

Ref: A05643

PRIME MINISTERQueen's Speeches on the Prorogation and Opening  
of Parliament

(C(81) 47)

## BACKGROUND

1. The draft Queen's Speeches attached to the Home Secretary's memorandum have been prepared by QL Committee on the basis of contributions provided by Departments. These have been heavily edited to give a prorogation speech which is much shorter than last Session's, and an opening speech which is slightly shorter than the one delivered at the beginning of the present Session. As the Home Secretary points out in paragraph 5 of his memorandum, the drafts were agreed by QL before E Committee decided that the timetable for the Local Government Finance Bill should be shortened, and therefore take no account of the implications of this decision for next Session's legislative programme. That apart, the only passages to which the Home Secretary directs particular attention are those in both speeches on Northern Ireland, and those in the opening speech on relations with the Republic of Ireland and on the economy.

2. Your own commitments and those of The Queen, particularly in relation to the Commonwealth Conference, mean that the Cabinet should try to reach agreement this week on the texts of the two speeches, subject to any minor or drafting amendments or to any last minute changes dictated by events.

## HANDLING

3. After the Home Secretary has introduced his memorandum, you may find it convenient to consider each of the draft speeches prepared by QL separately before turning to the more difficult question of how the agreed legislative programme for 1981-82 (and consequently the draft opening speech) should be modified in the light of the E Committee decision on the rating legislation.



4. The prorogation speech is read by the Lord Chancellor, some of whose drafting proposals are reflected in the latest text. Is he reasonably satisfied, within the constraints imposed by the conventions governing The Queen's Speeches, that the overall tone and balance are now about right? The Lord President and the Chancellor of the Duchy may also wish to comment. Is there scope for any further shortening? Is the revised passage on Northern Ireland (page 5) as positive as the situation in the Province will permit? Might it not be better to omit the last sentence of the passage, referring to the proposals for a representative Northern Ireland Council, given the dusty reception the proposals have had?

5. The Leaders of both Houses and the Chief Whip may have views on the general approach of the draft opening speech. On the particular issues mentioned by the Home Secretary -

i. The square-bracketted reference to the Republic of Ireland (page 2) represents a compromise between a more fulsome draft proposed by FCO Ministers (which went on about the "unique relationship") and QL's reluctance to become too far impaled on an Irish hook. You will wish to canvass the views of the Home Secretary, as chairman of QL, and the Lord Privy Seal and Secretary of State for Northern Ireland, all of whom are likely to support its inclusion. The Lord President will take the opposite view, on the reasonable grounds that in a perfect world we should not add to the litany of empty phrases in praise of virtue (eg the Commonwealth and the United Nations) which have to be included each time. On the other hand, the speech is likely to be delivered (on 4 November) just before your Summit meeting with Dr Fitzgerald here on 6 November. That coincidence not only strengthens the case for including the proposed reference on this occasion but also enhances our chances of being able to avoid perpetuating it in the future.

ii. The Chief Secretary can explain the thinking behind the economic paragraphs (pages 2 and 3). Is the reference to improving the adaptability of the economy sufficiently clear? Would it be more in



line with the recent statement on the public sector pay factor to say that the Government "expect" rather than "hope" to see a fall in the level of wage (or pay?) settlements? Does the reference to unemployment strike the right note?

iii. The first sentence of the Northern Ireland passage (page 3) seems redundant. Unless the Secretary of State expects a radical change in the publicly adopted positions on the proposed advisory Council by early November, the second sentence might be deleted, and the square brackets around the third removed.

6. The Lord President, the Chancellor of the Duchy, and the Chief Whip will be able to explain why they consider it necessary to drop two of the agreed programme bills in order to meet the revised timetable for the Local Government Finance Bill, even if the Bill is guillotined from the outset. There are now only 17 bills in the main programme (though legislation on Canada and bank mergers may have to be added, while the Local Government (Scotland) Bill may no longer be suitable for Grand Committee procedure). The difficulty is one of timing - 7 bills require Royal Assent by April 1982 - rather than of the total amount of legislative time available next Session. The Chancellor of the Duchy may say that it will be impossible to secure Royal Assent by 5 February unless the Second Reading in the Lords takes place before Christmas. The Lord President and the Chief Whip may say that it is impossible for the Bill to leave the Commons until immediately before the Christmas recess; and that even this timetable will be impossible unless the Bill is ready for introduction as soon as the Session begins. The Secretary of State for the Environment will be able to comment on the state of preparation of the Bill. Possible ways of easing the problem might be -

