

Holocaust Memorial Bill

SECOND MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 1

VISCOUNT ECCLES

- 5 Clause 1, page 1, line 9, at end insert –
“(1A) The management responsibilities in subsection (1)(a) to (c) must be discharged by a Non-Departmental Public Body.”

VISCOUNT ECCLES

Viscount Eccles gives notice of his intention to oppose the Question that Clause 1 stand part of the Bill.

Clause 2

BARONESS BLACKSTONE

- 6 Clause 2, page 1, line 17, leave out “, over, under or otherwise in relation to” and insert “or over”

LORD STRATHCARRON

- 7 Clause 2, page 1, line 18, at end insert “, provided that any such activities shall not cause any harm to any other memorials or the setting of such memorials on that land”

LORD STRATHCARRON
LORD ROBATHAN

- 8 Clause 2, page 1, line 18, at end insert “, subject to the total area used for such activities not exceeding either 1429 square metres or the area shown in the plan in appendix 4 of the letter sent by the Promoter to the House of Commons Holocaust Memorial Bill Select Committee on 5 February 2024, including in that total area any –
- (a) entrance pavilion,
 - (b) courtyard,
 - (c) ramp,
 - (d) associated hard standing,
 - (e) service access,
 - (f) ticketing and security facilities,
 - (g) access paths,
 - (h) areas enclosed to ensure the security of the Holocaust Memorial and Learning Centre, and
 - (i) areas not accessible to the public.”

LORD RUSSELL OF LIVERPOOL
BARONESS WALMSLEY

- 9 Clause 2, page 1, line 18, at end insert “, provided that any such activities –
- (a) would not cause the existing Spicer Memorial to be moved or the area of the playground on that site to be reduced, and
 - (b) are carried out in such a way that access to any children’s playground on that site is maintained at level from the nearest entrance without requiring the use of steps.”

BARONESS FOOKES
BARONESS WALMSLEY

As an amendment to Amendment 9

- 10 After paragraph (b) insert –
- “(c) would not cause damage to the roots of existing trees.”

LORD BLENCATHRA

- 11 Clause 2, page 1, line 18, at end insert “, subject to any Holocaust Memorial and Learning Centre on such land being limited to a height, width and volume no larger than the Buxton Memorial Fountain”

LORD BLENCATHRA

- 12 Clause 2, page 1, line 18, at end insert “, subject to any path between the Holocaust Memorial and Learning Centre, or any security fencing surrounding it, and the Buxton Memorial Fountain being at least eight metres wide”

BARONESS BLACKSTONE

- 13 Clause 2, page 1, line 18, at end insert “in so far as paragraphs (a) to (c) of section 1(1) relate to a Memorial”

LORD BLENCATHRA

- 14 Clause 2, page 1, line 18, at end insert –
“(2) The size limits of a Holocaust Memorial and Learning Centre as described in subsection (1) may not be exceeded by any extended, altered, modified or replacement scheme for a Holocaust Memorial and Learning Centre.”

BARONESS DEECH

Baroness Deech gives notice of her intention to oppose the Question that Clause 2 stand part of the Bill.

After Clause 2

LORD CARLILE OF BERRIEW
LORD BLENCATHRA
LORD COLGRAIN
LORD ROBATHAN

- 15 After Clause 2, insert the following new Clause –
“Report: effects of the construction, presence and use of the Holocaust Memorial and Learning Centre on the security of the site and surrounding area
- (1) Within three months of the day on which this Act is passed, the Secretary of State must lay a report before both Houses of Parliament setting out the predicted effects on the security of the site and surrounding area arising from the construction, presence and use of a Holocaust Memorial and Learning Centre on the chosen site.
- (2) The report under subsection (1) must include –
- (a) a list of those bodies and individuals consulted before construction of a Holocaust Memorial and Learning Centre (subject to redaction of names where necessitated by national security),
 - (b) a summary of the advice provided by each body and individual consulted,

- (c) a full description with visual depictions of all road and traffic changes, at and near to the chosen site, proposed to be made during construction and following completion of the Holocaust Memorial and Learning Centre,
 - (d) proposals for the continuing assessment of the security of the site and nearby buildings, and
 - (e) such other security information as the Secretary of State considers to be relevant.
- (3) The Secretary of State may delegate the preparation of the report referred to in subsection (1) to the Independent Reviewer of Terrorism Legislation.
- (4) The Secretary of State must arrange for the tabling of a motion for resolution in each House of Parliament within 56 days of laying the report before Parliament.”

