

Parliament needs more control over lock downs

I supported the Brady amendment by co sponsoring it on the Order paper. I apologise to readers for a rare mistake of a bad forecast in thinking the Speaker would accept it for debate and decision as a majority of the House clearly supported it.

The important thing is that nonetheless the amendment served its purpose. It did result in the Speaker warning the government they needed to change and to allow debates and votes in government time on the controls, just as we had argued. He had legal advice against taking the amendment which I do not question. The government agreed to come to Parliament over these powers. As an early demonstration of good faith, there will be a proper debate on 2 Statutory Instruments imposing controls, with a vote on each next week.

Many of the Statutory Instruments which have imposed the restrictions on our freedom of movement were not debated or voted on in the past but will now need to be to comply with the Speaker's ruling. Many of them were not put into effect by the government under powers in the Coronavirus Act but under other emergency powers legislation, so trying to vote down the Coronavirus Act would not have dealt with the issues many people are raising. The Coronavirus Act is the source of authority to assist public bodies manage the crisis, which I and others did not wish to stop all the time the restrictions are in place. We want to get at the freedom removing SIs which are mainly issued under the 1984 Public Health (Control of Disease) Act. That will become clearer next week.

The UK government needs to uphold UK sovereignty and interests

A petulant EU has refused over many months to simply discuss a Free Trade Agreement which they agreed would be at the core of our future relationship. Now in a tantrum they propose to take us to their court to tell us they think we are wrong! Meanwhile, a rattled EU nonetheless rejigs the talks and is at last prepared to discuss a Free Trade Agreement.

The UK government should reply to their incoming letter with a short and courteous reply. It should say

Dear EU

Thank you for your letter. We have left the EU and do not accept the future

jurisdiction of the European Court of Justice . We made clear in the legislation that put into effect the Withdrawal Agreement that we reserved the right to follow UK interests, with our clear sovereignty clause in the legislation. We will use this power which expressly overrides the Agreement to guarantee the UK interests set out in the Withdrawal documents should you not negotiate a simple Free Trade Agreement in good faith as you promised.

We will not of course participate in ECJ proceedings , which would be a silly political stunt. We note that you are now willing to negotiate, and trust you will respond favourably to the draft Free Trade Agreement we submitted for your approval or modification some time ago. The EU's interpretation of the Withdrawal Agreement is not international law, it is an unhelpful negotiating ploy.

Yours etc

[We need an exit plan from CV 19 restrictions](#)

In the world of the government advisers the UK has to carry on with major restrictions on our freedoms to contain and reduce the incidence of the virus. They want us to do this until a vaccine is available that works well and is accepted by the bulk of the population.

They do have to tell us that of course the present vaccines in trials may turn out not to be effective, or may show side effects that are unacceptable. There may be long delays in developing a successful vaccine. Even when one is available it will take time to produce enough of it and vaccinate enough people with it to allow removal of the controls.

That is why I have been urging Ministers to have a Plan B, a plan for relaxing controls when there is no generally available effective vaccine. Some scientists think Sweden shows that the virus stabilises or wanes after a period of time, as more people have immune systems capable of warding it off without vaccine intervention. Others have a number of proposals to improve treatments, help containment and protect the vulnerable better, so more people can resume a normal life.

We now seem to know the most vulnerable groups are the elderly and those with other conditions like diabetes and obesity. It is possible to devise ways to offer all those most at risk better safeguarding whilst allowing the rest of the population to behave more normally. All those who wish to shield themselves should have access to support to make this possible for them.

Many of the deaths we experienced in the spring came in Care Homes. There could be stronger rules preventing the return of patients from hospital with

CV 19, tests for new residents and regular tests for Care Home staff. It would be best if people can keep in touch with their families through on line systems and the phone. Of course people will also want some face to face meetings. These can be organised in gardens, with suitable ways of keeping warm on colder days, or in large meeting rooms with a good circulation of air designed to avoid contamination.

It is important to ensure good infection control in hospitals, preferably by having designated CV 19 hospitals with other hospitals virus free. I await progress reports on a range of possible treatments that some doctors claim can make a difference.

We need a message of hope. There does have to be plan to get us out of lock down whilst avoiding deaths and helping people take sensible precautions to control the disease. We must not allow a large number of good businesses to be written off because they are not allowed to trade at all or under such constraints that they are not commercial.

I am trying to persuade Ministers they need a new plan to restore our liberties.

[Planning Reforms to Support Housing Delivery and Flexible Uses on the High Street](#)

I have received this update from the Government:

I am writing to let you know that the government has now implemented the planning measures announced by the Prime Minister in his speech on 30 June to drive our economic recovery and get Britain building again. These measures will support the recovery and revitalisation of our high streets as we recover from Covid-19, bring new planning freedoms to boost housing supply and support the gentle densification of our towns and cities.

Introduction of space standards for homes created through permitted development rights

I am pleased to confirm that I will be bringing forward secondary legislation in due course to introduce the requirement for all homes delivered through permitted development rights to meet the nationally described space standards.

