

HOUSE OF COMMONS
MINUTES OF PROCEEDINGS
taken before the
STANDING ORDERS COMMITTEE
on the
HOLOCAUST MEMORIAL BILL

Tuesday 13 June 2023

Before:

Rt Hon. Dame Rosie Winterton MP, First Deputy Chairman of Ways and Means (Chair)
Brendan Clarke-Smith MP
Mrs Natalie Elphicke MP
Lia Nici MP
Richard Thomson MP
Liz Twist MP

Justin Leslie, Counsel for Domestic Legislation, in attendance

ROBBIE OWEN, of the DEPARTMENT FOR LEVELLING UP, HOUSING AND
COMMUNITIES, appeared as Parliamentary Agent for the Bill.

There also appeared:

BARONESS DEECH, appearing in her own right and on behalf of a group of Holocaust survivors

HELEN MONGER, appearing on behalf of the London Historic Parks and Gardens Trust

RICHARD BUXTON, appearing on behalf of the Buxton Family and the Thomas Fowell Buxton Society

DONALD PECK, appearing on behalf of the Thorney Island Society

1. **CHAIR:** Welcome, everybody. My name is Rosie Winterton. I am one of the Deputy Speakers and Member of Parliament for Doncaster Central, and I am chairing the Committee. I will start by asking whether any Members present need to declare a particular interest in the Bill. No? Okay.
2. First of all, I welcome Robbie Owen, the representative from the agent, the Department for Levelling Up, Housing and Communities. Mr Owen's submission to the Committee is Document 10 in your packs.
3. Mr Owen, could I ask you to begin by talking us through those Standing Orders where non-compliance was found?
4. I give notice that we would like to hear from the other memorialists who are here today.
5. **ROBBIE OWEN:** Good afternoon, Madam Chair. I am Robbie Owen, a Parliamentary Agent at Pinsent Masons. I am addressing the Committee today on behalf of the Secretary of State. As you have mentioned, we have submitted a written statement to the Committee, with appendices, which I was not proposing to go through word for word, but I was planning to highlight the main

issues, as you just asked me to do. Could I ask for our entire submission to be put formally on the record?

6. **CHAIR:** Yes, of course.

7. **ROBBIE OWEN:** Thank you.

8. I would like to make a few comments on the context and the history of the Bill, the examiners' decision as to hybridity and the applicable Standing Orders, and then talk about the actions that have been subsequently taken by the Secretary of State in respect of mitigating non-compliance with the Standing Orders. Then I have just a few concluding remarks. If that is in order, may I proceed on that basis?

9. **CHAIR:** Yes.

10. **ROBBIE OWEN:** Thank you.

11. As the Committee will be aware, the primary purpose of the Bill is to facilitate the coming forward of a memorial to commemorate the victims of the Holocaust and an associated learning centre at Victoria Tower Gardens, by removing pre-existing legislative impediments, as well as to authorise the Secretary of State to incur expenditure in relation to the memorial and learning centre, wherever it is situated.

12. It is important to stress that the Bill does not authorise any works or other operations to facilitate the memorial and learning centre. Instead, the usual consents would be required to be obtained separately. It goes without saying that the memorial and learning centre could not come forward without those consents, not least, of course, planning permission.

13. The Bill was introduced into the House of Commons and given its First Reading on 23 February this year as a public Bill. The Government's aim is for the Bill to receive Royal Assent as quickly as possible. This is with a view to seeking to have completed the memorial and learning centre while Holocaust survivors are still living. As the Committee will appreciate, there is some urgency, given this overarching aim.

14. As most will know, the Bill was declared prima facie hybrid after its First Reading earlier this year and referred to the Examiners of Petitions for Private Bills. Following the examination, held in two parts on 17 April and 18 May, the examiners found the Bill to be hybrid and that certain Standing Orders relating to private business applied to it and had not been complied with.

15. I would like to make a preliminary point at this stage in response to submissions made by the memorialists ahead of the hearing today, which assert that there has been some negligence or other failing on the part of the Secretary of State in his not concluding that the Bill was hybrid before its introduction, meaning that the applicable Standing Orders should have been complied with at that point.

16. The Committee will be unsurprised to hear that those submissions are firmly refuted by the Secretary of State. He took advice in the normal way, both internally and from his parliamentary agents, on the question of hybridity, and carefully considered that advice. The rationale for the Bill proceeding as a public Bill was set out in the submissions made before the examiners, and the Secretary of State and his advisers had confidence in those arguments.