LORD STRATHCARRON
 BARONESS DEECH
 LORD BLENCATHRA
 LORD ROBATHAN

16 After Clause 2, insert the following new Clause –

“Design of the Holocaust Memorial

- (1) After the day on which this Act is passed, the Secretary of State must launch a competition to design a figurative Holocaust Memorial appropriate to a location within Victoria Tower Gardens and reflective of the Nazi genocide of the Jews.
- (2) The final decision on design must include a public consultation, and consultation with Holocaust survivors and relatives of victims of the Holocaust.”

LORD STRATHCARRON

17 After Clause 2, insert the following new Clause –

“Prohibition of building in parts of Victoria Tower Gardens not occupied by the Holocaust Memorial and Learning Centre

Notwithstanding the provisions in section 2, the prohibition of building in Victoria Tower Gardens contained in the London County Council (Improvements) Act 1900 shall continue to apply to any part of the Gardens not occupied by a Holocaust Memorial and Learning Centre after it has been fully completed.”

LORD RUSSELL OF LIVERPOOL
 BARONESS WALMSLEY

18 After Clause 2, insert the following new Clause –

“Impact on playground

In the event that, in accordance with the provisions of sections 1 and 2, a Holocaust Memorial and Learning Centre is constructed in Victoria Tower Gardens –

- (a) the children’s playground sited within Victoria Tower Gardens must be kept open throughout the construction period of the Holocaust Memorial and Learning Centre, as long as it is practicable and safe to do so, as determined by the body responsible for the care of the Gardens,
- (b) precautions must be taken throughout the construction period to avoid mud or dust reaching the playground, by means including the erection of hoardings around the construction area,
- (c) when the playground is open, level step-free access to it must be maintained from the southern gate of Victoria Tower Gardens for as long as it is practicable and safe to do so, as determined by the body responsible for the care of the Gardens, or, if so determined, then via the riverside path as well as from the northern end of the Gardens, and
- (d) during the construction period the planning applicant must ensure that users of Victoria Tower Gardens and local residents are given information about the progress of construction, and are given at least 14 days’ notification of any closures of the playground, by means of posters and written circulation to residents within half of one mile of Victoria Tower Gardens.”

LORD RUSSELL OF LIVERPOOL
BARONESS MEYER
BARONESS WALMSLEY

19 After Clause 2, insert the following new Clause –

“Report: playground access

In the event that permission is granted for the construction of a Holocaust Memorial and Learning Centre in Victoria Tower Gardens in accordance with the provisions of sections 1 and 2, the Secretary of State must, within three months, lay before Parliament a report on the measures which will be taken to safeguard access to the children’s playground within Victoria Tower Gardens.”

LORD RUSSELL OF LIVERPOOL
BARONESS MEYER
BARONESS WALMSLEY

20 After Clause 2, insert the following new Clause –

“Playground access

In the event that, in accordance with the provisions of sections 1 and 2, a Holocaust Memorial and Learning Centre is constructed in Victoria Tower Gardens –

- (a) the boundaries of the existing playground in Victoria Tower Gardens, which may be marked only by the Spicer Memorial, hedges and other planting, must make the playground space clearly separate from the Holocaust Memorial and Learning Centre,
- (b) the pathway for visitors to the Holocaust Memorial and Learning Centre must not pass through the playground,

- (c) there must be no access through the playground to the public toilets or any refreshment facilities, and
- (d) visitors to the playground must remain able to enter Victoria Tower Gardens at the step-free southern gate from Millbank.”

