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## **House of Lords Paper 25 Session 2012-13**

Embarking on an ambitious, perhaps unachievable, reform of rail franchising, in haste, on the UK's most complex piece of railway was irresponsible. Many of the problems with the franchise competition, detailed in the Laidlaw report, reflect very badly on civil servants at the DfT. However, ministers approved a complex - perhaps unworkable - franchising policy at the same time as overseeing major cuts to the Department's resources. This was a recipe for failure which the DfT must learn from urgently. While the Department has already published a response to the Laidlaw report which Mr Laidlaw described as 'very encouraging', and has initiated a review of franchise MPs warn that a number of matters remain to be adequately resolved. The Committee calls on the Secretary of State and the Department for

Transport to: explain why ministers and senior officials were misled about how subordinated loan facilities were calculated, if necessary after disciplinary proceedings against staff have concluded; complete a full email capture and get to the bottom of whether or not any officials manipulated the outcome of the competition to ensure First Group were awarded the contracts; provide a comprehensive breakdown of costs arising from the cancellation of the West Coast Mainline franchise competition. The Committee also wants to establish what lessons current and future ministers must learn from this episode

## **Recall of MPs**

This report is into the investigation by the Parliamentary Commissioner for Administration of a complaint that Sir Bob Russell, the Member for Colchester, made claims against parliamentary allowances for the rental of his constituency office from 2002-03 to 2009-2010 when that accommodation was owned by company in which he and a family member held shares. The Commissioner did find that Sir Bob Russell was in breach of the rules, that there was a misreading and misunderstanding of the rules. However the seriousness of the breach was strongly mitigated by findings in relation to disclosure. The Committee agrees with those conclusions and has recorded the breach. No further action is recommended.

## **Broadband for All - an Alternative Vision**

This report discusses the impact of the Committee work in the 2010-12 Session of Parliament. Prepared as a Traffic Light Report, the first of its kind, it scores Government responses to each of the Committee's recommendations as green, red or yellow, to indicate whether, in the Committee's view, they have been accepted by the Government, rejected, or are still under consideration or development. It is intended as a benchmark and tool for developing a more strategic approach to scrutiny, which will improve the Committee's ability to hold the Home Office to account. Going forward, it will be used as the basis for the systematic follow-up of recommendations over the rest of the Parliament.

## **Visitor access and facilities**

The Government Procurement Card (GPC) is a payment card which individuals can use to purchase goods and services; the supplier is paid immediately and the balance is paid in full each month by departments. However, inappropriate or fraudulent use of the card brings significant risks. The strength of the controls in place varies significantly between departments. This is particularly evident in the Ministry of Defence, which accounts for around three-quarters of total GPC expenditure, but which limits checks to only a sample of its transactions. The

Cabinet Office has overall responsibility and recently created a GPC Steering Group. The Steering Group introduced a central GPC policy in November 2011, setting out a minimum standard across government. The central policy should consider going further, for example by specifying: 100% transaction checking, blocking categories of expenditure by default, banning use of the card for certain items (such as alcohol) and ensuring that all cardholders are permanent staff members. However, the initial challenge will be for the GPC Steering Group to ensure that the policy as it stands is being implemented, and to hold departments to account where there are found to be gaps in the design and implementation of controls. As procurement processes have advanced substantially, the estimated difference in cost of using a card over other methods has reduced. The Cabinet Office has now committed to refreshing the business case, which should help departments to make the right decisions about when using the cards is the most cost-effective way of buying goods and services

## **Second report of session 2012-13**

### **Statements by Members who Answer on Behalf of Statutory Bodies**

In the Committee's report on broadband services it considers that the UK and Welsh Governments must work together and use all means available to bring broadband services in Wales up to speed with the rest of the UK, and eradicate broadband "slow spots" and "notspots" as a matter of urgency. Both Governments should consider promoting mobile and satellite technologies, particularly in remote areas of Wales in order to deliver this and not rely solely on rolling out fibre optic cabling. The availability of broadband has been consistently lower in Wales than the rest of the UK and although that gap has narrowed in recent years latest figures show the gap is widening again. The existence of notspots and slowspots has hindered existing businesses and deterred new businesses from choosing to locate to Wales - to the cost of the local economy. The Welsh Government's target is a commitment to provide all Welsh businesses with access to next-generation broadband by "the middle of 2016". The Committee also says that both Governments must ensure that the roll-out of superfast broadband is not achieved at the expense of delivering a good broadband service for all. The Committee recommends that Ofcom undertake a study to evaluate whether satellite broadband should be supported more vigorously in Wales; the delayed Spectrum auction, now planned for 2013, must ensure that 4G mobile services are available to at least 98% of people in Wales; and Ofcom must continue its efforts to open up access to infrastructure in Wales. BT's market power must be regulated effectively to ensure efficient operation of the market.

