

# The role of the House of Lords

The unelected Lords has two important tasks. It is there to provide detailed scrutiny of legislation to see if improvements can be made given the purpose and political context of the Bill provided by the government with its Commons majority. It is also there to ask the Commons to think again about its political judgements where it thinks the whole idea of a Bill or policy is misjudged. In this second role the Lords could persuade the government or the Commons to cancel a measure or amend it substantially.

There is a long standing convention that the Lords does not ask the Commons to think again about a Bill or measure that was in the governing party's Manifesto. That makes sense, as such an idea has been well tested by the exertions of election debate as well as in subsequent Commons exchanges. It has been directly voted for by the electorate who voted in the case of a prominent pledge, or has gained the implied consent of the electorate for a lesser pledge which probably avoided prolonged attention because it did meet with general approval.

Yesterday the Lords broke their Salisbury Convention again by pressing for a second reconsideration of the Conservative Manifesto pledge on press freedom. The Commons rejected the Lords revised amendment by 301 to 289, so I expect that will be the end of the matter. This vote also is of interest because it casts light on the progress of the EU Withdrawal Bill. I trust it will give the government the confidence to have an early debate and vote on the unhelpful amendments the Lords have put through to the EU Bill.

This Bill is a central Manifesto Bill of the Conservatives and the DUP. Those peers who say the Salisbury convention no longer applies because the Conservatives fell just short of a Commons majority have to acknowledge that the Coalition does have a majority and the Bill featured in the manifesto of both parties. On that basis Salisbury should apply. For that matter it also was in the Labour Manifesto, so an overwhelming majority of MPs were elected on the pledge to carry through the necessary legislation for our exit. There is also the point that a well supported nationwide referendum should also be an override against the Lords seeking a different outcome.

Some peers try to argue that their amendments to the EU Bill were "improvements" not designed to prevent Brexit. It is difficult to interpret some of them in this favourable light. Removing the date of exit means their Bill would leave us plunged into legal uncertainty on the day we leave the EU under international law in accordance with the Article 50 letter. It is most important the parallel UK Bill comes into effect at the same time. Wanting us to stay in the Customs Union or single market is a denial of what was clearly voted for in the referendum, when both sides agreed leaving the EU meant leaving both the single market and the Customs Union. Some of those peers who have urged these amendments on the Lords have made no secret of their opposition to the whole policy of Brexit which was freely chosen by voters in the referendum and then again in the results of the General Election.

I trust just as the Commons has twice now voted to uphold a Manifesto promise of the governing party against Lords amendment over press issues, so we will do the same to the amendments to the EU Withdrawal Bill that seek to slow down, water down or prevent Brexit.

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## Technology and transport

I was pleased to see the government announce major steps forward in introducing digital signalling systems to the English railways. It is a classic example of how the digital revolution can solve major problems we currently have on our congested and inadequate railway network.

I have long argued we have enough track in most places, but need to use it more intensively. Network Rail tell me they can only run 20 trains an hour on a piece of track, despite the trains all going in the same direction on it and despite usually good visibility along lines that are mainly straight. As a result the rail track we see around is empty most of the time. The old fashioned signals we have often fail, leading to extra delays as safety rules understandably make it difficult to override signals even where the driver can see the track is clear.

Digital technology will allow each train to have full visibility of the track ahead and know in detail its own position and the speed it can travel forwards. The early adoption will allow safe passage of 24 trains an hour, an increase of 20% in track capacity, with the possibility of going higher than this as the technology and its use matures. It could mean both more trains on track and safer trains if applied well.

We need the similar adoption of better technology for traffic lights. Junctions with a clear main road and side roads or a lesser road intersecting should revert to main road green at all times when the feeder roads have no traffic, with sensors informing the system. For more complex junctions with two or more busy roads, sensors could do a better job equalising the misery of waiting times by offering green light phases proportionate to the flows.

I have recently written about how technology could also eliminate the stack of aircraft waiting to land at a busy airport for much of the time. Predictably there were the usual pessimists here telling me it cannot work. I take heart from the fact that the last meeting I held on it with the government was positive, with systems now in development.

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## Should migrant workers pay a bit more for the NHS?

I read there is a debate about the way the UK asks recently arrived workers to pay a charge for use of the NHS. Some say as they have recently arrived it is sensible to ask them to pay some extra money for all the established facilities and staff on payroll they get access to. Others say they are paying taxes like the rest of us, so maybe that covers it.

This issue is a small part of a much wider question – how much does it cost the host country to accommodate and support new migrant workers? In most of the analyses undertaken people just look at the revenue costs and tax coming in. We need to look at the capital costs as well.

The EU once seemed to give us an answer. When they were looking at the way a few countries in the EU seemed to end up with a large share of the total economic migrants into the area, they suggested that countries not taking their share should have to pay Euro 250,000 for each one going somewhere else up to an appropriate quota for them. This apparently large sum was a capital cost, and presumably reflects the fact that each new migrant needs a home, and capacity in public services.

When a country has pretty full employment and a housing shortage, each new arrival means the need to build a new home, to provide additional classroom capacity in schools, extra surgery and hospital space for health provision, more roadspace and train capacity and so on. In the case of the UK accepting around 250,000 extra people every year it is not possible to squeeze them all in to the homes, schools and surgeries already built, so there is a capital cost in provision.

The argument about the NHS annual charge is a smaller number than this question of the set up costs for new migrants. It is perhaps this bigger issue which needs more of our attention, especially given the difficult politics of speeding up housebuilding and expanding schools.

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## Fill the potholes

In one of my regular review meetings with the Chief Executive of Wokingham Borough Council last week I raised the issue of potholes again.

I asked her to make sure the policy of the government and the Councillors to get the potholes filled is carried out. I lobbied the government for extra money, and the government did announce additional monies for Councils including Wokingham and West Berkshire specifically for potholes, on top of

the annual sums sent for road maintenance. I reported this at the time on this website. I do not know of any Councillor seeking to block this.

We know the Council has some money for this purpose, so will they please spend it on a clear priority of the public.

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## Technology at the border

I cannot believe that Remain and their media friends are still going on about how goods move across borders. The UK government last year set out how technology can ensure smooth passage of goods. Now we are being told this would all take time to develop and set up. I have good news for them. It is all old hat, and is up and running for non EU trade already. Firms running just in time supply chains for components into the UK have no problems with components entering from outside the EU at the moment, despite the alleged tariff and non tariff barriers to trade that exist for non EU trade today. If all our trade becomes non EU trade after March, what is the problem? We know how to handle it.

I have more good news for firms worried about this. Inbound goods for their factories in the UK have to clear UK customs, not EU customs to enter the UK. There is no need and no plan I know of to impose new barriers at our borders when we leave the EU that will detain lorries and cause unacceptable delays. It is in our own hands.

Let me try again, as one who has imported and exported from a UK industrial base. There are already electronic manifests for each consignment, allowing fast passage across a border as the authorities know what is in the truck or container. There is a trusted trader scheme allowing electronic filing to replace manual document inspection. Any VAT, Excise or tariff due can be deducted electronically away from the frontier to settle the bills. This also happens today for our EU trade, as our frontier with the rest of the EU is already a VAT, Excise and currency border.

The so called Irish border problem is a put up job by the EU trying to make life difficult. The government should tell them we will use current methods to deal with border issues after we have left. These include today anti smuggling police and revenue activities on both sides of the Irish border, and police co-operation over criminals seeking to move from one country to another. If the EU continues to make heavy weather of this the government should say we will not be paying them any extra money after March 2019 when we leave.