The vast majority of homes built through permitted development rights are no different in terms of quality to those that come through planning applications and more than 60,000 homes have been delivered as a result of these policies. However, there are a very small number of developers who have

abused these rights to build homes which are below standard and are not suitable for people to live in.

The actions of these developers must not be allowed to diminish confidence in these rights, which are crucial tools for regenerating brownfield land across the country, giving people greater flexibility to extend their homes and building the homes this country needs. We will put an end to this behaviour through a new requirement that all homes through permitted development rights meet space standards.

I have already introduced requirements that all homes built through permitted development rights have adequate light and introduced new prior approvals to ensure new homes don't have significant adverse impacts on neighbours. The introduction of space standards will now mean permitted development rights can no longer be seen as a route to undercut housing standards. Our vision is of a simpler, faster, more certain planning system, but one that delivers highest quality homes.

Developers will still be able to bring forward innovative proposals which could include smaller homes below the space standard, such as pocket living. However, these will have to go through a full planning application and it will be for local authorities to check the proposals are appropriate for their setting.

Supporting the High Street and Changes of Use

High streets and town centres are undergoing the greatest period of change in the modern era. They must now provide a much wider range of facilities and services and adapt to accommodate new and emerging uses. We need to support this diversification to ensure these areas remain viable economic centres for our communities, both now and in the future.

To drive this diversification and support our town centres to recover from the pandemic, we have reformed the use classes order to create a new broad category of "Commercial, Business and Service". This new Class encompasses a wide range of uses and will provide businesses with greater freedom to adapt to changing circumstances, without the uncertainty and expense of a planning application. To support greater innovation, it will also allow businesses to have mixed uses to reflect changing retail and business models. These changes will support the needs of local communities by enabling new services and businesses to start up in accessible locations, bringing customers and vitality to our town centres.

We are also introducing a new class "Community and Learning" to ensure our community facilities are protected. This new class – which includes isolated shops, schools and community halls – will protect important community assets by requiring a full planning application for any changes in their use. The residential use classes will remain the same, differentiating between homes, hotels, residential institutions and Homes in Multiple Occupation.

In undertaking this reform, we recognise that there are certain uses which give rise to important local considerations, for example, the importance of

protecting local pubs, live music performance venues and theatres and preventing the proliferation of hot food takeaways and betting shops. It will remain the case that changes to and from these uses will still be subject to full consideration through the planning application process. The new Use Classes came into effect on 1st September 2020. Transitional arrangements are in place until 31st July 2021 to ensure a smooth transfer to the new framework which will set out new permitted development rights to support greater housing supply in our town centres.

Building Upwards

We need to support our building industry, create jobs for construction workers, and make the most of brownfield land to deliver more homes for our communities. On 24 June, we introduced a new permitted development right to allow the upward extension of free-standing blocks of flats to create new homes. To further support housing supply, we have also introduced a permitted development right to allow upwards extensions of buildings, to provide new homes and enable homeowners to extend their homes as their families grow. These rights apply to buildings constructed between 1948 and 2018. This new right came into effect on 31 August 2020 and means that owners of commercial and residential buildings will now be allowed to construct up to 2 additional storeys to make the best use of our low-density locations. This right will enable homeowners to extend their homes while protecting garden space and avoiding the disruption of basement extensions.

The new right grants planning permission, providing greater certainty to developers and homeowners and subject to the existing fast track approval process known as "prior approval", where a local planning authority must consider specified matters first and they must notify owners and occupiers of the building being extended and adjoining premises can comment, and then the local council will consider representations made on those specified matters for prior approval.

As part of this, there will be a requirement for local planning authorities to assess the impact on neighbours in respect of overlooking, privacy and the loss of light. They can also consider the appearance of the proposed upwards extension. Developer must also secure approval regarding the adequate provision of natural light in habitable rooms and prepare a report on construction management to show how noise, dust and other disruption will be managed. The development will be subject to building regulations and fire safety rules, and additional development may bring older parts of the building into new building standards.

We recognise that development in certain locations requires individual consideration and therefore the right does not apply, for example, in national parks and conservation areas or to listed buildings.

Regeneration of Vacant and Redundant Buildings

It is vital that we make the most of our brownfield land and underused buildings to enable our towns to grow in a sustainable way, provide the housing people need and support economic the economic recovery from Covid-19.

We have therefore introduced an ambitious new permitted development right to encourage regeneration and bring empty buildings back to good use.

The right will allow redundant commercial and residential buildings to be demolished and rebuilt for residential purposes within the footprint of the existing building. This will serve to bring forward additional much needed homes and boost investment opportunities for the construction industry. This new right came into effect on 31 August 2020 and will apply to buildings built before 1990, where the building has been vacant for a period of at least 6 months.