## **The Government Procurement Card**

## **The European Commission's 4th Railway Package**

The Transport Committee broadly welcomes the European Commission's 4th Railway Package but believes it focuses too much on liberalising the railway in domestic markets at the expense of important measures to improve cross-border freight and passenger services. The Committee recommends the UK Government should actively negotiate to ensure: joint working between Network Rail and train operators is not prohibited or unduly restricted; metro and light rail systems are not affected by the proposals to separate infrastructure and service operators; the UK's arrangements for letting train franchises are not challenged. In addition, MPs are concerned about: governance arrangements for Eurotunnel; the maximum annual threshold proposed for rail franchises, which could prevent UK companies bidding for work in other EU countries; and the possibility that the EU may become responsible for specifying the content of public transport plans: these should remain the responsibility of national or local governments.

## **First report of session 2013-14**

## **1st Report of Session 2012-13**

### **Forty-fourth Report of Session 2013-14 - HC 83-xxix**

#### **A Robust Grid for 21st Century Scotland**

#### **Draft Energy Bill**

This report covers the work of the Committee and its seven sub-committees during the 2010-12 Session, which ran from 25 May 2010 to 1 May 2012

#### **Broadband Services in Wales**

#### **The Coastguard, Emergency Towing Vessels and the Maritime Incident Response Group**

Whiplash injuries can have debilitating consequences for those who suffer them.

However, some of the increase in whiplash claims will have been due to fraud or exaggeration. The Government must tighten up the requirements for motor insurance claims and ensure that insurers honour their commitment to reduce premiums. The Government should consider requiring claimants to provide proof that they have either been seen by a doctor or attended A&E shortly after the accident. The MPs also note that their previous recommendation on making the links between insurers and other parties involved with claims more transparent has been ignored. The absence of comprehensive statistics about road traffic accidents means that it is impossible to relate the increasing number of personal injury claims in recent years to the number of accidents. Data collection about road accidents needs to be improved help to assist detection of fraudulent personal injury claims and help highways authorities improve road safety by targeting spending on accident black-spots. The Committee also supports the proposal for an accreditation scheme for medical practitioners who provide medical reports in relation to whiplash claims. Access to justice could also be impaired by Government proposals to switch whiplash claims between £1,000 and £5,000 to the small claims court, particularly for people who do not feel confident to represent themselves against insurers who will use legal professionals to contest claims. Ways in which use of the small claims track could be combined with the routine submission of expert evidence should be considered

The Government published a draft Bill on the Recall of MPs, with the aim of restoring faith in the political process after the expenses scandal. But the restricted form of recall proposed could reduce public confidence in politics by creating expectations that are not fulfilled. Under the Government's proposals, constituents themselves would not be able to initiate a recall petition. Furthermore, the circumstances that the Government proposes would trigger a recall petition are so narrow that recall petitions would seldom, if ever, take place. The Committee believes that the new House of Commons Committee on Standards, which will include lay members, already has the sanctions it needs to deal with MPs who are guilty of misconduct, including recommending the ultimate sanction of expulsion from the House of Commons in cases of serious wrongdoing. The Committee argues that the option of expulsion must be actively considered and that the House must be prepared to act. The Committee recommends: that the Government replace the requirement for a single designated location for signing the recall petition with a requirement for multiple locations; that people with an existing postal vote should automatically be sent a postal signature sheet in the event of a recall petition; that constituents in Northern Ireland should have the same options for signing a recall petition as constituents elsewhere in the UK, rather than being restricted to signing by post

