



Parliamentary Buildings (Restoration and Renewal) Bill

HL Bill 187 of 2017–19

Summary

The Parliamentary Buildings (Restoration and Renewal) Bill is a government bill which would establish the statutory bodies and governance structure for the works on the restoration and renewal of buildings within the parliamentary estate. This includes:

- A Sponsor Body with overall responsibility for the works;
- A Delivery Authority to formulate proposals for and provide the operational delivery of the works; and
- A Parliamentary Works Estimates Commission to lay the Sponsor Body's estimates before Parliament and help assess the Sponsor Body's proposed expenditure.

In addition to setting up these bodies, the bill would specify their duties, how they would operate and their relationship with each other and with Parliament.

The bill follows a motion, agreed in both Houses in early 2018, to proceed with the works and to set up the bodies outlined above. The Houses agreed there was a "clear and pressing need" for the repair works. They also accepted the conclusion of the Joint Committee on the Palace of Westminster that a "full and timely decant of the Palace is the best and the most cost-effective delivery option". However, although the bill does contain some provisions as to duties the bodies would have in the case of either House decanting from the Palace, the bill itself does not enforce this option.

The bill was introduced in the House of Commons on 8 May 2019 and it completed its stages in the Commons on 19 June 2019. Four amendments were made to the bill at report stage, with two of these accepted by the Government and the others agreed upon division. These now form part of the bill. Two other matters, relating to heritage and to an annual audit of the size and location of companies involved in the works, were flagged up as matters worthy of further consideration in the House of Lords.

The bill is due to receive its second reading in the House of Lords on 8 July 2019.

Table of Contents

1. Background
2. Parliamentary Buildings (Restoration and Renewal) Bill
3. House of Commons Proceedings

Table of Contents

| | |
|--|-----------|
| 1. Background | 1 |
| 1.1 Introduction..... | 1 |
| 1.2 Motions to Agree the Restoration and Renewal Programme..... | 1 |
| 1.3 Establishment of the Shadow Sponsor Board | 8 |
| 2. Parliamentary Buildings (Restoration and Renewal) Bill | 10 |
| 2.1 Draft Bill and Pre-Legislative Scrutiny..... | 10 |
| 2.2 Provisions of the Bill..... | 13 |
| 3. House of Commons Proceedings | 17 |
| 3.1 Second Reading..... | 17 |
| 3.2 Committee Stage..... | 21 |
| 3.3 Report Stage..... | 22 |
| 3.4 Third Reading..... | 28 |

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I. Background

I.1 Introduction

This briefing focuses on the events surrounding and the provisions of the [Parliamentary Buildings \(Restoration and Renewal\) Bill](#). The main purpose of the bill is to set up the statutory bodies and governance structure for the restoration and renewal of buildings within the parliamentary estate. The need for this was agreed by motions in both Houses in early 2018 (see section 1.2 of this briefing). This briefing does not cover the events and publications on restoration and renewal of the Palace of Westminster from before this. These included:

- initial reports considering the options for the restoration and renewal programme (eg a rolling programme of more basic works over an “indefinite period”, a partial decant including substantial repairs and replacement over a long period, and a full decant allowing a concentrated period of enhanced works);¹
- a report by the Joint Committee on the Palace of Westminster, which recommended a draft motion to be debated (the draft wording was adapted by the Government for the subsequent debates).² The report concluded there was a “clear and pressing need” for the works, and that, in principle, a full decant of Parliament was the best option. It also recommended the establishment of a Sponsor Body and Delivery Authority; and
- a Public Accounts Committee report, which recommended a full decant as the most economic and efficient choice and that a decision-in-principle on this basis should be “swiftly” agreed.³ It also called for a comprehensive analysis of how this option could be achieved.

Further information on the full developments can be found in the House of Commons Library briefing, [Restoration and Renewal of the Palace of Westminster](#), 3 December 2018.

I.2 Motions to Agree the Restoration and Renewal Programme

In early 2018, the House of Commons and the House of Lords both agreed identical motions accepting the “clear and pressing need” to repair the

¹ Study Group Appointed by the Management Boards of Both Houses, [Restoration and Renewal of the Palace of Westminster: Pre-Feasibility Study and Preliminary Strategic Business Case](#), October 2012; and Deloitte et al, [Palace of Westminster Restoration and Renewal Programme Independent Options Appraisal](#), 8 September 2014.

² Joint Committee on the Palace of Westminster, [Restoration and Renewal of the Palace of Westminster](#), 8 September 2016, HL Paper 41 of session 2016–17.

