

THE THORNEY ISLAND SOCIETY

PREPARED FOR
THE STANDING ORDERS COMMITTEE OF THE HOUSE OF COMMONS

RELATING TO
THE HOLOCAUST MEMORIAL BILL

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. These are Standing Orders 4, 4A, 10, 11, 38 and 39.
2. The Thorney Island Society (TTIS) is a registered charity and recognised amenity society for that part of the City of Westminster which includes Victoria Tower Gardens. TTIS'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. The Thorney Island Society (TTIS) was a memorialist before the Examiners and welcomed the Examiners' declaration of Hybridity, it being for the benefit of local residents, who we represent. The Society's local interest is particularly engaged by SO 4A and SO 10.
3. The Government has at its disposal resources vastly exceeding those available to bodies such as TTIS, and ought to have been able to ascertain in advance that the Bill was hybrid and that some of the private business standing orders would apply. The Standing Orders not complied with may be summarised as a failure to give any notice, information or publicity concerning the Bill before the relevant due dates.
4. The Government's non-compliance forms part of a pattern, exemplified by the Government's attitude towards the 1900 Act itself. When TTIS brought that Act to the Government's attention in 2019, the Government made the perverse claim that the Act did not prevent the proposed building works. The High Court subsequently, at statutory review in 2022, ruled that the proposed works were illegal, and the Government was refused permission to appeal. TTIS believes that this pattern of behaviour should be taken into account by the Committee in making its decision.
5. If an outside body were to be seriously negligent in breaching private business standing orders, it is unlikely that the Committee would dispense with the standing orders. There is a strong public interest in the Government being held to the same standard; the Committee should make clear that the Government must scrupulously observe the requirements laid down by the two Houses.
6. If the Committee decides not to dispense with the standing orders and the Bill were then to be withdrawn, a new Bill could quickly be introduced. The intervening period would make it possible for a different proposal for the project to be developed which might not even require a bill at all and could deliver the project faster. The

Government would also be given the opportunity to reflect on the Examiners' reasons for their decision that the Bill is hybrid, in particular the fact that the interests of local residents are affected differently from other individuals, and the possibility that those local residents and others, such as other amenity associations and other representative bodies, may wish to petition against the Bill if and when their attention is drawn to it next time around by the Standing Order advertisements. In any event, TTIS's view is that the effect of the 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 any reintroduction, thus demonstrating that, like any other organisation or person, the Government must take Parliament's rules seriously and abide by them.

7. TTIS therefore respectfully asks the Committee to rule that the standing orders not complied with in respect of the Holocaust Memorial Bill should not be dispensed with.

(signed by)

DONALD PECK

for and on behalf of

THE THORNEY ISLAND SOCIETY

8 June 2023