry equipment for touring performers.

Alternative arrangements for specialist hauliers were discussed in detail as part of negotiations, including specific proposals for liberalised access, but the EU was unable to agree more flexible arrangements.

The Department for Transport is in regular contact with the road haulage industry and is working closely with the Department for Digital, Culture, Media & Sport and the Department for Business, Energy & Industrial Strategy to support the creative industries sector.

Travel: Coronavirus

Asked by Baroness Harris of Richmond

To ask Her Majesty's Government what assessment they have made of forecast (1) recovery, and (2) growth, in (a) air transport, and (b) the travel sector. [HL13428]

Baroness Vere of Norbiton: The Department has not produced economic forecasts of recovery and growth in the air transport or travel sectors. The Department maintains a capability to produce a range of passenger demand scenarios, reflecting the uncertainty surrounding the potential shape of recovery, for internal use.

The Department recognises the severe impact the Covid-19 pandemic has had on travel, and work continues to understand how best the industry can be supported at this time. The Government is working on a strategic framework for the recovery of the sector. It will explore the return to growth of the aviation sector, and will include consideration of workforce and skills, regional connectivity, noise, innovation and regulation, and consumer issues.

Aviation businesses have access to the unprecedented economic support package that the Chancellor has put in place to help businesses to manage the challenges they are facing as a result of the Covid-19 pandemic.

In addition to this, the Airport and Ground Operations Support Scheme (AGOSS) opened for applications on 29 January to provide support for eligible commercial airports and ground handlers in England.

Through the Global Travel Taskforce, the Government will work closely with the industry to find ways to safely and gradually ease restrictions on international travel. We will set out more detail on this soon.

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