³ House of Commons Public Accounts Committee, [Delivering Restoration and Renewal](#), 10 March 2017, HC 1005 of session 2016–17.

services in the Palace of Westminster “to prevent catastrophic failure in this Parliament”. The full wording of the motion follows; this House:

- (1) affirms its commitment to the historic Palace of Westminster and its unique status as a UNESCO World Heritage Site, Royal Palace and home of our Houses of Parliament;
- (2) takes note of the Report of the Joint Committee on the Palace of Westminster *Restoration and Renewal of the Palace of Westminster* (Session 2016–17, HL Paper 41);
- (3) accepts that there is a clear and pressing need to repair the services in the Palace of Westminster in a comprehensive and strategic manner to prevent catastrophic failure in this Parliament, whilst acknowledging the demand and burden on public expenditure and fiscal constraints at a time of prudence and restraint;
- (4) accordingly endorses the unanimous conclusion of the Joint Committee that a full and timely decant of the Palace is the best and the most cost-effective delivery option, as endorsed by the House of Commons Public Accounts Committee and the Infrastructure and Projects Authority;
- (5) accepts that expenditure on the Palace during this Parliament will be limited to preparatory work for the comprehensive programme of works envisaged, together with works essential to ensure the continuing functioning of the Palace;
- (6) endorses the Joint Committee’s recommendation that a Sponsor Board and Delivery Authority be established by legislation to develop a business case and costed programme for the work to be approved by both Houses of Parliament, and to commission and oversee the work required, and that immediate steps be taken now to establish a shadow Sponsor Board and Delivery Authority;
- (7) instructs the shadow Sponsor Board and Delivery Authority and their statutory successors to apply high standards of cost-effectiveness and demonstrate value for money in the business case, to report back to Parliament with up to date costings and a realistic timetable for the duration of the work, and to include measures to ensure: the repair and replacement of mechanical and electrical services, fire safety improvement works, the removal of asbestos, repairs to the external and internal fabric of the Palace, the removal of unnecessary and unsightly accretions to the Palace, the improvement of visitor access including the provision of new educational and other facilities for visitors and full access for people with disabilities; and

(8) affirms that the guarantee that both Houses will return to their historic Chambers as soon as possible should be incorporated in primary legislation.⁴

House of Commons Debate

The motion was initially agreed to in a debate in the House of Commons on 31 January 2018, where it was amended to substitute in the paragraphs 4–8 set out above.⁵ The motion had originally been five paragraphs long, and paragraphs 4 and 5 (which were replaced by the amendment) had initially stated that the House:

(4) accepts in principle that action should be taken and funding should be limited to facilitate essential work to the services in this Parliament;

(5) agrees to review before the end of the Parliament the need for comprehensive works to take place.

The amendment to the original motion was moved by the chair of the Public Accounts Committee, Meg Hillier (Labour MP for Hackney South and Shoreditch). She asserted that the amendment was important so that there was a “firm decision” on a full decant of the Palace and that it would provide for a fully costed programme of works to be developed.⁶ She stated this would make the restoration and renewal project quicker and cheaper and would help avoid delays in action being taken.

However, the then Leader of the House, Andrea Leadsom, expressed concerns over the amendment, stating there was a lack of decant accommodation available under the current plans until 2025 and that the joint committee had “acknowledged that, while recommending full decant, it had not fully costed that option”.⁷

The amendment was agreed by 236 votes to 220 and the amended motion was subsequently agreed by 234 votes to 185.⁸ A separate motion was also debated during the proceedings that would have committed to commencing work “as early as possible in the next decade”. However, due to the success of the first motion, this was not moved. Further details on this can be found in the House of Lords Library briefing, [Restoration and Renewal of the Palace of Westminster: Summary of Commons Debate](#), 2 February 2018.

⁴ [HL Hansard, 6 February 2018, cols 1916–7.](#)

⁵ [HC Hansard, 31 January 2018, cols 878–940.](#)

⁶ *ibid*, cols 915–7.

⁷ *ibid*, col 883.

⁸ *ibid*, cols 932–40.

House of Lords Debate

The House of Lords agreed the motion on 6 February 2018 without a division.

Introducing the debate, the Leader of the House of Lords and Lord Privy Seal, Baroness Evans of Bowes Park, indicated that Members would receive a free vote on the proposals, as had MPs during the House of Commons debate:

Following this debate the House will be asked to take an important decision about whether or not to support the proposition that was agreed last Wednesday in the House of Commons. As this is a motion for the House rather than for the Government, it will be a free vote on our Benches, as it was in the other place.⁹

She stressed that there were daily risks affecting the Palace of Westminster, and that, although it was currently considered “safe” to inhabit, the risks would increase year on year if not properly attended to. Listing these, she stated:

First, the lack of fire compartmentalisation means that fire patrols around the clock are necessary to keep us safe. Over the past 10 years, 60 incidents have had the potential to cause a serious fire. Secondly, there is a huge amount of asbestos in the building, much of it in the plant rooms and voids where the mechanical and engineering work needs to take place. Thirdly, many pipes and cables providing essential services are decades past their lifespan, with some now being impossible to access. This network of services, which has developed in an ad hoc way since the reconstruction of the Palace in the 19th century, is under such strain that the failure of one of them might render the building uninhabitable.

