

Braverman backs move to trigger Article 16

Attorney General among senior Tories urging action amid fears Sinn Fein will win Northern Ireland poll

By Edward Malnick
SUNDAY POLITICAL EDITOR

THE Attorney General has been among senior Tories privately pushing for the Government to trigger Article 16 without delay. *The Sunday Telegraph* can disclose, as a Conservative election expert said Sinn Fein was on course to win control of the Northern Ireland executive within weeks.

Suella Braverman and Jacob Rees-Mogg, the Brexit opportunities minister, are understood to have been

pressing for Liz Truss, the Foreign Secretary, to trigger the mechanism that would allow ministers to override parts of the post-Brexit agreement with the EU.

Mrs Braverman is said to have provided formal legal advice stating that Article 16 can and should be triggered by the UK. She sits on the two Cabinet committees that oversee trade talks and the implementation of the Withdrawal Agreement.

But sources said that the likelihood of the mechanism being triggered ahead of the Stormont poll on May 5 was negligible, with the formal pre-election period beginning this week.

Earlier this month it was revealed that Ms Truss had set out plans to put the potential triggering of Article 16 on hold due to the Ukraine crisis and,

instead, help Northern Ireland businesses with an "economic stimulus" package, including tax cuts.

Many Brexiters fear that the Government will lose its opportunity to obtain meaningful changes to the Northern Ireland protocol if talks are allowed to drift beyond the Stormont poll on May 5.

Lord Hayward predicted that Sinn Fein will "come out as the largest single party" in the election – an outcome that would result in Northern Ireland's first Sinn Fein first minister.

If Sinn Fein win, Mr Johnson would face attempting to secure changes to the protocol that are opposed by Northern Ireland's first minister, Paul Givan, who held the position for the DUP until his resignation last month, strongly supported the Government's calls for

changes to the protocol, amid concerns that the document's requirements were harming Northern Ireland businesses.

Mrs Braverman and Mr Rees-Mogg are both former leaders of the European Research Group of Eurosceptic Tory



Suella Braverman is said to have provided legal advice that Article 16 can and should be activated

MPs. David Jones, its deputy chairman, said that negotiations between Ms Truss and Maros Sefcovic, her EU counterpart, appeared to have become "bogged down" and said Article 16 should be trig-

gered to revive serious negotiations. "We need to find a way of getting it out of the mire and the best way of doing that is by invoking Article 16, which will be the precursor of a new negotiating mandate on behalf of the EU," he said. "I think it ought to be done now".

Lord Hayward said: "In Northern Ireland, I think there will be real constitutional issues, because for the first time Sinn Fein will actually come out as the largest single party in Northern Ireland." He described Unionist parties as being "in a complete mess", predicting that the Unionist vote would be split.

In an interview with today's newspaper, Ms Truss does not deny shelving the idea of using the mechanism before May 5, simply insisting that Article 16 "remains on the table" as an option.

The Foreign Secretary wrote to Mr

Johnson outlining a proposal to boost trade between Britain and Northern Ireland with tax breaks and a "unilateral green lane" allowing goods that would remain in the UK to cross the Irish sea with minimal paperwork. A source who discussed the plan with Mr Rees-Mogg said he was "open" to the idea.

The plan is seen by Ms Truss as a way to avoid a major confrontation with the EU when she is simultaneously helping to coordinate a united international response to Ukraine.

But Brexiters fear that the Government's resolve is slipping.

Ministers had previously been determined that negotiations over the agreement should be over by the start of the pre-election, or "purdah", period that precedes the Northern Ireland Assembly election.

Tax rebates for Britons with second homes in France

By Melissa Lawford
PROPERTY CORRESPONDENT

BRITISH taxpayers who own property in France will be able to claim back thousands of pounds in overpaid duties, in a post-Brexit windfall.

The French tax authority said it will reverse post-Brexit tax rises applied to foreigners. Some second home owners could receive £20,000 from French authorities, experts said.