## **Cancellation of the InterCity West Coast Franchise Competition**

In December 2011 and January 2012, Scotland was subject to numerous storms that caused damage to homes, road and rail infrastructure, as well as leaving tens of thousands of residents without a power supply. In some cases it took more than three days before power was restored. Although all of Scotland was affected, it appears that the most severe damage occurred in the Highlands and Islands. The Committee's inquiry focussed on: the frequency and severity of weather-related power cuts in Scotland; the consequences of such power cuts to individuals, businesses and public sector services; the current condition and technological state of Scotland's electricity transmission network, and what conditions it is built to withstand; the advantages and disadvantages of using an alternative electricity transmission infrastructure, particularly regarding its vulnerability to weather-related damage; whether the response provided by the energy companies was satisfactory; and how the regulation of transmission network operators and distribution network Operators impacts upon investment in Scotland's electricity transmission network. The Committee concludes that while blackouts following severe weather incidents can never be completely eliminated, one way that they can be minimised is by ensuring that the grid is in a robust and well maintained state before any such incidents occur. The increase in renewable energy generation also offers opportunities for networks to be less reliant on single vulnerable electricity lines to serve remote communities. The value of compensation for loss of power currently offered and the conditions under which it applies should be improved.

## **Monitoring written Parliamentary questions**

Incorporating HC 1865-i-iv, session 2010-12. Additional written evidence is contained in Volume 3, available on the Committee website at [www.parliament.uk/clgcom](http://www.parliament.uk/clgcom)

## **Draft Sexual Offences Act 2003 (Remedial) Order 2012: second report**

The Draft Finance Bill 2013 (HL 139) evaluates the draft Finance Bill which, following detailed consultations based on the findings of an independent study group, includes proposals for a General Anti-Abuse Rule (GAAR), narrowly targeted at abusive transactions which fail a stringent 'double reasonableness' test. The provisions also include the formation of an Advisory Panel to agree guidance and give its opinion on the application of the double reasonableness test to a given set of tax arrangements. Most agree the narrow focus was appropriate. Some witnesses argued that HM Revenue and Customs (HMRC) should set up a clearance system to reduce uncertainty about where the GAAR would apply. Many witnesses were very concerned at the application of the GAAR to transactions involving inheritance tax planning. The Bill also includes an Annual Residential Property Tax Package (ARPT) which is part of a package of measures to address Stamp Duty

## **Thirteenth Report of Session 2012-13**

Implementation of the Government's modernisation programme risks damaging the coastguard. Confusion about the role of the new national Maritime Operations Centre (MOC) and mixed messages about local knowledge and coastguard station closures has undermined staff morale across the service and caused great concern that the vacancy rate for skilled staff has doubled since 2010. There is a worrying lack of information about what coastguards at the MOC will actually do from day to day or how these new staff will work with local coastguards. The MCA's stance in respect of the local knowledge which coastguards in co-ordination centres must have is also confusing and contradictory. The MCA needs to set out its strategy for staff training and articulate its vision of why coastguards in MRCCs need to gain and retain local knowledge. MCA management must schedule and remunerate staff to pursue this expertise, not leave them to organise themselves when they are off duty. The Committee also expresses concern about arrangements for Emergency Towing Vessels and plans for fire fighting at sea now that the Maritime Incident Response group has been withdrawn. The Government is called to provide statistics on the age profile and length of service of coastguards at each MRCC and to set out its strategy for retaining experienced coastguards, particularly in terms of recruitment to positions based at the MOC

## **Education, training and workforce planning**

Approximately 1 million people enter the parliamentary estate every year as visitors rather than as Members or staff of the two Houses of Parliament. The two Houses must balance the business needs of a fully working legislature and those of a visitor attraction. Parliament is first and foremost a working institution, and that implies clear principles for how access is organised. Democratic access to the work of Parliament must remain free and open, enabling any citizen, at least so far as physical space allows, open access to sittings in the two Chambers, in the Committee Rooms and in Westminster Hall, or to meet their Member of Parliament. Considerable work needs to be done on how the visitor attraction part of Parliament is best operated, not least in persuading some reluctant Members and staff of both Houses and an often instinctively negative media to recognise the difference between democratic access to the work of the place and interest in its heritage and tourism aspects. The central idea that has emerged in this inquiry is that two conceptions of Parliament are required: the working institution and the visitor attraction. The two should be complementary, not in conflict, and some of the tensions that presently arise from, for example, queues outside the building and the consequent delay of business meetings for Members and others would be resolved if the two concepts were more rigorously held apart.