BARONESS FOOKES
LORD BLENCATHRA
LORD ROBATHAN
BARONESS WALMSLEY

21 After Clause 2, insert the following new Clause—

“Planning application

- (1) Any applicant must submit a new full planning application to the relevant local authority relating to any Holocaust Memorial and Learning Centre planned for Victoria Tower Gardens.
- (2) In determining the outcome of that application, special attention must be paid to increased security and environmental considerations arising since the first planning application to Westminster City Council in 2019.
- (3) If the planning permission is to be determined by a Minister there must be a public inquiry.
- (4) As soon as possible following a planning application the applicant must publicise this and the anticipated timetable by notifying—
 - (a) Members of the House of Commons and members of the House of Lords by depositing a letter in the Libraries of both Houses;
 - (b) the London Historic Parks and Gardens Trust, the Thomas Fowell Buxton Society and the Thorney Island Society;
 - (c) Holocaust survivors, families of victims and refugees from Nazi Germany and their families;
 - (d) organisations engaged in Holocaust remembrance, education and combating antisemitism;
 - (e) local residents through the press and other media.
- (5) The applicant must take steps to ensure that the availability of updated information relating to the planning application and submitted by the applicant, including updated information relating to security, (as far as such information can safely be placed in the public domain) is notified to the parties referred to in subsection (4), once it has been published by the Secretary of State as part of any planning process.”

THE LORD BISHOP OF ST ALBANS
LORD ROBATHAN

22 After Clause 2, insert the following new Clause –

“Closure of Victoria Tower Gardens

After the opening of any Holocaust Memorial and Learning Centre constructed in Victoria Tower Gardens, Victoria Tower Gardens must not be closed for more than three days a year for Holocaust commemoration events.”

THE LORD BISHOP OF ST ALBANS
LORD BLENCATHRA

23 After Clause 2, insert the following new Clause –

“Learning Centre endowment fund

The Secretary of State must grant to the trustees of the Learning Centre from the funds allocated to its construction an endowment fund of £50 million for updated Holocaust education and the countering of antisemitism.”

BARONESS DEECH
LORD INGLEWOOD
LORD BLENCATHRA

24 After Clause 2, insert the following new Clause –

“Restoration and Renewal

The activities described in section 1(1) may not be commenced on the land referred to in section 2 unless the authorities of both Houses of Parliament have certified that they are satisfied that those activities will not impede any restoration and renewal of the Palace of Westminster.”

BARONESS WALMSLEY
LORD ROBATHAN

25 After Clause 2, insert the following new Clause –

“Report: risks of flooding in Victoria Tower Gardens

- (1) Within three months of the day on which this Act is passed, the Secretary of State must lay a report before Parliament setting out the potential risks of flooding of any Holocaust Memorial and Learning Centre in Victoria Tower Gardens.
- (2) The report under subsection (1) must include –
 - (a) an account of the steps necessary to prevent flooding in any underground Holocaust Memorial and Learning Centre;
 - (b) details of emergency escape routes in the case of flooding;

- (c) an assessment of whether any Holocaust Memorial and Learning Centre being located in Victoria Tower Gardens puts it at a greater risk of flooding as a result of climate change;
 - (d) such other information as the Secretary of State considers to be relevant.
- (3) No other section of this Act will come into force until the report has been laid before Parliament.”

THE LORD BISHOP OF ST ALBANS
LORD BLENCATHRA
BARONESS WALMSLEY

26 After Clause 2, insert the following new Clause –

“Prohibition on sales and refreshment kiosk as part of Holocaust Memorial

Any Holocaust Memorial or learning centre built in Victoria Tower Gardens must not include any static or mobile outbuildings for selling refreshments or products.”

LORD BLENCATHRA
LORD ROBATHAN

27 After Clause 2, insert the following new Clause –

“Condition on planning application determination: cost information

Any planning application for a Holocaust Memorial and Learning Centre must not be determined until after –

- (a) a report has been laid before Parliament setting out –
 - (i) a detailed cost estimate for the construction and operating costs of the proposed Holocaust Memorial and Learning Centre, and
 - (ii) the financial sustainability of the entity or entities which will execute the project and operate it, and
- (b) the report has been approved by a motion for resolution in both Houses of Parliament.”

LORD BLENCATHRA
LORD ROBATHAN

28 After Clause 2, insert the following new Clause –

“Planning application: security information

- (1) Any person making a planning application or seeking redetermination of a planning application in relation to a Holocaust Memorial and Learning Centre must make representations to the Secretary of State in relation to security considerations, and in so doing must provide up-to-date evidence on security considerations to inform the Secretary of State’s determination of the application.

