

## Illegal occupation of land

There have been a number of cases recently of people seeking to occupy land against the wishes of the landowner, where there are no suitable facilities for overnight and longer stays.

Parliament has legislated to give powers to landowners and the police to ban illegal occupations, but some Councils are concerned that these powers are not strong enough. I have taken this matter up with Government Ministers and will let readers see their reply.

The powers are under the Criminal Justice and Public Order Act 1994, Section 61. I have requested the authorities to use the powers available which they have done successfully in some cases. The police can take action in specified circumstances against trespassers. At issue is what should the police have to establish before moving against illegal occupation?

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## Where is the UK's tariff schedule for March 30 2019?

I am writing to Liam Fox at the Department for International Trade to ask to see the UK's proposed tariff schedules for trading with the world after March 29 2019, assuming we leave without an agreement with the EU. I will say:

I welcome the government's determination to complete preparations for leaving the EU without an agreement and to share the details with the public and Parliament in good time. I am sure you and your department will be pleased to set out the terms on which the UK will trade with the world once we have left, and to get on with negotiating new free trade agreements with the many countries in the world which would like one with us, as well as with the EU assuming they too wish to share the ideas of their Canada free trade agreement more widely.

One of the most important statements that the UK is open for business and ready for life outside the EU will be the publication of our schedule of tariffs or trading terms for when we have left. It would be good to know the proposals as soon as possible, as business could start to exploit the advantages of a better schedule as soon as it knows what the UK's intentions are. I assume you do not intend to simply copy the full EU tariff schedule we currently have to use for non EU trade, but would wish to set out a tariff schedule tailor made for the UK's needs.

Once we are out the EU then of course if we continue to impose tariffs on the rest of the world we will have to impose the same tariffs on the EU. I would

like to know your thinking on how we might modify their schedule, especially in the following ways.

Would we remove all low tariffs on the grounds that costs of collection hardly make them worthwhile? This could simplify business life for many. Would we remove high agricultural tariffs from food we cannot produce for ourselves, to give consumers a better deal? Why, for example, would we want to keep tariffs on citrus fruit after we have left?

Would we adjust agricultural tariffs on products we can produce here to a lower average level than the current high level imposed on non EU product, when EU product has to face the same tariff level? Is there an optimum tariff level on products like beef and pork which would still offer good protection for UK farmers, but would cut the cost of non EU imports? Much of the competitive threat to UK farmers currently comes from no tariff product from the continent.

Would we remove all tariffs from components needed in the supply chain for the manufacture of complex goods in the UK?

Setting our own schedule gives us great scope to get rid of tariffs which hurt the UK consumer which are designed to help continental business more than us, and gives us scope to concentrate remaining tariffs in areas of UK farming and industry that need some protection as they adjust to the new global approach the UK will be taking.

I look forward to seeing the publication of your proposals. These could be good for UK trade and our economy. They are likely to result in import substitution in areas like farming.

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## [EU and UK laws – what a different approach to framing them](#)

Over our years in the EU growing volumes of legislation have been passed by the EU. Some of it is directly acting through EU Regulations requiring no UK Parliamentary endorsement. Much of it is embodied in Directives, which require the UK Parliament to pass a UK law to achieve the stated aims and reproduce the detailed proposals in the Directive. Some of these measures have replaced good UK laws, and reflect a general wish to have high standards of employment law or environmental regulation. Some have been meddlesome and damaging, as with the fishing regulations. I do not wish today to go into the balance of good and bad law that came from the EU. I fully accept that some EU law is good law we want anyway and all of it after we have left becomes UK law to ensure immediate continuity. I want instead to examine the very different approach legislators have adopted to these two types of law.