17. It is worth pointing out that the examiners, in their statement of reasons for declaring the Bill to be hybrid, clearly acknowledge two things. In the final paragraph of their report, they acknowledge "the lack of clear precedent", and they also refer to "the highly unusual nature of this Bill". It is therefore our case that it was anything but clearcut at the time the Bill was introduced that it should be considered hybrid, and we think that the subsequent finding of hybridity does not undermine the decision to proceed originally as a public Bill. We think that that is important to point out; this was not a case where Government could reasonably have concluded that the Bill would be seen to be hybrid. It is a highly unusual Bill. There is no clear precedent. I wanted to highlight that point to the Committee.

18. Turning to the examiners' decision as to hybridity and the applicable Standing Orders, as they set out in their statement of reasons, the examiners concluded that the following Standing Orders applied to the Bill and had not been complied with: Standing Orders No. 4, 10 and 11, which concern the publication of notices; Standing Order 4A, which requires the Bill to be made available for inspection; and Standing Orders No. 38 and 39, which concern the depositing of copies of the Bill with certain parliamentary offices, Government Departments and other public bodies. It is fully acknowledged that these Standing Orders have not been complied with, which is why we are here today respectfully seeking a dispensation from the Committee, but it is worth making two preliminary points before I turn to each Standing Order in turn.

19. The first of those points is that, given the Bill has been introduced as a public Bill and the urgency of the Bill, which I referred to earlier, the Secretary of State was never going to be able to comply with the specific dates for undertaking certain actions set out in the private business Standing Orders. Those dates arise from the fixed timetable applicable to private Bills, which does not apply to hybrid Bills. As such, it is important to note that even if the Secretary of State had sought to comply with the Standing Orders before the Bill was introduced, I would have still been here before you today to seek a dispensation in respect of time, as has been done on recent High Speed 2 hybrid Bills, where that dispensation has been given.

20. The second preliminary point I want to make is that we submit that the primary purpose of the Standing Orders in question is to ensure that those who are specially and directly affected by the Bill are made aware of it and its passage through Parliament and, critically, given advance notice of the ability to petition against the Bill. With a hybrid Bill, the petitioning process does not start until the Bill has been given a Second Reading, which has not yet occurred. As such, the opportunity to petition against the Bill has not been missed by anybody.

21. As we will see in a moment, the Secretary of State has now taken action to comply substantively with the Standing Orders to alert persons to this future opportunity. We say that no prejudice has been caused by the non-compliance with the Standing Orders to date, given that the date for Second Reading, and therefore the petition period that follows immediately after it, has not yet been set.

22. It is also worth noting, which I hope provides comfort to a number of those who made submissions prior to today's hearing, that by seeking a dispensation from the Committee, the Secretary of State is not in any way seeking to get away with taking no action at all in respect of the Standing Orders—far from it. Given the actions that have now been taken, which I will come on to next, the Secretary of State does not, as some memorialists suggest, consider that there is a need to withdraw the Bill at this stage and start the process again, which I think we can safely say would not result in any substantive changes to the Bill, and would not give persons any additional opportunity to object to the Bill—to petition against it—that may have been missed, because no opportunities have been missed.

23. We submit that the three tests for dispensation set out in “Erskine May”, which one of the memorialists refers to, have been met, primarily because, first, we think that it is in the public interest for the Bill to proceed, having regard also to the third test, which I will come on to shortly. Secondly, we submit that the Secretary of State, as promoter of the Bill, has not been negligent and has not acted carelessly. Thirdly, no one has been adversely affected by non-compliance to date.

24. To summarise, for the benefit of the Committee, the actions that have now been taken by the Secretary of State in relation to substantive compliance with the Standing Orders—these are detailed in our written statement—the statement of reasons, which I mentioned earlier, confirming the examiner's conclusions that the Bill should be considered hybrid, and which Standing Orders therefore apply to it, was published on 22 May. As soon as it was published, the Secretary of State considered what actions needed to be taken to mitigate non-compliance with the Standing Orders in question, and in effect substantively to comply with them. Actions were then taken, as I shall come on to describe. The Secretary of State therefore has taken steps to substantively comply with the

applicable Standing Orders. I will turn to each of those now, as set out in appendix 1 of our written statement.

25. First, in accordance with Standing Orders Nos. 4, 10 and 11, notices were published on 9 June in the London Gazette, the Evening Standard and Westminster Extra, each notice being headed with the short title of the Bill and containing a concise summary of the Bill, details of inspection locations, when objections can be made to the Bill, and from whom further information can be obtained on the process. The notice specifically mentions Victoria Tower Gardens. Mr Buxton, one of the memorialists, mentioned in his submission to the Committee that the Bill was rather vague, and he thought that specific attention should be drawn to its effect on Victoria Tower Gardens. In effect, that has already been done.