- (2) If the planning application for a Holocaust Memorial and Learning Centre is for construction in Victoria Tower Gardens, before submitting to the Secretary of State any representations on security considerations, the applicant must consult with and have regard to the views of—
 - (a) the Corporate Officer of the House of Commons,
 - (b) the Corporate Officer of the House of Lords,
 - (c) the Community Security Trust,
 - (d) the Metropolitan Police,
 - (e) the National Protective Security Authority,
 - (f) Westminster City Council, and
 - (g) any other person the applicant considers relevant, and will have regard to any comments they may make to the Applicant on security considerations.
- (3) The applicant must provide any views received under subsection (2) to the Secretary of State when making a representation under subsection (1).
- (4) The Secretary of State must lay before Parliament the information required by subsections (1) and (3) except any details that are confidential or which should not be placed in the public domain for security reasons.
- (5) In this section, the reference to the Secretary of State is a reference to the Minister of State determining the planning application under delegation from the Secretary of State and in accordance with the functional separation arrangements in place.”

LORD BLENCATHRA
BARONESS JONES OF MOULSECOOMB
LORD HODGSON OF ASTLEY ABBOTTS
BARONESS FLEET

29 After Clause 2, insert the following new Clause—

“Alternative site for Learning Centre

Before any decision is made about where to build any Learning Centre of the size and nature recommended in the Prime Minister's Holocaust Commission Report Britain's Promise to Remember (2015), the Secretary of State must conduct a review of possible locations elsewhere in central London as alternatives to Victoria Tower Gardens.”

LORD BLENCATHRA

30 After Clause 2, insert the following new Clause—

“Review: alternatives sites for Holocaust Memorial or Learning Centre

- (1) Within six months of the day on which this Act is passed, the Secretary of State must carry out a review of potential sites for a Holocaust Memorial or Learning Centre, taking into account—
 - (a) the views of professional property consultants;

- (b) the way in which any site would meet the objectives of the Prime Minister's Holocaust Commission Report Britain's Promise to Remember (2015);
 - (c) estimates of costs for construction for each site;
 - (d) results of a full public consultation on the shortlisted sites.
- (2) The Secretary of State must lay before Parliament a report on the findings of the review.”

LORD BLENCATHRA
LORD HODGSON OF ASTLEY ABBOTTS
LORD ROBATHAN

31 After Clause 2, insert the following new Clause—

“Alternative site for Learning Centre (No. 2)

Before any decision is made about where to build any Learning Centre of the size and nature recommended in the Prime Minister's Holocaust Commission Report Britain's Promise to Remember (2015), the Secretary of State must conduct a review of the feasibility of including it in a Jewish Museum.”

LORD BLENCATHRA
LORD ROBATHAN

32 After Clause 2, insert the following new Clause—

“Learning Centre purpose

The sole purpose of any Learning Centre must be the provision of education about the Nazi genocide of the Jews and antisemitism.”

LORD BLENCATHRA
BARONESS DEECH

33 After Clause 2, insert the following new Clause—

“Governance of Victoria Tower Gardens

- (1) The body responsible for the operation of any Holocaust Memorial and Learning Centre constructed in Victoria Tower Gardens must not have authority over the parts of Victoria Tower Gardens not occupied by that Memorial and Learning Centre.
- (2) Any bodies responsible for Victoria Tower Gardens and for any Holocaust Memorial and Learning Centre constructed there must consult in advance with local residents through the relevant local amenity societies with regard to any matters which may affect the free use of Victoria Tower Gardens as a garden open to the public.”

LORD HOWARD OF RISING

34 After Clause 2, insert the following new Clause –

“Impact assessment

Before renewed planning permission is sought for the construction of any Holocaust Memorial and Learning Centre in Victoria Tower Gardens, the Secretary of State must prepare and lay before Parliament an impact assessment for the Holocaust Memorial and Learning Centre including an assessment of its educational, environmental, social and financial impact.”

LORD HOWARD OF RISING

35 After Clause 2, insert the following new Clause –

“Risk assessment

Before renewed planning permission is sought for the construction of any Holocaust Memorial and Learning Centre in Victoria Tower Gardens, the Secretary of State must prepare and lay before Parliament a risk assessment for the Holocaust Memorial and Learning Centre including an assessment of any risks to those working in and visiting the Palace of Westminster and the surrounding area.”