The likelihood of a major failure increases the longer that these systems are left unaddressed. While the House authorities are satisfied that the Palace is currently safe, it will become ever more difficult to maintain and manage this level of safety with every year that passes.¹⁰

Baroness Evans then set out the next steps for the project if the motion were agreed. These included:¹¹

- an outline business case to be developed, covering the design, up-to-date costs, alternative accommodation and how the

⁹ [HL Hansard, 6 February 2018, col 1917.](#)

¹⁰ *ibid*, cols 1918–9.

¹¹ *ibid*, cols 1919–20.

- programme will be delivered, which—upon completion—will need to be approved by both Houses; and
- work to begin on the governance arrangements and membership of the Sponsor Board and Delivery Authority.

Addressing the issue of potential alternative accommodation for the Houses upon decant, Baroness Evans identified Richmond House as the current likely venue for the House of Commons and the Queen Elizabeth II conference centre as the preferred venue for the House of Lords. However, she emphasised that feasibility work on the options was ongoing and that no final decisions had been made.

Baroness Evans also referred to the ongoing works in the Palace and across the parliamentary estate. She highlighted works on the Northern Estates programme¹² as an “important enabler” to restoration and renewal (R&R):

In the meantime, significant and essential repair and improvement work to the Palace will continue to take place. This includes ongoing restoration work to Elizabeth Tower, Westminster Hall, the cast-iron roofs and the stonework in the courtyards. In the Commons the renovation of the Northern Estate, which is an important enabler for the wider R&R works, will also continue.¹³

Summarising her position, Baroness Evans stated that she had no hesitation in commending the motion to the House. She stated that this was important to avoid further impasse on the issue and that a “patch and mend” approach was no longer sustainable:

There are difficult decisions to be made on how we best protect one of the world’s most iconic buildings for future generations, but we must address these decisions head on. The patch and mend approach is no longer sustainable. The way forward on R&R must be supported by both Houses as the solution has to be right for Parliament as a whole. A programme of this scale and national significance should command the broadest possible consensus. Therefore, this House must agree a motion which is substantively the same as that agreed by the other place—otherwise we will once again reach an impasse.¹⁴

This stance was backed by the Shadow Leader of the House of Lords, Baroness Smith of Basildon, who stressed the importance of agreeing the

¹² The Northern Estates programme is currently overseen by the House of Commons Commission. It involves the “refurbishment of four currently occupied listed buildings, Norman Shaw North, 1 Derby Gate, Norman Shaw South and 1 Parliament Street, preceded by the acquisition and refurbishment of Richmond House” (House of Commons, [Annual Report and Accounts 2016/17](#), 19 July 2017, p 65).

¹³ [HL Hansard, 6 February 2018, col 1920](#).

¹⁴ *ibid*, col 1918.

motion so that work could begin on setting up the Sponsor Board and Delivery Authority. She also expressed her pleasure with how the debate had been received across the House:

The Government's motion has already been agreed by MPs, and we have been asked to support the same motion so that the preparatory work can begin. I found this debate quite enjoyable and surprising in many ways. It is rare that there is such wide and deep agreement on the principle of an issue across your Lordships' House. Having such agreement in principle means that we can move on to some of the detail and can set up a Sponsor Body, with MPs, Peers, Government and officials represented on it, and a Delivery Authority. They will undertake the necessary work outlined in the motion to report back to Parliament on costs and other issues.¹⁵

Similar views were expressed by the Leader of the Liberal Democrats, Lord Newby, and the Convenor of the Crossbench Peers, Lord Hope of Craighead. Indeed, the latter stressed the point that the motion before the House best represented the views of the joint committee and allowed work to progress as soon as possible:

I welcome the fact that, if the original motion is approved by the House today, we can at last get on with it. The unanimous recommendation of the joint committee deserves to be supported. We must assume that, having the full facts before them, the members of the committee chose their language carefully. They said that there was a "clear and pressing need" to repair the services in the Palace to prevent their "catastrophic failure". Those are very strong words and I assume that they meant what they said in the light of what they knew. A failure of that kind would put public safety at risk and would make it quite impossible for the business of Parliament to be carried on here for who knows how long. So I agree that, to minimise the disruption caused by carrying out the work, a full decant offers the best and most cost-effective option.¹⁶

However, Lord Naseby (Conservative) tabled an amendment to the motion that sought to replace paragraph 4 of the motion (agreeing a "full and timely decant") with the wording: "calls for a more thorough evaluation of the options available for a phased programme of renewal".¹⁷ Explaining his reasoning, he stated he "challenged the proposals on grounds of cost, timing and particularly the impact internally and externally". He highlighted improved processes in the construction industry, historical examples of relocations within the parliamentary estate and several other development works (such as work on St Pancras and King's Cross stations) as evidence to

¹⁵ [HL Hansard, 6 February 2018, col 1992.](#)

¹⁶ *ibid*, cols 1927–8.