To mitigate any adverse local impacts, we will require developers to submit their designs and landscaping plans to the local authority for approval. All new homes must have adequate natural light and the impacts on the surrounding area must also be considered. In addition, the local authority is required to consider highways matters, risk of flooding, and the impact on neighbouring buildings in respect of privacy and light. The local authority can also consider methods of demolition including any heritage issues such as the need for an archaeological assessment in sites of historical interest. The authority can approve the plans, reject them on the grounds above or could ask for further information. The development will be subject to building regulations, including in respect of fire safety.

Again, as development in certain locations requires individual consideration the right does not apply, for example, in national parks and conservation areas or to listed buildings.

I have attached fact sheets which set out the key details of these reforms, which are also published on GOV.UK. The government has also updated the Planning Practice Guidance used by local authorities, homeowners and developer to include helpful questions and answers on specific topics related to these new rights. This is also available on GOV.UK under the heading "When is planning permission required?". I am determined that we do everything we can to build more homes, support town and city centres, and protect jobs. These measures will do all three. I

hope you will welcome them and ensure your constituents are aware of them.

RT HON ROBERT JENRICK MP

[My speech yesterday on the United Kingdom Internal Market Bill](#)

Sir John Redwood (Wokingham) (Con): I support the Government's amendments to the legislation for the reasons outlined admirably by the Minister—it did need a little strengthening and this is a welcome clarification—but I rise

mainly to oppose new clause 1.

I am disappointed with the official Opposition, because I was delighted after the clear decision of the people in the last general election that the Opposition said that they now fully accepted the result of the referendum, although it took place years ago—the previous Parliament blocked its timely implementation. We had a rerun in the general election and the Opposition fully accepted the verdict of that general election, yet here we are again today, with new clause 1 deliberately trying to undermine the British Government's sensible negotiating position in the European Union.

Whenever there is a disagreement in interpretation of that original withdrawal agreement between the United Kingdom and the European Union, the Opposition and most of the other opposition parties rush to accept the EU's—very political—interpretation of the situation and rush to say that anything the UK Government wish to assert in this Parliament, or in a court of law if it came to that, is clearly illegal.

It is preposterous that we have so many MPs who so dislike the people of this country that they are still trying to thwart the very clear wish to have a Brexit that makes sense.

Karin Smyth (Bristol South) (Lab): Will the right hon. Gentleman give way?

Sir John Redwood: I must not take up too much time. I wish to develop my argument quickly.

We have to recognise what we are dealing with here. The EU withdrawal agreement was pretty unsatisfactory and one-sided because the previous Parliament stopped the Government putting a strong British case and getting the support of this Parliament in the way the British people wanted. The Prime Minister wisely went to Europe and did his best to amend the withdrawal agreement but it was quite clear from the agreed text that a lot was outstanding and rested to be resolved in the negotiations to be designed around the future relationship, because we used to say that nothing is agreed until everything is agreed and that the withdrawal terms had to run alongside the future relationship.

The EU won that one thanks to the dreadful last Parliament undermining our position all the time. This Prime Minister is trying to remedy that and the only reason I was able to vote for the European Union (Withdrawal) Act 2018—much of it was an agreement that I knew had lots of problems with it—was that we put in clause 38, a clear assertion of British sovereignty against the possibility that the EU did not mean what it said in its promises to my right hon. Friend the Prime Minister and did not offer that free trade agreement, which was going to be at the core of the new relationship. We therefore needed that protection, so I am pleased that the Government put it in.

That made me able to vote for the measure to progress it to the next stage, but I was always clear that the EU then needed to get rid of all its posturing and accept what it had said and signed up to—that the core of our

new relationship was going to be a free trade agreement. We were going to be a third country, we were not going to be under its laws and we were not going to be in its single market and customs union, but it has systematically blocked that free trade agreement. The UK has tabled a perfectly good one based on the agreements the EU has offered to other countries that it did not have such a close relationship with, but it has not been prepared to accept it. Well, why does it not table its own? Why does it not show us what it meant when it signed up to having a free trade agreement at the core of our relationship? If it will not, we will leave without a deal and that will be a perfectly good result for the British people, as I said before the referendum and have always said subsequently.

Of course, it would be better if we could resolve those matters through that free trade agreement. As colleagues will know, many of the problems with the Northern Ireland protocol fall away if we have that free trade agreement, and we are only in this position because the EU is blocking it.

Why is the EU blocking the agreement? It says that it wants to grab our fish. I have news for it: they are not on offer. They are going to be returned to the British people, I trust. I am always being told by Ministers that they are strong on that. The EU wishes to control our law making and decide what state aid is in the United Kingdom. No, it will not. We voted to decide that within the framework of the World Trade Organisation and the international rules that govern state aid—rules, incidentally, that the EU regularly breaks. It has often been found guilty of breaking international state aid rules and has been fined quite substantially as a result.

I support the Government's amendments, and I support this piece of legislation. We need every bit of pressure we can to try to get the free trade agreement and the third-country relationship with the EU that we were promised by it and by the Government in the general election. We can then take the massive opportunities of Brexit. It is crucial that new clause 1 is not agreed to, because it would send a clear message to the European Union that this Parliament still wants to give in.