LORD BLENCATHRA

36 After Clause 2, insert the following new Clause –

“Security checks: constraints

In the event that a Holocaust Memorial and Learning Centre is constructed in Victoria Tower Gardens, security checks carried out on visitors to the Centre cannot have the effect of restricting access to the Gardens, other than via routes which enter the Centre.”

LORD BLENCATHRA

37 After Clause 2, insert the following new clause –

“Access for pedestrians during construction

In the event that, in accordance with the provisions of sections 1 and 2, a Holocaust Memorial and Learning Centre is constructed in Victoria Tower Gardens, the pedestrian path within Victoria Tower Gardens adjacent to Millbank commencing at the southern end by the Spicer Memorial Playground and ending at the northern end by the Emmeline and Christabel Pankhurst statue must be kept open throughout the construction.”

LORD INGLEWOOD
BARONESS WALMSLEY

38 After Clause 2, insert the following new Clause –

“Planning application and report to Parliament

- (1) In the event of any planning consent being granted for a Holocaust Memorial and Learning Centre in Victoria Tower Gardens, the Secretary of State must arrange for the tabling of a motion for resolution in each House of Parliament on the planning consent within 60 days of the planning consent being granted.
- (2) Construction of a Holocaust Memorial and Learning Centre in Victoria Tower Gardens must not begin until planning consent has been approved by both Houses of Parliament, in the form of a motion for resolution under subsection (1).”

Member's explanatory statement

This amendment seeks to ensure that no development of a Holocaust Memorial and Learning Centre goes ahead in Victoria Tower Gardens until both Houses of Parliament are satisfied with the proposal.

Clause 3

LORD CARLILE OF BERRIEW
BARONESS WALMSLEY

39 Clause 3, page 1, line 21, leave out subsection (2) and insert –

- “(2) This section and section (*Report: effects of the construction, presence and use of the Holocaust Memorial and Learning Centre on the security of the site and surrounding area*) come into force on the day on which this Act is passed.
- (2A) Other sections in this Act come into force on the day the report required by section (*Report: effects of the construction, presence and use of the Holocaust Memorial and Learning Centre on the security of the site and surrounding area*) has been approved by both Houses of Parliament, in the form of a motion for resolution under section (*Report: effects of the construction, presence and use of the Holocaust Memorial and Learning Centre on the security of the site and surrounding area*)(4).”

BARONESS WALMSLEY

40 Clause 3, page 1, line 21, leave out subsection (2) and insert –

- “(2) This section and section (*Report: risks of flooding in Victoria Tower Gardens*) come into force on the day on which this Act is passed.
- (2A) Other sections in this Act come into force on the day the report required by section (*Report: risks of flooding in Victoria Tower Gardens*) has been laid before Parliament.”

BARONESS DEECH
LORD BLENCATHRA
LORD ROBATHAN
BARONESS WALMSLEY

- 41** Clause 3, page 1, line 22, at end insert “subject to subsection (2A).
- (2A) If the Holocaust Memorial and Learning Centre is intended to be constructed in Victoria Tower Gardens, this Act does not come into effect until any Restoration and Renewal of the Palace of Westminster which requires the use of Victoria Tower Gardens is completed.”

BARONESS DEECH
LORD PARKINSON OF WHITLEY BAY

- 42** Clause 3, page 1, line 22, at end insert “subject to subsection (2A).
- (2A) This Act does not come into force until the Secretary of State has obtained written confirmation from both the Historic Buildings and Monuments Commission for England and the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization that they are content that the proposals for any Holocaust Memorial and Learning Centre to be built in Victoria Tower Gardens do not adversely affect the integrity, authenticity, or outstanding universal value of the “Palace of Westminster and Westminster Abbey including Saint Margaret’s Church” World Heritage Site.”

BARONESS FINLAY OF LLANDAFF

- 43** Clause 3, page 1, line 22, at end insert “subject to subsection (2A).
- (2A) This Act does not come into force until a report on the sufficiency of the fire safety and evacuation measures for the planned Holocaust Memorial Learning Centre has been laid before Parliament.”

Member’s explanatory statement

This amendment would prevent the bill from taking effect until a report on the fire safety and evacuation measures of the planned Learning Centre has been laid before Parliament.

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