

HOLOCAUST MEMORIAL BILL

MEMORIAL

Submissions concerning non-compliance with the Standing Orders

TO THE EXAMINERS OF PETITIONS FOR PRIVATE BILLS IN THE HOUSE OF COMMONS AND THE
EXAMINERS OF PETITIONS FOR PRIVATE BILLS IN THE HOUSE OF LORDS

SUBMISSION BY

**RICHARD BUXTON, JAMES BUXTON,
JOSEPH BUXTON AND SIR CRISPIN BUXTON
ON BEHALF OF THE BUXTON FAMILY
AND
THOMAS FOWELL BUXTON SOCIETY**

1. This document substantively extracts relevant parts of the memorial setting out the above memorialists' views on the applicability of, and compliance with, the Standing Orders, as requested on 15 May 2023 in advance of the hearing on 17 May.
2. It is submitted that this and related orders are important to comply with: compliance is of substantive importance. Even if, as required, particulars of proposals are stated briefly, it is particularly important for the enormity of the project to be properly understood and considered. What is proposed is a construction project which will occupy much of if not all of Victoria Tower Gardens for several years, depriving everyone of their use, with the proposed Learning Centre taking over a large part of the area. The project is much more than "a memorial". Your memorialists believe compliance with Standing Orders is especially necessary so that the implications of the project may be fully appreciated by members of the two Houses of Parliament and the general public. While the Buxton Memorial and its location give your memorialists (and other descendants of TF Buxton) a particular perspective on the issue, similar considerations apply far more widely.

Contents of Notice

3. HC SO 4 [HL SO 4] (Contents of Notice) requires that whenever an application is

intended to be made to bring in a private bill a notice shall be published in newspapers as provided in Standing Order 10 (Publication of notice in newspapers), and that the notice so published shall contain a concise summary of the purposes of the bill, without detailed particulars and without any reference to provisions of an ancillary, subsidiary or consequential nature intended to give effect to any such purpose. Where a bill is not promoted by a local authority, as is the case with the Bill, the notice must be published, in a newspaper or newspapers circulating in the area of the (in this case) London borough in which the promoter's principal office is situated, once in each of two consecutive weeks with an interval of at least six clear days between publications, the second publication being not later than 11th December. Your Memorialists respectfully submit that no such notice has been published in respect of the Bill even outside the time limits provided by Standing Order 10; and, as above, to do so would be materially useful.

Copies of bill to be made available

4. HC SO 4A [HL SO 4A] (copies of bill to be made available) requires that the promoters shall on and after 4th December make available for inspection, and for sale at a reasonable price, copies of the bill at an office in London and also where a bill is not promoted by a local authority, as is the case with the Bill, at an office in the (in this case) London borough in which the promoter's principal office is situated. Your Memorialists respectfully submit that copies of the Bill were not so made available for inspection and for sale on 4th December, and that the Standing Order has therefore not been complied with. Further, your Memorialists allege that copies of the Bill are not so available for inspection and for sale at an office in the requisite London borough, as required by the Standing Order. As above, it is submitted that this would be a substantively important step to take.

Publication of notice in the Gazette

5. HC SP 11 [HL SO 11] (Publication of notice in the Gazette) requires that not later than 11th December there shall be published once in the London Gazette a short notice stating:
 - (a) the short title of the bill;
 - (b) the time within which objection may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoters;

- (c) The offices at which copies of the bill may be inspected and obtained mentioned in the full notice.

Your Memorialists respectfully submit that no such notice was published in the London Gazette even outside the time limits provided by Standing Order 11.

Notice to owners, etc.

6. HC SO 13 [HL SO 13] (Notice to owners, etc.) requires that on or before 5th December in the case of a Bill whereby it is proposed to authorise the compulsory acquisition of land or of rights to use land, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each parcel of land or house affected, in the form, as nearly as maybe, set forth in Appendix A to the Standing Orders unless, in the case of an owner or lessee, his identity cannot after reasonable inquiry be ascertained. Your Memorialists respectfully allege that the effect of the Bill amounts to the compulsory acquisition of rights to use the land within the scope of clause 2 of the Bill. That land forms part of the Victoria Tower Gardens, which is used as a public park and owned by the Department of Culture Media & Sport in trust for the nation. The provisions that clause 2 of the Bill would remove the use of part of the land as that of a garden open to the public and restrict the use of most of the land. The effect of the Bill would be to enable the use of the land for the purposes of the HMLC, substantively an acquisition of rights. Your Memorialists submit that it is to be implied from the conduct of the Bill's introduction that notice has not been given, as required by Standing Order 13, in the manner required by HC SO 22 [HL SO 22] (mode of giving notice), and that the Secretary of State should be put to strict proof in this regard.

Deposit of copies of bill in Vote Office and Private Bill Office

7. HC SO 38 [HL SO 38] (deposit of copies of bill in Vote Office and Private Bill Office) requires that printed copies of every bill for which a petition has been presented shall, on or before 27th November, be delivered at the Vote Office for the use of any Member of the House and in the Private Bill Office for the use of any agent who may apply for the same. It further requires that there shall be attached to every copy of a bill delivered under this Standing Order, deposited, delivered or sent under any of the Standing Orders following this Order, or made available for inspection and sale under Standing Order 4A (copies of bill to be made available), a printed memorandum describing the bill generally and subject to paragraph (3) of the Standing Order, every clause in the bill. Your Memorialists respectfully submit that printed copies of the Bill were not delivered at the Vote Office and in the Private Bill Office on or before 27th November and that a printed memorandum describing the Bill generally, as required by the Standing Order,

is not attached to every copy of the Bill.

Deposit of copies of Bills at Treasury and other public departments, etc.

8. HC SO 39 (deposit of copies of Bills at Treasury and other public departments, etc.) requires that on or before 4th December, printed copies of the bill, in the numbers required by Standing Order, shall be deposited at various Government Departments. Your Memorialists respectfully submit that, as the bill was not printed until the day that it was introduced, Standing Order 39 cannot have been complied with.

Conclusion

9. Your Memorialists submit that it is a serious consequence of the failure to comply with the Standing Orders mentioned in this Memorial that those having an interest in the Bill, including your Memorialists, have not been alerted to the important provisions contained in the Bill, nor to the fact that they will have an opportunity of petitioning against the Bill in Parliament.

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IN PARLIAMENT
SESSION 2022-23

HOLOCAUST MEMORIAL BILL

SUBMISSIONS ON STANDING
ORDERS

On behalf of

(1) MEMBERS OF THE BUXTON
FAMILY

(2) THE SIR THOMAS FOWELL
BUXTON SOCIETY