i. to put back the Royal Assent date for the rating legislation from 5 February to (say) the first week in March. This depends on the advice of the Law Officers on the obligations of local authorities in relation to the striking of new rates. The Secretary of State for the Environment and the Attorney General can report the latest position on this issue; which is discussed in the letters of the Lord Chancellor and the Attorney General, which you have seen, and will have been discussed at E this afternoon;



ii. to put the Accounts Commission proposals, for which the deadline is less critical, into a separate bill. The Secretary of State for the Environment is opposed to this because he sees the audit proposals as an integral part of the package of measures for bringing local authority finances under control; but there is a strong case for restricting the legislation which has to be forced through on a timetable motion to those provisions which must be in force at the beginning of the financial year 1982-83;

iii. to enable the Lords to make some progress in considering the rating proposals before the Bill arrives from the Commons. Introduction of a No 2 Bill would probably not be helpful - it could not usefully be taken beyond Second Reading, and might be resented by the Commons - but the Lords might have a Second Reading type debate on the basis of a White Paper, in the hope that this would reduce the time they needed to spend on the Bill itself, by enabling the usual interval between Second Reading and Committee to be severely shortened. The Chancellor of the Duchy will wish to comment on this possibility;

iv. for the Secretary of State for Social Services to find administrative ways of coping with later Royal Assent dates than March for the Social Security Bill and April/May for the Housing Bill (if they are to remain in the programme at all; the Home Secretary proposes that the former and possibly the latter should be dropped);

v. for two or more of the short borrowing bills to be amalgamated. This has previously been rejected by the Cabinet as being of doubtful constitutional propriety and likely to provoke a major debate on the management of the nationalised industries;

vi. to restrict supply days and other non-legislative time to the minimum in the early part of the Session. This would no doubt be regarded as provocative by the Opposition, who will in any case be incensed by the need to guillotine the Local Government Finance Bill at an early stage. The Chief Whip will have views.



7. If the Cabinet agree that there is no alternative to dropping two major bills, you will wish to consider the options put forward in the Home Secretary's memorandum -

i. the Social Security Bill, which makes provision for the employers' statutory sick pay scheme, was firmly promised in this Session's opening speech. It was dropped from the programme for 1980-81 because of doubts about the Government's ability to carry it in its original form in the face of considerable opposition from their own supporters. Failure to proceed with it next Session may be seen as a climb down, and will probably make it impossible for the Secretary of State for Social Services to achieve his manpower targets;

ii. the Home Secretary will be able to report on the outcome of the previous day's discussion in H Committee on Unified Housing Benefit (UHB), the main provision of the Housing and Building Control Bill.

(H Committee agreed to go forward with UHB provided the Ministers concerned confirmed that a nil net cost scheme could be constructed on the basis of no claimant losing more than 75p a week. There were misgivings, particularly on the part of the Environment and Welsh Secretaries, about how a scheme on this basis would be received by the local authorities and the "poverty lobby". But H Committee was swayed by the substantial savings in Civil Service manpower which UHB would secure; without those savings the Social Services Secretary would be unable to meet his 1984 manpower target.) If it were decided not to proceed with UHB next Session the rest of the Housing Bill could be dropped or given a later Royal Assent date;

iii. the gas appliance legislation is not expected to be ready for introduction before December. It has no deadline for Royal Assent. Many of the Government's own supporters are reported to be increasingly unhappy about these proposals, but postponing the legislation could be regarded as a weakening of the Government's resolve to reduce the size of the public sector. The Secretaries of State for Energy and Trade may wish to comment.





## CONCLUSION

8. You will wish to guide the Cabinet to approve the two draft speeches, subject to any points made in discussion and to any further changes which may be necessary in the light of developments before they are delivered, and to note that you will submit them to The Queen for approval.

ReA

ROBERT ARMSTRONG

23rs September 1981