¹⁷ *ibid*, col 1920.

support his view that a phased approach could be taken. Pressing this further, he questioned the impact a full decant could have on staff, the relationship between the Houses and on the Queen Elizabeth II conference centre, particularly due to the potential of the work taking longer than five or six years:

Why can we not do the development in two or three phases? After the bombing in 1941, the Commons retired to Church House for a few months. It then came to your Lordships' Chamber and your Lordships went into the Robing Room. In my view, we could easily go into the Royal Gallery. Either way, it was done on a phased basis, even without all the sophisticated machinery and new facilities that we now have. When the bombs landed on the Commons they did a pretty effective job of demolishing it. If we proceeded on a phased basis, as far as the British people were concerned, Parliament and our staff would still be working here. Frankly, this work is not going to take five or six years. If Canada's work is going to take 10 years, we will be jolly lucky to achieve our restoration in 10. If it takes anywhere near that length of time, I ask noble Lords to reflect for a few moments on the impact on our staff and on what would happen to the QEII conference centre. That is a major convention centre in London. If that is taken out of service, that is the end of QEII as a conference centre. It will lose all its business. Is that what we want? I do not think that it is but others may disagree. Also, one of the values of having the Commons just across the corridor is the interaction between Members of the Commons and your Lordships. That will go if one House is in the Queen Elizabeth II Centre and the other is in the former Department of Health.¹⁸

Opposing the amendment, Baroness Evans stated that a phased approach would lead to the work taking “decades to complete”.¹⁹ This, she stated, would increase costs and cause “significant” disruption to the business of both Houses. In addition, she stated that the closure of the Queen Elizabeth II conference centre would be “carefully managed”.

Baroness Evans also highlighted the fact the amendment would lead to the two Houses having agreed different motions, which she argued would delay the programme further:

If the amendment proposed by my noble friend Lord Naseby were to be agreed by this House, both Houses would have taken materially different decisions. This would mean it was likely that no progress could be made until time was found for the other place to debate this matter again and, in effect, reconsider the position that it agreed last week only after lengthy delays and a series of votes, and I am afraid

¹⁸ [HL Hansard, 6 February 2018, col 1922.](#)

¹⁹ *ibid*, cols 1998–9.

that we would be no closer to making progress. I hope that the majority of your Lordships will agree that this would not be a desirable outcome.²⁰

Citing the strength of feeling across the House, Lord Naseby agreed to withdraw his amendment. However, he thanked those who supported his points on finance and highlighted the fact that his concerns were on record. He also confirmed his desire for the programme to go forward:

I listened carefully to all but two of the speeches and was pleased at the number of noble Lords who raised and debated the elements that I suggested needed debating. I particularly thank the noble Lord, Lord Desai, and the noble Earl, Lord Kinnoull, for raising the key point about finance. The issues I have raised are now on the record. I hope that they will provide a yardstick against which the project can be measured as it goes forward, and that they will be thought about. Nevertheless, I recognise that the vast majority of those who have attended today are most definitely in favour of the matter going forward without further ado. I too, of course, want action and to see things move forward. Against that background, I seek leave of the House to withdraw the amendment.²¹

1.3 Establishment of the Shadow Sponsor Board

Following both Houses agreeing the motions, steps have been taken to progress work on the programme. This has included the establishment of the shadow Sponsor Board, comprising seven parliamentary and five external members. These are:²²

- Liz Peace CBE as chair (who has 35 years' experience in Government and the property sector and currently serves as chair of the Government Property Agency and chairman of the Mayor of London's Old Oak and Park Royal Development Corporation)
- Lord Carter of Coles (Labour);
- Lord Deighton (Conservative);
- Lord Geidt (Crossbench);
- Baroness Scott of Needham Market (Liberal Democrats);
- Neil Gray (Scottish National Party MP for Airdrie and Shotts);
- Sir Patrick McLoughlin (Conservative MP for Derbyshire Dales)
- Mark Tami (Labour MP for Alyn and Deeside);

²⁰ [HL Hansard, 6 February 2018, col 1918.](#)

²¹ *ibid*, col 2000.

²² Houses of Parliament: Restoration and Renewal, '[Parliament Announces Appointments to Shadow Sponsor Board to Oversee Restoration and Renewal of Palace of Westminster](#)', 17 July 2018.

- Brigid Janssen (who has directed strategic communications for a variety of international financial institutions and served on the board of a heritage organisation in Canada);
- Marta Phillips (former chief executive of the Pensions Advisory Service who holds a number of non-executive appointments in the government sector and is chair of the Single Source Regulations Office Audit Committee);²³
- Simon Thurley CBE (historian and academic who was previously chief executive of English Heritage and director of the Museum of London); and
- Simon Wright OBE (who has had a 40-year career in construction and project management and was previously the chief executive of Crossrail and the director of infrastructure at the Olympic Delivery Authority).

