



Ref. A085/626

PRIME MINISTER

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The Legislative Programme 1985-86 and 1986-87

C(85) 5

BACKGROUND

The Lord President's memorandum (C(85) 5) contains the recommendations of The Queen's Speeches and Future Legislation Committee (QL) for next Session's legislative programme and their suggestions for a small number of places for the 1986-87 programme. The Bills recommended by QL are listed at Annex A. A full list of the 72 bids is at Annex B together with summaries of individual Bills.

2. QL has proposed a programme of 4 essential, 21 programme, 8 uncontroversial and 11 contingent Bills. This is an increase of 2 Bills in total over the programme proposed to Cabinet last year, but the balance is such that the programme category (the most important one) has an additional 5 Bills.

3. The programme section of QL's recommendations contains a comparatively large number of political controversial and weighty Bills. These include:

- a. Agriculture - to introduce charges for Agricultural Development and Advisory Service (ADAS) services.
- b. Education - to reform school government.
- c. Wages - possibly to abolish the Wages Councils, possibly to introduce a wider range of employment creating measures.





- d. Local Government and Planning - to introduce more competition into provision of local government services, provisions on local authority capital controls and certain planning changes.
- e. Social Security - to introduce the reforms in social security currently the subject of review.
- f. Shops - to deregulate shop opening hours.
- g. Public Order - to implement the outcome of the Home Secretary's review.
- h. Financial Services - to implement the Gower Report on investor protection.
- i. Civil Aviation - to privatise the BAA and introduce changes relating to local authority airports.
- j. Building Societies - to extend powers of building societies.
4. The list of contingent Bills includes the Channel Fixed Link which will be hybrid and no doubt extend over more than one Session, and Local Government (Commissioners) to deal with the situation that may arise in Liverpool or elsewhere.
5. QL discussed its provisional recommendations with Departmental Ministers and inevitably had to disappoint some. The following Ministers are expected to argue for the reinstatement of bids:

The Foreign and Commonwealth Secretary will press for legislation to privatise the Crown Agents.





The Secretary of State for Defence will press for the inclusion of a measure to provide for the contractorisation of the Royal Dockyards.

The Secretary of State for Energy will press Petroleum in addition to Atomic Energy Authority.

The Secretary of State for the Environment will press hard for a Housing Bill to make changes in the private rented sector and the allocation of housing improvement grants. He will also argue for the inclusion of a provision on dog licensing in Local Government and Planning.

The Secretary of State for Transport will argue for Merchant Shipping, which amongst other things, will reform the pilotage system.

The Minister without Portfolio has written pressing for a place for a Bill on small firms/deregulation to remove burdens from small businesses. No specific bid was received, although the Committee were aware of the possibility that some legislation might be required. Lord Young's minute also strongly supports a Housing Bill.

#### HANDLING

6. You will wish to invite the Lord President to introduce C(85) 5. You may then wish to ask the Lord Privy Seal if he has anything to add from the point of view of Commons business next Session.

#### Size of Programme

7. The first point to establish is the size of the programme. The Committee have recommended 25 essential and programme Bills with a further 8 uncontroversial Bills suitable for Second





Reading Committee procedure. Does Cabinet agree that this is about the right number, bearing in mind the 11 contingent Bills, several of which will inevitably be required? Inevitably, the programme will in the event also include some Bills which have not yet been foreseen. If Cabinet accepts that the programme is of the right size, it follows that any additions must be balanced by equivalent deletions.

#### Essential and Programme Bills

8. On substance, the Cabinet might first deal with the most important part of the proposals - the essential and programme Bills listed at Annex A of C(85) 5.

9. The first issue arises on the essential Bill on Crown Agents. This is required to continue a power for the Secretary of State to waive interest owed to the Government by Crown Agents. QL have accepted that this is properly an essential Bill, but are not prepared to extend it to the privatisation provisions which the Foreign Secretary also requested.

10. On the programme section, the major point for discussion is Housing. The Secretary of State for the Environment will argue that, if changes are to be made in the private rented sector, they need to be in place well before the next General Election. QL judged that the political attractions of such a course of action are not sufficiently great to warrant legislation in this Parliament, but H Committee this morning took the view that legislation was required before the next General Election, that the proposals now put forward were acceptable and that this therefore implied legislation in 1985-86.

11. The Secretaries of State for Defence, Energy and Transport will wish to argue their cases for Royal Dockyards, Petroleum and Merchant Shipping respectively. The Secretary of State for





the Environment may also wish to press his views on the need to include the reform of dog licensing in Local Government and Planning.

12. If at this stage Cabinet has accepted any additional bids, you will wish to identify equivalent deletions. The Home Secretary has 3 major Bills (Animals (Scientific) Procedures, Shops and Public Order); could one of these wait until a later Session? Could Education and Consumer Goods and Services be delayed until 1986-87? How urgent is the new legislation on Nationalised Industries?

#### Uncontroversial and Contingent Bills

13. These Bills should not give rise to much discussion. The uncontroversial Bills are included on the basis that they will be suitable for Second Reading Committee procedure in the House of Commons and may accordingly be blocked by the Opposition. They are mainly small and will in any case have a lower drafting priority. Although there is a temptation to add uncontroversial Bills to this list (Secretary of State for Transport may press for the inclusion of Transport Goods Vehicle 'O' Licensing or even Merchant Shipping) there are limits to the resources of the legislative system.

#### 1986-87 Session

14. For the first time last year, Cabinet awarded a small number of places two years in advance. This has worked well for the Financial Services and Building Societies Bills in 1985-86. The Lord President has suggested that up to 5 Bills should be given a place in this way and QL has recommended Copyright, Petroleum and Criminal Justice. They suggest that the other two places should be filled as a result of Cabinet discussion. The Secretary of State for the Environment may well press for Clean Air (which was his bid). There is no need for Cabinet to reach





final conclusions on this aspect; they could ask QL to make further recommendations in the light of the discussion.

## CONCLUSION

15. You will wish the Cabinet to agree on:

- a. The overall size of the programme for 1985-86.
- b. Any changes to the essential, programme, contingent and uncontroversial sections as recommended in Annex A.
- c. The Bills to be given an advance place in the 1986-87 programme.

16. You will also wish to guide the Cabinet to note the importance of restricting the content of the Bills to that agreed and of maintaining or improving on the timetables noted in C(85) 5 Annex B. QL Committee might be invited to review the position of any Bill which fails to meet its timetable.

REA

ROBERT ARMSTRONG

27 February 1985