However, British citizens face a battle to retrieve their money. François Mounielou, of Druces LLP, a legal firm, said the tax authority has a Covid backlog and there could be a two-year wait.

A British taxpayer with a holiday home that generated €10,000 (£8,349) in rental income last year will have overpaid €970 in tax which they can now reclaim. The rebates on capital gains will be even bigger. A British citizen who bought a second home in France for €250,000 in 2012 and sold it this year for €350,000 can now claim €8,900 in overpaid social charges on their profits.

Before Brexit, taxpayers living in the UK who owned property in France typically paid French social charges at 7.5 per cent – a reduced rate compared to French taxpayers rate of 17.2 per cent.

'It may encourage British owners to sell in a buoyant market given the high level of international demand'

This followed a 2015 EU ruling that people should not pay full French social charges if they were paying taxes to another EU social security jurisdiction.

Since Jan 1 2021, when the Brexit transition period ended, British taxpayers were no longer covered by the 2015 EU ruling. Their social charge tax bills in France duly jumped by nearly 10 percentage points to 17.2 per cent.

But last month, the French tax authorities published administrative guidance that the terms of the post-Brexit Trade and Cooperation Agreement essentially matched the EU terms, and therefore British taxpayers who own French property should pay only the reduced 7.5 per cent rate.

House price growth means taxes on French home sale profits ballooned last year. In the year to December 2021, French property values rose 7.1 per cent. For houses, the jump was 9 per cent. Residential rents increased by 1.6 per cent across the same period.

Jack Harris, of Knight Frank estate agents, said: "The tax cut may well encourage some British owners to sell in a buoyant market given the high level of international demand we're seeing in prime destinations such as the Côte d'Azur, Provence, and French Alps."



Nave gazing An 180-degree vertical panorama blend of 45 images builds an astonishing shot of the magnificent nave at St Paul's Cathedral in London. The image required 30 hours of editing to produce.

Regulator dumps oil and gas from name as Tories push to end block on fracking wells

By Edward Malnick

THE oil and gas regulator has been ridiculed by Conservative MPs after changing its name to drop any mention of "oil" or "gas", as it considers whether to lift an order requiring Britain's only viable shale gas wells to be sealed.

Last week, the Oil and Gas Authority (OGA) changed its name to the North Sea Transition Authority, claiming the switch followed a decision to "fully incorporate net zero in our decision making".

Steve Baker, the deputy chairman of the Net Zero Scrutiny Group of MPs, said: "It sends worrying signals that the UK's oil and gas regulator aren't now use the words 'oil' or 'gas' in its title."

A Tory source added: "The OGA has already been as unhelpful as possible, despite the clear instruction from the PM and Business Secretary about wanting to reverse their concreting order. If it's now rebranding itself, fearful of being associated with oil and gas – industries it's supposed to be regulating – it's hardly going to play ball if the moratorium is lifted."

The body has been formally asked by Cuadrilla, the fracking firm, to lift an order requiring Britain's only viable shale gas wells to be permanently blocked, as ministers prepared to

announce a review of the evidence that led to a national fracking moratorium.

If the order is lifted, the two wells could be used if Tory MPs succeed in overturning the national ban. MPs are also pushing for the "acceptable" limit on any tremors caused by fracking to be increased to match other industries such as geothermal energy production, if the overall moratorium is lifted.

'It sends worrying signals that the UK's oil and gas regulator aren't now use "oil" or "gas" in its title'

Craig Mackinlay, the Net Zero Scrutiny Group's chairman, said: "I hope the logjam can be broken and that the OGA doesn't insist that we pour concrete down Britain's only two shale gas wells. "The energy strategy must end Russian influence over all aspects of UK energy policy. Britain has enough natural shale gas under our feet to keep us self-sufficient for at least 50 years."

As part of the Government's energy security strategy, which is being drawn up, Boris Johnson is expected to order a review into the evidence that led to the 2019 moratorium on fracking. The ban was introduced "on the basis of the disturbance caused near Cuadrilla's Pres-

ton New Road site in Lancashire" and "scientific analysis" for the OGA.