The external appointments were overseen by an independent recruitment panel and the parliamentary appointments were agreed by the political parties and groups in both Houses.²⁴

Commenting on her appointment as chair, Liz Peace spoke of the honour she felt leading the project:

It's an honour to be taking on this important role. The Palace of Westminster is an iconic building, of huge national importance, and I'm thrilled to be leading this much-needed restoration project. Together with the talent, knowledge and experience of the wider Board, I hope to help steer the project through to successful completion, and create a Parliament building of which the whole country can be proud.²⁵

The board will be responsible for the budget, business case and scope of the restoration programme and for overseeing the work of the Delivery Authority. The Sponsor Board will also be the "single client" accountable to Parliament. At the time of writing, the shadow Delivery Authority had yet to be established.²⁶

The Sponsor Board together with its executive team make up the Sponsor Body. Both the Sponsor Body and the Delivery Authority are required to be formally set up through legislation, as provided for by the provisions of the Parliamentary Buildings (Restoration and Renewal) Bill. For example, in the

²³ UK Government website, '[Marta Phillips](#)', accessed 20 June 2019.

²⁴ House of Lords, '[Written Statement: Restoration and Renewal of the Palace of Westminster: Shadow Sponsor Board](#)', 17 July 2018, HLWS834.

²⁵ Houses of Parliament: Restoration and Renewal, '[Parliament Announces Appointments to Shadow Sponsor Board to Oversee Restoration and Renewal of Palace of Westminster](#)', 17 July 2018.

²⁶ Houses of Parliament: Restoration and Renewal, '[Sponsor Board](#)', accessed 20 June 2019.

case of the Sponsor Body, this will allow it to be set up as a “stand-alone organisation”.

2. Parliamentary Buildings (Restoration and Renewal) Bill

2.1 Draft Bill and Pre-Legislative Scrutiny

On 18 October 2018, the Government published the Draft Parliamentary Buildings (Restoration and Renewal) Bill.²⁷ As with the current version of the bill, it contained provisions establishing and setting out the roles of the Sponsor Body, Delivery Authority and the Parliamentary Works Estimates Commission:

- the Sponsor Body would have overall responsibility for the works;
- the Delivery Authority would formulate proposals for and provide the operational delivery of the works; and
- the Parliamentary Works Estimates Commission would lay the Sponsor Body’s estimates before Parliament and help assess the Sponsor Body’s proposed expenditure.

Following motions in both Houses, it was agreed that a joint committee be set up to scrutinise the draft bill. The joint committee published its final report on the draft bill on 21 March 2019²⁸ and the Government response was published on 7 May 2019.²⁹

The joint committee described the legislation as a vital preliminary step to repair and restore the Palace of Westminster and indicated it was “content with the broad outline of what is proposed”.³⁰ However, it did make a number of recommendations it hoped would improve the arrangements, particularly concerning the “ambition of the project” and “communication and accountability”.

Many of the joint committee’s recommendations were accepted by the Government. For example, it accepted the following recommendations in full:

²⁷ Leader of the House of Commons and Leader of the House of Lords, [Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 18 October 2018, Cm 9710.

²⁸ Joint Committee on the Draft Parliamentary Buildings Bill, [Governance of Restoration and Renewal](#), 21 March 2019, HL Paper 317 of session 2017–19.

²⁹ Leader of the House of Commons and Leader of the House of Lords, [Government Response to the Report of the Joint Committee on the Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 7 May 2019, CP 90.

³⁰ Joint Committee on the Draft Parliamentary Buildings Bill, [Governance of Restoration and Renewal](#), 21 March 2019, HL Paper 317 of session 2017–19, p 3.

- the Sponsor Body must have regard to the safety and security of the people who work in Parliament and members of the public when carrying out its functions;
- the essential right of members of the public to access the proceedings of Parliament throughout the R&R programme is not the same as an unqualified right of access;
- the smooth transfer of responsibility between the House Commissions and the Sponsor Body apply to the House of Lords as well as the House of Commons;
- the Leader of the House of Commons must obtain the consent of the Leader of the House of Lords before abolishing the Sponsor Body, and before laying regulations to bring the bill into force less than six months after royal assent; and
- the bill mandates the development of a Parliamentary Relationship Agreement.³¹

The Government also stated it accepted the following recommendations in principle, and would give them further consideration:

- recognising the significant heritage which the Palace of Westminster embodies;
- the importance of the Sponsor Body engaging staff and the public as part of its work;
- the importance that a restored and renewed Palace of Westminster should provide for educational facilities;
- that members of the Sponsor Board and Delivery Authority should be restricted in the number of occasions they can be reappointed;
- that the Sponsor Body should consider how best to stagger the length of the appointments; and
- reviewing the power of the Sponsor Body to dissolve the Delivery Authority after the completion of the parliamentary building works.³²

However, there were a number of recommendations the Government rejected. These included that:

- Parliamentarians be appointed to the Sponsor Board by means of elections in each House;
- the Sponsor Body be required to draft terms of agreement with the Government;

³¹ Leader of the House of Commons and Leader of the House of Lords, [Government Response to the Report of the Joint Committee on the Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 7 May 2019, CP 90, p 5.