26. If it would assist the Committee I can provide hard copies of the notices that have been published. Would that help?

27. **CHAIR:** Yes, I think it would.

28. **ROBBIE OWEN:** I am providing the Evening Standard from 9 June, the London Gazette from 9 June and Westminster Extra from 9 June. We have given the front page in every case, plus the notice itself. We acknowledge that Standing Order No. 10 requires the newspaper notices to be published in two successive weeks. Steps have been taken for the newspaper notices to be published in the same form this Friday, 16 June. It was not possible to have that process completed before today due to the lead-in times required for the notices to be published.

29. Next I turn to Standing Order No. 4A. In accordance with that Standing Order, hard copies of the Bill and explanatory notes have been deposited in two offices in London. One is the office of my firm, Pinsent Masons LLP. The other is an office in the City of Westminster, which is the local government area within which the principal office of the Secretary of State is located.

30. You may well be wondering why the office in Westminster is not the Department's main office, or, indeed, another Government office, but the simple answer to that is that security considerations make it difficult for members of the public to easily access the Department's office, and indeed other departmental offices, so the decision was taken for the deposit location to be in the office of one of the Department's contractors, where access is much less of an issue. Copies of the Bill and explanatory notes are available at both locations to be taken away by members of the public. Equally, I can provide the Committee now, if it would assist, with signed certificates, from both a colleague of mine and an official of the Department for Levelling Up, Housing and Communities, confirming the deposit of the documents and their availability.

31. **CHAIR:** Thank you.

32. **ROBBIE OWEN:** Penultimately, I turn to Standing Order No. 39, in relation to which copies of the Bill and the explanatory notes have been deposited electronically with a number of Government Departments and other public bodies, in accordance with Standing Order No. 1A. The list of those bodies on whom copies of the Bill and notes have been deposited is contained in appendix 2 to our written submission. I can provide the Committee now, if it will assist, with a signed certificate from a colleague of mine that confirms that.

33. **CHAIR:** Thank you.

34. **ROBBIE OWEN:** Before I turn to some brief concluding remarks, I would like to address, briefly, Standing Order No. 38, which is one of the standing orders that the examiners referred to. As set out in our written statement to the Committee, having reflected on this, we submit that recent practice has been for this standing order not to apply to hybrid Bills. See, for example, the recent High Speed 2 hybrid Bills. That is because it has been accepted that Standing Order No. 38 applies strictly to Bills that are introduced by way of a petition—namely private Bills, not hybrid Bills. Hybrid Bills are introduced in the normal way like any other Government Bill.

35. However, as required by Standing Order No. 38(1), the Bill has, in any event, been deposited

in the Vote Office, and is available to the Private Bill Office, so we say that there is no substantive difference, but, just as a matter of technical correctness, we do not think that Standing Order No. 38 applies to hybrid Bills, as opposed to private Bills.

36. In conclusion, as can be seen, the Secretary of State has now complied substantively with the Standing Orders that the examiners found to apply to the Bill, with three exceptions. The first is in respect of time, which would have been impossible in any event, given that the timetable of the Bill is not determined by the Standing Orders, as it was introduced as a public Bill. There is plenty of precedent for that, most recently, as I said, regarding the High Speed 2 Bills.

37. The second exception is that the second newspaper notice required by Standing Order No. 10 has not yet been published, although arrangements have been made for the notice to be published this coming Friday 16 June in the same two newspapers, the Evening Standard and Westminster Extra. The third exception regards Standing Order No. 38, which I have just mentioned, which, it is submitted, does not apply to the Bill based on recent practice relating to hybrid Bills.

38. As a result, it is submitted, on behalf of the Secretary of State, that no prejudice has been caused to any party as a result of non-compliance with the Standing Orders to date. The requisite notices and other requirements will have been discharged in advance of Second Reading of the Bill, which is, in effect, the first time that a person specially and directly affected by the Bill will have an opportunity to object to the Bill by depositing a petition against it. That opportunity has not been lost.

39. Therefore, the Committee is respectfully requested to dispense with the need for strict compliance with the Standing Orders to the extent that they have not been complied with to date, given the mitigating steps that the Government have now taken, as I have described. Thank you very much.