Parliament has not been able to consider or amend any Regulation. Opposition parties in the UK have very rarely objected to Directives that have come from

Brussels. They have accepted a form of approval which prevents amendment to the draft law. However long and complex the EU Directive is, it is embedded in UK law as a Statutory Instrument using what are known as Henry VIII powers for government to press Parliament to pass something with little debate and no amendment. These powers are normally reserved for the detail needed to implement primary legislation which has been through a long, argumentative process with plenty of scope for amendment in the UK Parliament. In the case of EU law this does not happen, as the enabling Statute is the European Communities Act 1972 which created the most massive Henry VIII power of them all allowing any legislation from the EU to go through as an SI. Opposition parties have also always accepted government advice that they have to pass the relevant SI because it is a requirement of Brussels, backed up by the threat of court action in the ECJ and fines if we do not comply. Parliament has never turned down an EU Directive. Domestic legislation requiring SIs to implement them does sometimes encounter refusal to enact with the government having to take it away and rewrite the SI or abandon the attempt to push it through. The more law we have that comes from the EU, the less Parliament can amend and improve in future. Parliament's role in updating and improving our law codes has become more and more impeded by the rapid growth of EU competence and law.

Recently the Commons was asked to enact the EU's General Data Protection legislation, even though this was already a directly acting Regulation, so keen was the civil service to see it fully into effect. I have no problem with the principle that governments and companies holding and handling data should be careful with it and protect people from harm from its theft or inappropriate use. There were already laws in place before the GDPR to do this. Maybe they needed improvement and updating. What I thought was interesting was there was little opposition attempt to amend or criticise the EU approach to this task. Small charities complained that it was very heavy handed, forcing them to spend a lot of money on advice and new systems to carry on holding lists of their supporters and communicating with them when they were not in any way unhappy or threatened. Small businesses were concerned about their marketing lists and often had to spend a lot of money on advice and systems when they had caused no problems before. If these proposals had been a UK government initiative requiring normal primary legislation I am sure the opposition would have put up much more of a fight to try to improve the legislation.

In the endless and repetitious iterations of Project Fear 2 all we hear about is trade and trade deals. We need to remember one of the central tasks the public want us to do. They want us to restore a fully functioning Parliament which properly probes and amends government legislation on all matters before the Parliament including all those that are currently fixed in Brussels and not subject to any decent scrutiny.

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## West Berkshire receives extra money to tackle rough sleeping

The government today has announced help for 83 Council areas with rough sleeper problems. West Berkshire is in the list, and will qualify for £264,820 from this budget. The government is determined to work with local authorities to provide an alternative to anyone sleeping out on the streets.

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## Swedish Democrats

The trend on the continent to the destruction of the main centre left and centre right parties continues apace. The Social Democrats and the Christian Democrats in most countries have lost their supremacy as leading parties capable of polling well and even forming majority governments. That is so pre Euro and twentieth century.

Sweden still has a government led by the Social Democrats, though it is a minority administration that needs the good will of a number of opposition parties to allow it to pass a budget and stay in office, even with its coalition partners the Greens making it a larger minority. The latest polls for the forthcoming General Election show a strong spurt in the performance of the Swedish Democrats, a populist anti immigration party. The other parties regard the Swedish Democrats as unacceptable and wish to keep them out of government. Polling at 20% in the latest surveys, the SD remain around 5% below the Social Democrats.

Italy has established a government out of the Lega and Five Star, two challenger parties that did better than the Socialists and Forza, itself a remodelled centre right party to displace the Christian Democrats more than twenty years ago. Spain still has a Socialist led government, but in a minority and needing to do deals with the challenger parties to get anything through.

So what do these new parties want? They want some relaxation of EU budget controls. Several of them want a reduction in migration into the EU and a change of policy towards economic migrants. Many will be happy to stay with the EU but want it substantially reformed, whilst others think the EU is a big part of the problem and openly campaign to quit the Euro or leave the EU altogether.

The EU needs to think carefully how it responds to these mass movements. So far the Commission seems to think it can just ignore these elections. Even more bizarre is the way traditional parties just accept their fate and do nothing to get back in touch with voters as that would require standing up to

the EU.