³² *ibid.*

- a Treasury Minister should be an additional member of the Sponsor Body;
- the Sponsor Body must have regard to the need to promote public engagement with and public understanding of Parliament; and
- the bill should allow for the automatic transfer of external members from the shadow Sponsor Board to the statutory Sponsor Body once the latter has been established.³³

Commenting on these, the Government rejected the idea of elections to the board as it believed the procedure by which parliamentarians be appointed should be a matter for each House.³⁴ It also rejected the idea that members of the shadow board should automatically be transferred to the statutory board. It reasoned that:

The bill, as currently drafted, provides for the appointment of external members to the statutory Sponsor Board on merit on the basis of fair and open competition. This provides an opportunity to review the membership once the Sponsor Board is established, to ensure the correct expertise and experience is provided.³⁵

However, the Government subsequently accepted an amendment to the bill at report stage to allow members of the shadow Board to continue in their roles (subject to certain conditions).³⁶

The Government also rejected the joint committee’s recommendation that members of the Sponsor Board and Delivery Authority should serve set three-year terms, renewable up to a total of nine years.³⁷ In contrast, the draft legislation allowed terms of “no more than three years”, with no preclusion of renewal. The Government emphasised the importance of staggering the length of appointments to ensure continuity and argued for the importance of maintaining flexibility over appointment terms.

Regarding the suggested appointment of a Treasury minister to the Sponsor Board, the Government stated that it shared the belief that there needed to be sufficient scrutiny of and accountability for R&R programme costs.³⁸ However, it argued the need for accountability and transparency was already

³³ Leader of the House of Commons and Leader of the House of Lords, [Government Response to the Report of the Joint Committee on the Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 7 May 2019, CP 90, pp 5–6.

³⁴ *ibid*, p 10.

³⁵ *ibid*, pp 21–2.

³⁶ See section 3.3 of this briefing.

³⁷ Leader of the House of Commons and Leader of the House of Lords, [Government Response to the Report of the Joint Committee on the Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 7 May 2019, CP 90, p 10.

³⁸ *ibid*, p 13.

covered by the provisions within the bill. On this basis, it also rejected the call for a “terms of agreement” to be drafted.

Finally, on the proposal for the Sponsor Body to consider public engagement as part of its remit, the Government did not consider this to be appropriate given the scope of its role. Instead, it argued it was the job of Parliament:

We do not consider it appropriate that this should be part of the Sponsor Board’s role given its focus on overseeing and delivering the R&R programme. We believe it is the role of Parliament to increase public understanding of its work and therefore do not feel this recommendation should be included in the bill.³⁹

However, it did believe this should form part of the Sponsor Board’s considerations when engaging with the public on the R&R programme.

2.2 Provisions of the Bill

This section of the briefing contains information on the bill as introduced in the House of Lords. This reflects changes made to the bill during report stage in the House of Commons. Further details on the Commons proceedings can be found in section three of this briefing.

The bill contains 15 clauses and four schedules.

Clause 1 defines the term “Parliamentary building works” under the legislation. It defines the term broadly to include works on or off the Parliamentary Estate. Works off the Parliamentary Estate may be specifically designated to be covered by the legislation by the Commissions of both Houses with the approval of the Sponsor Body and Delivery Authority. This would allow the Northern Estates Programme⁴⁰, considered an important first step to delivering R&R, to be covered by the legislation.

In addition, clause 1(3) specifies that if either House is required to relocate from the Houses of Parliament during the programme then those carrying out the bill’s functions should do so with the intention of facilitating the return of that House to the Palace “as soon as is reasonably practicable”.

³⁹ Leader of the House of Commons and Leader of the House of Lords, [Government Response to the Report of the Joint Committee on the Draft Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 7 May 2019, CP 90, p 7.

⁴⁰ The Northern Estates programme is currently overseen by the House of Commons Commission. It involves the “refurbishment of four currently occupied listed buildings, Norman Shaw North, 1 Derby Gate, Norman Shaw South and 1 Parliament Street, preceded by the acquisition and refurbishment of Richmond House” (House of Commons, [Annual Report and Accounts 2016/17](#), 19 July 2017, p 65).

Clause 2 would establish the statutory Sponsor Body. It provides that the Sponsor Body would have overall responsibility for the parliamentary building works and sets out its duties. For example, it would require the Body to: determine the “strategic objectives” of the works; to form, fund and impose requirements upon the Delivery Authority; and to consult with members of both Houses.