40. **CHAIR:** Thank you, Mr Owen. Do Members have any questions for Mr Owen? I just want to be absolutely clear that you are saying to the Committee, Mr Owen, that no one would be adversely affected, in terms of making representations, petitions, and so on, about the Bill, by the non-compliance that has occurred, and that future steps will preserve that ability.

41. **ROBBIE OWEN:** Madam Chair, that is exactly what we are saying. We are very clear on that. We are completely sure about that. No prejudice has been suffered and no prejudice will be suffered. The future steps relating to representations or petitions will apply if and when the Bill is given a Second Reading in this House. That will then open up the petitioning window, when those who are specially and directly affected by the Bill can, in accordance with the custom and procedure of the House, deposit a petition and in due course be heard before a Select Committee appointed by this House, subject to all the normal rules governing Select Committees.

42. **CHAIR:** Right, okay. I think all Members would want to be assured of that—that is what I am saying. Are there any other questions? No. Thank you very much indeed, Mr Owen.

43. We will now hear from four memorialists who appeared before the examiners—memorialists being parties who made representations that the Bill was hybrid, opposing the Government. I am sure that everyone will understand that it is probably quite a good idea to keep the contributions fairly short, so that hon. Members will have the opportunity to ask any questions. I want to welcome Baroness Deech, who is appearing in her own right and on behalf of a group of Holocaust survivors. Mr Thomson, I am just wondering whether you might want to move a little further down, so that you are in front of rather than behind our memorialists.

44. **RICHARD THOMSON:** I am very happy to comply.

45. **CHAIR:** I don't think we realised how far up it would go. Baroness Deech.

46. **BARONESS DEECH:** Thank you for hearing me. I set out my arguments in my submission. Having listened to the Secretary of State's agent, I would like to make two opening comments. One is that there is no hurry. A memorial and museum, if built, is for future generations, not the current ones. The Holocaust survivors I represent, and there are many others, do not want it in its current form.

There are already at least six other Holocaust memorials and museums around the country that have been open for years to existing Holocaust survivors. They include the Imperial War Museum and the National Holocaust Centre and Museum in Newark. There are memorials or museums in Hull, Huddersfield, Swanage, Harwich and Liverpool Street, depending on how you count them. So it is not as if there has been nothing else and then there is this one. There is no hurry, and we need to get it right.

47. Secondly, the Secretary of State has given you the notices that they have now put out. I have to say that although the rules say there should be a hard copy, in this day and age one expects to find it online. I spent many days searching. I was finally able to find the London Gazette one online, but only by logging in, which was quite a laborious process. I do not know how one would find this in the Evening Standard, especially on a Friday, or Westminster Extra. I suppose the obvious thing, though it is not in the rules, would have been a notice in the garden itself.

48. We need legal help. All of that was paused: the lobbying, the representations, the meetings, the crowdfunding and so on that was trying to spread news among the Jewish community of what was actually going on. So we were adversely affected.

49. I am appealing to you now to allow a pause, not just so that we can recommence that, but so that dialogue can take place ahead of petitions. We have been unable to have any constructive dialogue with Ministers or with the leaders of the projects, who on the whole do not answer letters, will not agree to meetings and will not debate in any forum. While that goes on, it creates more and more dissension of the sort that should not surround a Holocaust memorial. A pause, and a steer from the Committee that there is time to review things, might lead to a much better, more dignified, more economic and speedier outcome. I have set out the details of what the Government did not do, in my submission.

50. **CHAIR:** Thank you Baroness Deech. Are there any questions? No? I now welcome Helen Monger, who is appearing on behalf of the London Historic Parks and Garden Trust.

51. **HELEN MONGER:** Good afternoon. I thank the Committee for giving me an opportunity to speak today. As you said, I am the director of the London Parks and Gardens, and our legal name is the London Historic Parks and Garden Trust. I am not a lawyer; I am speaking to you as a layperson. We used to have an agent here, but we are having to save our campaign resources for the petitioning stage.

52. I ask that the Committee upholds the requirements of the Standing Orders in full. I have read the Government's submission seeking to dispense with the Standing Orders. London Historic Parks and Garden Trust disagrees with the conclusions of that statement for three reasons.

53. First, there has been consistent inadequate consultation and appropriate public engagement. The Government, despite all the resources at their disposal, chose erroneously to declare the Holocaust Memorial Bill a public Bill. It proved to be hybrid. That is the first time the examiners have overruled a Government on their chosen classification since the 1970s, I believe. That error cannot now be a justification for seeking an alternative and curtailed route that dispenses with the Standing Orders. Those rules, laid down by Parliament and in question here, focus on public notices being given at a proper time and in a proper way.