## **Twenty-first Report of Session 2012-13**

Additional written evidence is contained in Volume 3, available on the Committee website at [www.parliament.uk/healthcom](http://www.parliament.uk/healthcom)

### **E-tabling of Written Questions**

The Standing Orders and the practice of the House enable Ministers to make written and oral statements to the House on matters of public importance. That facility is not available to Members who answer in the House on behalf of statutory bodies which are not subject to direct Ministerial accountability such as the House of Commons Commission and the Church Commissioners. Consequently contrivances such as a "planted" written question or an agreed urgent question are necessary in circumstances where an announcement is to be made to the House. The Committee considered whether arrangements might be put in place to enable, in appropriate circumstances, Members answering in the House on behalf of statutory bodies to make written and oral statements. They recommend that the necessary amendments be made to Standing Order No. 22A to enable those Members to make written statements and that those Members who are for the time being on the rota for oral questions should be enabled, on being granted permission in advance by the Speaker, to make an oral statement to the House

## **Sixth report of session 2012-13**

A draft of the proposed instrument is available separately (ISBN 9780111521403 ).  
An earlier report on this subject published as HL 200/HC 1549, session 2010-12  
(ISBN 9780108473791)

## **Thirty-first Report of Session 2012-13**

In October 2010 the Committee in response to a report by its predecessor committee began a trial exercise in monitoring unsatisfactory and late answers to written Parliamentary questions. With just over 50 complaints from Members in response to the exercise of which half were followed up. This resulted in answers for Members on a number of occasions in circumstances where they would otherwise have found difficult or impossible to follow up on an inadequate response. The exercise will now come to an end and be put on a more permanent footing. In consideration of a memorandum from the Leader of the House providing statistics on the time taken to respond to WPQs in 2010-12, the committee has sought explanations from Ministers in charge of poorly performing departments for the level of performance in the memorandum and what steps are being taken to improve these levels. The Department for Education had a particularly poor performance and evidence was taken from the Parliamentary Under Secretary and

a senior official in the Department which the Committee found unsatisfactory with and so a follow up session with the Permanent Secretary and Secretary of State was undertaken. The Committee will continue its interest in the answering performance of this Department and hold it to further account should its performance not improve markedly.

## **First report of session 2012-13**

## **Sixty-first report of session 2010-12**

Last year the European Commission published a staff working document that was principally concerned with extending the Commission's involvement in transport security matters. Land transport security measures seek to prevent acts of unlawful interference against passengers, freight or transport infrastructure in the road and rail sectors. Unlawful interference, as referred to in the Commission's document, includes anything from terrorism to relatively minor crime against passengers and transport operators. The conflation of such wide-ranging security issues is not helpful and the Government is urged to ensure that any future EU land security transport proposals are more focussed. Overall, the current risk-based approach to land transport security in the UK are working well and security

measures deployed across UK transport modes are proportionate to the current threats that any given sector is exposed to. However, some weaknesses in the UK's current land transport security regime were identified, including, for example, procedures for dealing with multi-modal transport hubs at which different threat levels are applied to different modes; ensuring that staff had a consistent level of training and an understanding of potential threats, risks and preventative measures; and the difficulty of maintaining a high level of both staff and public vigilance. The principal recommendation is that the Government should participate actively in EU discussions to ensure that any detailed proposals are focussed and appropriate to the UK. Parliament should be keep abreast of developments so that we can continue to contribute to the shaping of policy in this area

## **Report On 2010-12**

### **Sir Bob Russell**

This report contains the Commission's consideration of the Government's draft Financial Services (Banking Reform) Bill and associated proposals which give effect to the recommendations of the Independent Commission on Banking (ICB). The Commission was asked to look at one of the main proposals for increasing financial

stability - ring-fencing. The Commission welcomes the creation of a ring-fence. It can, in principle, contribute to the Government's objectives of making the banking system more secure. It is essential that banks are restructured in a way that allows them to fail, whether inside or outside the ring-fence. Ring-fencing can also help address the damage done to culture and standards in banking. But the proposals, as they stand, fall well short of what is required. Over time, the ring-fence will be tested and challenged by the banks. Additional powers are essential to provide adequate incentives for the banks to comply not just with the rules of the ring-fence, but also with their spirit - what the Commission recommends as 'electrification'. The legislation needs to set out a reserve power for separation; the regulator needs to know he can use it. In this report the Commission puts forward detailed proposals to strengthen the Bill. Furthermore, there is a need for periodic reviews of the sector to reassure us that the ring-fence as a whole is working. Tougher measures may yet be required