In a letter to Mr Johnson, 32 Tory MPs and four peers urged him to reverse plans to seal the wells, insisting that Britain must embark on a "national mission" to secure its energy independence.

The letter claims that pressing ahead with the fracking ban would play into the hands of the Kremlin, which they say wants to "stop us following this path to energy independence".

Cuadrilla is due to start the lengthy process of plugging the wells within days, in order to meet the June 30 deadline imposed by the North Sea Transition Authority.

Andy Samuel, the body's chief executive, announced the OGA's name change in an online post which began: "April Fools' Day is nearly here but jokes and pranks will be far from people's minds... We are becoming the North Sea Transition Authority (NSTA) to reflect our expanded role, which includes emissions monitoring and carbon storage licensing."

A spokesman for the North Sea Transition Authority said: "Our new name reflects our evolving role in the energy transition... The moratorium on hydraulic fracturing was imposed by the then Secretary of State in 2019 and it would not be appropriate for us to comment."

Scientists winning the fight to free up global energy data

By Tom Ough

THE global energy authority looks likely to share its data with the world after a campaign by scientists to make it open-access.

Since its inception in the year after the 1973 oil crisis, the International Energy Agency (IEA) has kept the best-quality data on worldwide energy use. But the top annual package to access the data costs €100,000 (£83,343).

Two British scientists have criticised the rules. Dr Max Roser and Dr Hannah Ritchie, of the Our World in Data project, housed by the University of Oxford, argued in a blogpost that the global benefits of sharing data outweigh the approximate €5.6million (£4.7million) the IEA made from selling it in 2018.

On Wednesday, Fatih Birol, director of the IEA, told representatives of its 31 member countries – including Britain – that he would like to start making the data freely available. Ministers requested a review of ways of achieving this without damaging IEA finances.

Dr Ritchie and Dr Roser wrote: "To understand energy dependency and security we need to know which countries buy fuels from Russia and how much; which other countries have fuel reserves and could supply them instead; whether alternative sources of energy could be used."

Security of wind turbines is an 'illusion', say opponents

By Edward Malnick

A GOVERNMENT push for a new generation of onshore wind farms could make Britain even more reliant on gas, campaigners have claimed.

A report by Net Zero Watch, which scrutinises climate policies, states that turbines deliver "only an illusion" of energy security, because they require more reliable sources of power to act as a back-up for when there is insufficient wind to generate electricity.

"In reality the grid is entirely reliant for its security on the only thermodynamically superior fuel remaining, namely natural gas," the paper states.

It comes after Kwasi Kwarteng, the Business and Energy Secretary, said that Britain needed a major "acceleration" in onshore turbines to guarantee energy supplies and reduce spiralling household bills. The Government has committed to reducing carbon emissions to net zero by 2050.

In an interview last week, Mr Kwarteng said public opposition that led to the spread of onshore wind farms being slowed by David Cameron in 2015 had "changed", and suggested that planning rules could now be relaxed.

Dr John Constable, Net Zero Watch's director of energy, and co-author of the paper, said: "In boosting onshore wind, Mr Kwarteng is either desperate and

mistaken, or indulging in cynical gesture politics to cover up what he knows he absolutely must do, namely expand domestic natural gas supply and build new high-efficiency, combined-cycle gas turbines.

"Foolish government enthusiasm for low-quality generation such as wind is one of the main reasons we have an energy crisis. More wind won't help,

'Foolish government enthusiasm for low-quality generation is one reason why we have an energy crisis'

and in fact will make the gas dependency issue much worse."

The Net Zero Watch paper called on the Government to "focus relentlessly" on replacing the older gas turbines with thermally efficient models and on increasing UK production of natural gas.

A government spokesman said: "Gas is expensive and renewables are cheap. "By boosting cheap renewables and nuclear power, we will reduce our dependence on expensive fossil fuels and bring down costs for consumers. Our upcoming energy security strategy will supercharge our renewable energy and nuclear capacity as well as supporting our North Sea oil and gas industry."