The Body’s duties were added to during report stage in the House of Commons to require the Delivery Authority, when allocating contracts for construction and related work, to have regard for the “company’s policies on corporate social responsibility, including those relating to the blacklisting of employees or potential employees from employment”.

Clause 2(4) specifies that the Sponsor Body must have regard to a series of factors when exercising its functions. These include the need to:

- ensure the works represent good value for money;
- ensure Parliament is accessible for members of the public (both during the programme and upon completion);
- protect the environment and contribute to sustainable development;
- ensure the safety and security of the people who work in Parliament and of the public during the works; and
- ensure the economic benefits of the works are delivered across the United Kingdom, in terms of contracts for the works and in any other way the Sponsor Board considers appropriate.

The last requirement was added to the bill through an amendment at Commons report stage.

Further provisions about the Sponsor Body are contained in schedule 1 of the bill, including those relating to its membership, its powers and reporting requirements and its staffing and procedure. Again, a new provision in this schedule was inserted following an amendment at report stage in the House of Commons. This new provision would ensure the external members of the shadow Sponsor Body, including the chair, would continue in post following the establishment of the statutory Body, if agreed by both Houses of Parliament.

Clause 3 would require the Sponsor Body to form a Delivery Authority. It explains that the Delivery Authority would be a company limited by guarantee, with the Sponsor Body its sole member and guarantor. The clause also sets out the authority’s duties, which are explained in the bill’s explanatory notes as follows:

The Delivery Authority’s duties are to formulate proposals relating to

the Palace restoration works and to ensure the operational delivery of the parliamentary building works, both in line with the Sponsor Body's requirements. The Delivery Authority may do whatever it considers necessary in order to carry out its duties, provided it acts in accordance with [the] Sponsor Body's requirements, with the agreement that it enters into with the Sponsor Body, and with its memorandum and articles of association. For example, it is expected that the Delivery Authority will be free to decide on what it considers to be the most appropriate procurement strategy, and what form of commercial contracts it will use.⁴¹

The Delivery Authority must also have regard to the same issues as the Sponsor Body (such as those in the bullet-pointed list above). Further provisions regarding its operation, staffing and management are contained in schedule 2.

Clause 4 would provide for the relationship between the Sponsor Body and the Delivery Authority. It includes a requirement for them to enter into a "programme delivery agreement". This agreement should contain:

- a statement of the strategic objectives of the parliamentary building works;
- provision about how the authority's activities can be reviewed by the Body; and
- provision on how the Body may intervene where it believes the authority is not performing its duties "effectively and efficiently".

The agreement may also cover any other matters relating to the works that both bodies agree is appropriate.

In the event of the bodies failing to find agreement on a "relevant matter", then either of the bodies can refer the issue to the House Commissions. Any decision made by the House Commissions to resolve a disagreement is binding on both bodies and is treated as part of the delivery agreement.

Clause 5 would require the Sponsor Body to develop a strategy for consulting members of both Houses on the strategic objectives and the strategic decisions of the parliamentary building works. This strategy would need to be published within eight weeks of the commencement of the provisions. The Sponsor Body would be required to keep the strategy under review, revise if appropriate, and publish any revised versions.

Clause 6 would provide for the relationship between the Sponsor Body and Parliament. It would require the Sponsor Body to enter into agreements with the Corporate Officers of both Houses, to be known as the

⁴¹ [Explanatory Notes](#), p 5.

parliamentary relationship agreement. Provisions in this may cover the buildings to which the works related, including responsibility for those buildings, and the consultation and co-operation between the parties. The agreements could be varied by agreement between the parties.

Clause 7 would require parliamentary approval, by resolution of each House, for the Delivery Authority's proposals on the design, cost and timing of the restoration works and also approval for the overall ("phase two") cost of the parliamentary building works, which start from the time parliamentary approval is obtained. The explanatory notes state:

Other than preparatory works for the R&R Programme, no substantive Palace restoration works may be carried out before such parliamentary approval has been obtained. Preparatory works are likely to include matters such as preliminary design work.

If parliamentary approval is given, "phase two" of the R&R Programme will begin. As above, the approval resolution will specify the overall funding limit in respect of all of the phase two parliamentary building works.⁴²

Therefore, "phase one" covers the period from clause 1 of the bill coming into force and ends with the start of "phase two", which begins when initial parliamentary approval is obtained.

The clause would require further parliamentary approval to be obtained if:

- the Sponsor Body adopts new proposals (formulated by the Delivery Authority) in relation to the Palace restoration works which it considers would significantly affect the design or timing of those already approved; or
- the Sponsor Body considers the approved funding in relation to phase two will be insufficient.

Clause 8 would establish the Parliamentary Works Estimates Commission. This estimates commission would be responsible for laying the Sponsor Body's estimates before Parliament and for assessing the Body's proposed expenditure.⁴³ Further details on its operation and membership are set out in schedule 3.

