

How to negotiate with the EU

As someone who negotiated at 21 Councils of Ministers in the EU, I learned that a country needs to be firm and clear about its intentions, and must decline to accept an unhappy compromise.

As we have seen from the former senior civil servants in the Lords, they have a very different approach. Their view is that because the EU is larger than the UK we just have to ask them what they intend to do and then claim it as our own. I fully accept that Prime Ministers and Ministers are responsible for the way the UK sought to renegotiate its relationship under David Cameron, and again they are responsible under Mrs May and Mr Davis for the current negotiations. It does however look as if the general thrust of civil service advice now as then has similarities to the attitudes the former senior officials express in the House of Lords. Now they are legislators they have to accept that their views will be subject to refutation and rejection by those who disagree.

I have never understood why so many senior officials think we need to give in each time to the EU. At every Council I attended there was remorseless pressure to reach an agreement about some new law – always an extension of EU power – when there was no need for a new law and when many interested parties were against it or wanted it changed or watered down. We can see the dangers of the approach in the failed renegotiation conducted by David Cameron. Let us adopt the convention that the PM himself chose this route. We do not need to claim he simply followed civil service advice. What is clear is no-one senior in the civil service warned him that his negotiating stance would not work, or sought to get him to ask for more or to dig in more. If they had I am sure leaks would have told us about it. What he did he did with civil service agreement.

So what did he do wrong? He asked for too little and settled for even less. The method appeared to be to tour the main capitals of the EU and ask what they might offer us. The answer was a uniform not much. He then asked for not much, and was promptly told that was too much! Legitimate requests to control numbers of migrants and to decide who was entitled to UK benefits were turned down. He thought Germany would help him, but Germany saw little need to and felt the UK with an opt out from the Euro and Schengen already had enough special treatment. As a result he was greeted with universal disapproval by the Brexit majority in the country who decided the deal was simply not good enough.

It is very important that Ministers and the civil service understand why this went wrong and do not do the same again if they want a sensible deal from the EU. We have been told the EU wants money we do not owe them, wants us to continue to obey laws we might wish to amend, and thinks we should “compromise” over freedom of movement. Many Brexit voters see no need to do any of those things. If the EU stays so unhelpful and offers nothing decent for the future relationship the government will find many voters think No Deal preferable to the deal the EU has in mind. Are there any voices in the

civil service close to the PM telling her that I wonder?

Wokingham Spring Fair

I went to the opening and visited many of the stalls at the Fair yesterday.

I would like to thank all the voluntary associations, companies and charities who supported the event.

Two asked me to put out messages on this website.

Next Step Fostering said they need more volunteers to foster children. They can be contacted on 0845 6038354 or info@nextstepfostering.org

Wokingham Borough Council's Sports and Leisure department reminded me that they have a full programme of activities for children during the summer holidays. These can be viewed on www.wokingham.gov.uk/activekids

Government accountability

Recent events have turned the spotlight on Ministerial accountability, leading some to explore what responsibility if any unelected officials have for mistakes in government. The failure over some ten years to send out the right reminders for breast cancer screening follows hard on the heels of a longer time period of failure to equip Windrush arrivals with proper papers as British citizens. We have seen rail franchises collapse, and other contractors of government get into financial trouble after bidding for government contracts.

Under our system Ministers take responsibility for anything government does wrongly or fails to do. This is based on ultimate policy authority resting with them, and the fact that they are the public voice and face of their departments. Officials are not normally allowed public voice and can usually expect Ministers to take the rap, in return for sharing with Ministers what is happening and seeking Ministerial approval for policies.

This traditional model has been subject to amendments in recent decades. The idea behind the Next Steps Agencies and their Labour successors was to split policy from implementation. Executive Agencies to implement environmental controls or to build and maintain highways were established, with accountable officials as CEOs. They directly answer to Parliamentary Committees and are responsible for spending money, reporting to the PAC where necessary. The

idea was to make the professionals and experts responsible for executing policy, and to distance Ministers from writing and letting contracts and from judging complex technical issues like railway safety features or highways design.

There was always in the traditional model a separate line of accountability and responsibility for proper spending through the Permanent Secretary as Accounting Officer to the PAC, in parallel to the Minister's responsibility for budget choices and overall adequacy.

These latest debates do require further exploration of how much the Minister is to blame for problems that go back years, and for matters which have rested entirely or largely with officials. Ministers had always said the Windrush arrivals were British, and had said they wanted women up to 70 to have breast screening. The policy was the one Parliament wanted. The issue is why was it not seen through?

More difficult is the situation over Brexit customs policy. I read that some officials think we cannot be ready for 2019 or 2021 for exit with smooth operation of the borders. yet Ministers have asked the civil service to make sure we are ready, and Ministers and senior officials who have been asked by Parliamentary Committees have assured us they will be ready for any eventuality over the talks. This kind of noise off, and selective leaks of official papers that Ministers do not agree with, is not part of the deal between Ministers and officials. If Ministers are to defend officials, they should expect officials to put their concerns to Ministers and then to stick to the agreed line when decisions are made.

Questions on cars for Greg Clark

I share the Business Secretary's concern for the health of the UK car production industry. I do not share his view that without an enhanced Customs partnership with the EU complex supply chains will slow down too much. Complex supply chains work just fine today into the UK from outside the EU, demonstrating you do not need to be in the Customs Union to run them successfully. We will control access to our markets once we leave the EU so why would we want to slow down important components coming in?

What I want Mr Clark to do is to stand up for the UK car industry today. Over the last year there has been a sharp decline in sales and output, led by a big fall in diesel cars. This followed a nine month period of great growth after the Referendum vote, and dates from the March 2017 budget. So will Mr Clark now intervene, as he likes to do, to stop the output fall and job losses?

Will he challenge the Chancellor about the impact of the higher rates of VED introduced in 2017?

Will he seek some easing of policies which have been restricting car loans on new vehicles?

Will he reduce the attacks on diesel cars? Surely if he wants to see big switch away from diesel cars over the next twenty years or so he needs to pace the change so it does not damage existing investments and output. Modern diesel cars are about as clean as petrol vehicles and meet much higher standards on emissions than previous generations of cars. The UK worked hard to attract inward investment into car diesel engine production, only now to turn round against the products.

Mr Clark says he is running an industrial policy to promote more business. He needs to revisit the government's policies towards cars where output has been hit. As we are still in the EU this fall has nothing to do with Brexit.

Aircraft noise

I am meeting the Aviation Minister on 9 May in Westminster to see what more can be done to abate the excessive noise from planes over Wokingham. Anyone with strong views and points to make should send them to me in advance, as this could help the case I am going to put.