## **Debates on Government E-petitions in Westminster Hall**

### **The Draft Finance Bill 2013**

In September 2012, the Natural Environment Research Council (NERC) announced a consultation process on proposals to merge the British Antarctic Survey and National Oceanography Centre. It argued that there was a strong strategic case for the merger, arising from scientific synergies between the organisations, a drive to maximise the social and economic impact of scientific research output and a need to make the most cost effective use of marine and polar infrastructure. A number of serious concerns have been raised about the prospect of merging the British Antarctic Survey and National Oceanography Centre, and the way in which the consultation has been handled. It's important that these concerns are addressed by NERC before any further action is taken. NERC has not properly consulted on whether a merger is the best way to achieve its objectives and has not provided an adequate evidence base to support its case for a merger, with the absence of projected cost savings being particularly notable. In addition, NERC does not appear to have given adequate consideration to the British Antarctic Survey's geopolitical role when drafting its consultation proposals. Nor has it demonstrated an awareness of UK political commitments on protecting the environment, and polar regions in particular. NERC should consider whether its aims could be achieved by means other than a merger. Future consultations should be carried out with better engagement with scientists and other stakeholders

## **Land Transport Security - Scope for Further EU Involvement?**

On 13 October 2011 the House agreed to a 3-month experiment with restrictions on the number of questions which could be tabled electronically on any one day and an earlier deadline for their submission. The Table Office has provided us with a memorandum assessing the impact of those changes, and recommending that the experiment be made permanent.

## **Report on 2012-13**

## **Effectiveness of the Committee In 2010-12**

Additional written evidence is contained in Volume 3, available on the Committee website at [www.parliament.uk/ecc](http://www.parliament.uk/ecc)

## **Parliamentary Commission on Banking Standards**

In July 2012, the House agreed to allow debates on Government e-petitions to take place on Mondays in Westminster Hall, on a trial basis during the current session. Three debates have taken place during the session, with a fourth scheduled on the

day of publication of this report (22 April 2013). The Government's e-petitions website continues to be popular, and a dedicated slot in Westminster Hall on Monday afternoon provides a clear end-point for the process. The Procedure Committee agrees with the Backbench Business Committee that the trial has been successful and recommends that the temporary changes to the Standing Orders be made permanent.

## **Government Response to the House of Commons Health Select Committee First Report of Session 2012-13**

This report provides an overview of the work of the European Union Committee in session 2012-13. It highlights some of the key policies examined through scrutiny work and inquiries, reflects on the Committee's work with the EU institutions and other national parliaments, and gives a forward look at the work being undertaken in session 2013-14.

### **Adoption**

Government reply to the Committee's first report, HCP 6-I, session 2012-13 (ISBN 9780215045188)

## **House of Commons - Transport Committee: Cost of Motor Insurance: Whiplash - HC 117**

This report calls on the Government to widen the scope of a proposed new adoption measure. The Government's proposed 'fostering for adoption' duty is designed to encourage councils to place looked after children with foster carers who can then go on to adopt them, providing continuity and stability. The scope should be extended by creating a duty to consider a fostering for adoption placement for all children for whom adoption is the plan. The Committee does not find it necessary to remove any requirement to give consideration to ethnicity but recommends an alternative amendment to the legislation which accords ethnicity an equal place within the list of the child's needs and characteristics. Other recommendations from the Committee include: a wider application of the principles behind concurrent planning, which places children with prospective adopters while at the same time actively exploring rehabilitation to the birth family; earlier and more robust decision-making by social workers in establishing when rehabilitation with the birth family is no longer an option; a review of the Statutory Guidance on Adoption to ensure permanency planning is given serious consideration one month after a child enters care

## **Proposed Merger of British Antarctic Survey and National**

## **Oceanography Centre**

Suitable for students, veterinarians, and technicians, this title explains the when, why, where and how of biopsy collection and submission of samples. It includes over 140 illustrations of which 78 are color photographs of clinical and histopathological lesions.

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