54. As I have already said, I represent a small registered charity and amenity society with limited means. I am therefore an average member of the public who is marginally more engaged than most because of my job. I had not seen such notices using Google alerts and other reasonable means, but I note that there was potentially a publication in the Evening Standard, and there will be one now on 16 June, which I look forward to finding. I suggest that many people still have no clue about the Bill's progress before Parliament. It is impossible to know how many people who may have an eligible interest in the Bill, want to involve themselves and could offer valuable insights for parliamentarians, may have missed or will miss their chance to petition and be heard. The lack of commitment to a wide and meaningful consultation on such an important project has been an ongoing pattern of behaviour

by the sponsor Department, as set out by submissions before you today.

55. Secondly: poor legislative drafting. London Parks and Gardens considers that the principle of the Bill, and, as importantly, the documentation that supports it, is misleading and should not be sped through Parliament. When the Government introduced the Bill on First Reading, their briefing note contained inaccuracies that we and others sought to correct. However, these have yet to be amended, our note is yet to be acknowledged by the sponsor Department, and there has yet to be any meaningful discussions proffered about compromises without the need for primary legislation.

56. We also agree with the Buxton family, whom you are about to hear, about the environmental statement. This ought to accompany the current legislation, at the earliest opportunity. Enabling poorly drafted legislation with inaccurate accompanying information to speed through Parliament, and concerning a Bill seeking to remove environmental protections, is plain wrong. This is particularly so when the same Government have agreed on the world stage that we are living through a climate emergency and where UK planning policies suggest that urban historic green spaces should be protected. London Parks and Gardens' involvement focuses on upholding protection of a public park for the benefit of everyone now and in future generations. If this Committee dispenses with the rules, the undesirable outcome will become a reality.

57. Finally, I have an observation about democracy being on the line here. The Bill is intended to enable the construction of a Holocaust learning centre in Victoria Tower Gardens. In part, campaigners were told at the planning inquiry, the park was chosen as the location to hold up a mirror to parliamentarians and remind them of the importance of democracy and the virtues of standing up to a totalitarian regime. The Government, in their statement, suggest that they are now complying with the rules and so any transgression that they may have made or be making would be minor. On the contrary, if the Government's mission is to encourage democratic engagement and tolerance of different views, it would be perverse to now seek to waive those very rules—provided by Parliament to ensure that the necessary democratic processes are fulfilled—because of mere inconvenience.

58. It is in the public interest for you to uphold, in full, the Standing Orders that the examiners have declared were breached, and I therefore urge you to do so.

59. **CHAIR:** Thank you. Are there any questions from members of the Committee? No. Thank you very much indeed. I now welcome Richard Buxton, who is appearing on behalf of the Buxton family and the Thomas Fowell Buxton Society. Mr Buxton, perhaps you would like to talk us through your submission.

60. **RICHARD BUXTON:** Good afternoon, Madam Chair, and members of the Committee. Thank you for hearing me. As you said, I am appearing on behalf of the family. I declare my interest: I have also been involved with the litigation that has gone on, because I am a lawyer for the Parks and Gardens Trust. I will first of all say that I endorse what they say and the other memorialists say about application of the Standing Orders. I want to focus, in my very short bit, on one aspect, which I draw attention to in my statement to this Committee. That relates to Standing Order No. 38. I now see, reading very quickly, the advice as to understanding the Secretary of State's submission on this—that it basically doesn't apply, because it's the wrong sort of Bill. Therefore the Committee, as I understand it, is being asked to dispense with that Standing Order. On the other hand, the examiners have found that it is applicable. That is the starting point for this discussion. I hadn't fully understood that, therefore, the advice of your counsel is simply, as a pragmatic way forward, to dispense with the application of it.

61. That concerns me, and those whom I speak for, very much. At the heart of this matter, as other memorialists have explained, is a matter of environmental protection. That's what's going on here. This is making Victoria Tower Gardens into something that it isn't. At the moment, it is protected as a public park, as is its environment; and that is not what is proposed for the future. What I suggest has gone wrong is that the Secretary of State has said, in his explanatory notes for the Bill, that this is not a matter to which the Environment Act applies.

62. In brief, the Environment Act—I can take you through it, but I won't take up your time unless you ask me to—says that where something affects environmental protection, the Secretary of State must make a statement to the House saying, effectively, that it doesn't make the area any less protected than it was before. There are different ways of saying that. Here, that is not happening in the Secretary of State's explanatory notes. I had better be careful with the language I use, but his explanatory notes are not quite the way that I think they should be accurately put. It is a very serious matter.

