

LONDON HISTORIC PARKS & GARDENS TRUST

STATEMENT

**PREPARED FOR
THE HOUSE OF COMMONS
STANDING ORDERS COMMITTEE**

**RELATING TO
THE HOLOCAUST MEMORIAL BILL 2023**

1. The Examiners of Petitions for Private Bills reported on 18 May that certain private business standing orders of both Houses were applicable to the Holocaust Memorial Bill and had not been complied with. The standing orders they listed were:
 - SO 4 – the content of notices to be published
 - SO 4A – the making available of copies of the Bill at specified locations
 - SO 10 – the publication of notices in relevant newspapers
 - SO 11 – the publication of notices in the London Gazette
 - SO 38 – the depositing of copies of the Bill in the Private Bill Office and the Vote Office
 - SO 39 – the depositing of copies of the Bill with Government departments and public bodies
2. LPG respectfully asks the Committee to rule that the standing orders listed, should not be dispensed with in respect of the Holocaust Memorial Bill for the reasons given below.
3. London Historic Parks & Gardens Trust (trading as London Parks & Gardens; hereafter referred to as LPG) was a memorialist before the Examiners. It is a registered charity that seeks to protect historic parks and gardens. It is affiliated, as a County Gardens Trust, to the Gardens Trust, a statutory consultee for all historic gardens and designed landscaped in England and Wales, which delegates some of its responsibilities to LPG within the Greater London area.
4. LPG supports the aspirations of the Government to deliver the recommendations of the 2015 Holocaust Commission to tackle antisemitism and ensure the lessons of the Holocaust are learned. LPG's involvement reflects the fact that Clause 2 of the Holocaust Memorial Bill seeks to suspend the part of the London County Council Act 1900 (the 1900 Act) that prevents building on Victoria Tower Gardens, a Grade 2 listed public park.
5. The Government has at its disposal resources vastly exceeding those available to bodies such as LPG, and ought to have been able to ascertain in advance that the bill was hybrid and that some private business standing orders would apply. It has at least been negligent in failing to comply with those standing orders. LPG believes that the promoters have therefore failed at least one of the three tests for dispensation:

see <https://erskinemay.parliament.uk/section/6216/proceedings-of-the-standing-orders-committee> .

6. That non-compliance forms part of a pattern, exemplified by the Government's attitude towards the 1900 Act itself. Its unawareness of the 1900 Act when the decision was made to build on Victoria Tower Gardens demonstrated lack of due diligence. When that Act was brought to its attention in 2019, it made the claim that the 1900 Act did not prevent the proposed building works. The High Court subsequently ruled, in 2022, that the proposed works were illegal, and the Government was refused permission to appeal. LPG believes that this pattern of behaviour should be taken into account by the Committee in making its decision.
7. If a promoter of a private bill breached the number of private business standing orders that the government has (not just in regards to complying with time limits, but failing to comply with the Standing Orders at all), LPG suspects that it is unlikely that the Committee would dispense with those standing orders. There is a strong public interest in the Government being held to the same standard and the Committee making clear that the Government must scrupulously observe the requirements laid down by the two Houses. If the Government acts carelessly, it ought not to be allowed to do so with impunity.
8. If the Committee decides not to dispense with the standing orders and the bill were to be withdrawn, a new bill could be introduced, with the proper procedures followed, if that is what the Government intended. The intervening period could be used to seek a different proposal avoiding the need for a hybrid Bill, thereby saving a great deal of parliamentary time and potentially delivering the ultimate project faster. The government would be given the opportunity to reflect on the Examiners' reasons for their decision as to why the Bill is hybrid, in particular that the interests of local residents are affected differently from other individuals, and the possibility that those local residents and others, such as amenity societies or other representative bodies, may wish to petition against the Bill if and when their attention is drawn to it by the Standing Order advertisements next time. In any event, LPG's view is that a minor delay between withdrawal and reintroduction of the Bill (if that is what the Government decided should happen) would be considerably outweighed by the public interest in ensuring that, in particular, the publicity requirements of the Standing Orders are complied with at the time of re-introduction and demonstrating that, like any other organisation or person, the Government must take Parliament's rules seriously and abide by them, which it has not done in this case.
9. The Director of LPG presents this statement on behalf of its Board of Trustees and its members and supporters, without the benefit of a Parliamentary Agent or other professional advice at this stage. LPG's resources are limited. LPG has seen statements in draft from others who submitted memorials to the Examiners and concur with what they say. She will be present should the Committee wish to question the contents of this statement.

Signed on behalf of the London Historic Parks & Gardens Trust

Helen Monger, Director, 8 June 2023