63. What we have not got is a statement to the House fulfilling the requirements of section 20 of the Environment Act 2021, nor have we got it inside the explanatory notes.

64. This may not be the right Committee to make this point to. On the other hand, if it was not made to this Committee, I would be strongly criticised for not having done so. I am doing so now—I am putting it on the record that a statement of some form or other ought to be made.

65. The simplest way of doing that, Madam Chair, is not to dispense with Standing Order No. 38, but to note that it requires a printed memorandum that sets out the commentary on the clauses in the Bill. The current memorandum does not reflect that accurately, because it says, in effect, that this will not cause adverse environmental effects, whereas it is clear that this will in fact be the case.

66. That is my point. Unless you want me to add anything further, that is all I have to say, with many thanks.

67. **CHAIR:** I think that was very clear. Thank you very much. Are there any questions to Mr Buxton? No. Thank you.

68. I now welcome Donald Peck, who is appearing on behalf of the Thorney Island Society.

69. **DONALD PECK:** Good afternoon; thank you very much for hearing me and my fellow memorialists or preparers of submissions. You have my submission on the record, I think. I am a resident of central Westminster and a member of the Thorney Island Society, which is the amenity society for the historical denomination of this part of Westminster.

70. I have little to add to what my fellow memorialists have said, but I ask that the Committee upholds the requirements of the Standing Orders in full without dispensing with any of them.

71. I have read the Government's submission seeking to dispense with these Standing Orders, and I do not agree with it. I feel that the only point I would like to draw to the Committee's attention is that there has been consistently inadequate consultation and a lack of any kind of appropriate public engagement on this project or, as Ruth Deech just said, any meaningful dialogue about the project, particularly with local residents, but also with others.

72. This failure of the Government to commit to consult, engage or enter into dialogue has been consistent throughout a long process of years, now stretching to over seven. This may or may not amount to negligence on the part of the Government in this particular instance of the Standing Orders; but, none the less, it amounts to, in my view—I think the Committee should take notice of this—a deliberate failure by the Government, again, in the case of the Standing Orders, to consult the public. That is my principal reason that the Standing Orders should not be dispensed with at all.

73. **CHAIR:** Thank you. Are there any questions? No.

74. Thank you very much indeed to all witnesses who have given evidence to the Committee. You have put your points very clearly and concisely. I am sure that other members of the Committee will agree.

75. I ask witnesses and all members of the public to wait outside now. We will call you back in when we have reached a decision. Thank you very much.

The Committee adjourned to deliberate in private from 1 pm to 1.26 pm.

76. **CHAIR:** Thank you very much indeed for your patience. We have had a very thorough

discussion, I can assure you, on the points that have been raised by you, and we have reached a decision. I will go through the decision, and the conditions we have put on our decision, as well as some other things we have agreed to do.

77. First, we have resolved that Standing Orders Nos. 4, 10 and 11 are dispensed with as to notices, subject to the following conditions. The second publication of the notice required by Standing Order No. 10 must occur at least six clear days from the publication of the first notice. We are intending to inquire whether there can be improvements to access online, particularly because that is something all of you raised. It is not within our gift, but we can ask that that be looked at. We want the promoters to appear before the Committee in due course to prove that such condition has been met. We intend to be very diligent in ensuring that our wishes are carried out.

78. We have also resolved that Standing Orders Nos. 4A and 39 are dispensed with as to the availability and deposit of the Bill. We have agreed that Standing Order No. 38 is dispensed with. We have resolved that Standing Orders Nos. 4, 4A, 10, 11, 38 and 39 ought to be dispensed with, just to recap.

79. We also have agreed that we will write to the Department to draw its attention to the fact that all the memorialists raised the issue of consultation, and that you felt that that could be improved. We will make it very clear that you really feel there could be an improvement to that.

80. In general, we did discuss the issue whether this should be proceeded with, rather than delayed. We felt that, actually, this was announced some years ago. It has been in a Government manifesto, and the proper place for debate is Parliament. We feel, therefore, that allowing the Bill to go forward with those conditions, and dispensing with certain things, will enable a debate about a number of the issues you have raised.

81. I hope that explains our position. As I say, we really did have a very thorough debate and asked a lot of questions about the issues you have raised. Once again, thank you for the evidence you gave us and the contributions you made, which, as I said previously, were very clear and thorough, and very helpful to us. We took them on board in our discussions. Thank you.