Clause 9 would provide for the Sponsor Body being funded by Parliament. It would also allow the Body to provide funding to the Delivery Authority, so that, in effect, this would also be funded by Parliament. The Body's annual

⁴² [Explanatory Notes](#), p 7.

⁴³ *ibid*, p 3.

estimates would be reviewable by the estimates commission and by Parliament. Schedule 4 provides further details on the arrangements for the Sponsor Body's estimates.

Clause 10 would provide the powers to abolish the Sponsor Body and the Estimates Commission. The exercise of these powers would lie with the Leader of the House of Commons, but must be approved by regulations made under the affirmative resolution procedure. In addition, the Leader of the House of Commons must first consult with the Corporate Officers and Commissions of both Houses, and obtain the consent of the Leader of the House of Lords. The clause would also allow the regulations abolishing the Sponsor Body to provide for the transfer of functions, property, rights or liabilities (however, this would not be required for the estimates commission). It would also allow the regulations to make consequential or transitional provisions, including amendments to the Act itself.

Clause 11 would allow the Sponsor Body to dissolve the Delivery Authority upon completion of the parliamentary building works and subject to the consent of the House Commissions and Corporate Officers.

Clauses 12 to 15 contain miscellaneous provisions, including those on interpretation, territorial extent and commencement. These specify that where the Act refers to the doing of anything by the House Commissions it means those bodies acting jointly.

As to the bill's commencement, the majority of the provisions would come into force six months after royal assent, or on an earlier date (or dates) if appointed by regulations made by the Leader of the House of Commons. This would require the prior consent of the Leader of the House of Lords.

3. House of Commons Proceedings

3.1 Second Reading

The bill's second reading took place in the House of Commons on 21 May 2019.

Introducing the debate, the then Leader of the House of Commons, Andrea Leadsom, spoke of the important and urgent need to begin work on repairing and restoring the Palace of Westminster.⁴⁴ She spoke of the risks affecting the Palace, including fire and recent incidents of falling masonry, stating:

It is only through luck that none of them has led to any serious injuries or even fatalities. Operating on luck is absolutely no way to proceed.

⁴⁴ [HC Hansard, 21 May 2019, cols 635–47.](#)

We would not be forgiven if one of those incidents had caused significant harm to a visitor or a member of staff.⁴⁵

She also referred to the rapidly deteriorating nature of the Palace, stressing that this was leading to an increasing amount of costly repair work:

Over the decades, there have been countless water leaks, floods, sewage leaks, and lighting and power outages, and these incidents are about much more than inconvenience. They demonstrate the rapidly deteriorating state of the Palace and the increasingly urgent need to act. The restoration of the Palace should have started literally decades ago, and the House authorities are now managing far too many serious risks, at great cost to the taxpayer. My concern is that the pace of deterioration is now much faster than our ability to patch and mend.⁴⁶

Emphasising that the bill before the House was only intended to set up the governance arrangements for the repair and restoration work, she stressed the debate should not focus on the issues of a possible decant or relocation of Parliament. Instead, she urged the backing of the bill before the House, describing it as a “unique opportunity to save this iconic and, to many, beloved building”.⁴⁷

Speaking for Labour, the Shadow Cabinet Office Minister, Christian Matheson, indicated his party’s support for the bill and paid tribute to Andrea Leadsom for her work gaining support for it across the House:

I pay tribute to the Leader of the House for her excellent introduction to the bill. My understanding is that over the past few months she has brought together Members from right across the House, in what has been a very difficult process. She has managed to find consensus, and I pay tribute to her for that.⁴⁸

Although he accepted the importance of obtaining value for money in the works, he stressed that the Palace is “one of the most historic and iconic buildings in the world and that preserving that history will come at a cost”.⁴⁹ He also highlighted how this would be covered by the governance arrangements set out in the bill.

He used the rest of the speech to highlight five areas Labour believed were important to consider during the bill’s progress, namely: “public engagement;

⁴⁵ [HC Hansard, 21 May 2019, col 635.](#)

⁴⁶ *ibid*, cols 637–8.

⁴⁷ *ibid*, col 642.

⁴⁸ *ibid*, col 647.

⁴⁹ *ibid*, col 648.

the education centre; carbon emissions and environmental sustainability; skills and employment conditions; and modernisation and heritage”.⁵⁰

Although he signalled the Scottish National Party (SNP) would not be opposing the bill, Pete Wishart, the Shadow SNP Leader of the House of Commons, did express a number of concerns his party had with the bill and with the R&R programme more generally.⁵¹ This included the potential cost of the project, which he believed would not be welcomed by the public, and how the project could benefit the other regions and nations of the UK. He also questioned why the current proposed course of action was to temporarily move out and then return to the Palace, instead suggesting Parliament should move to new, more modern accommodation. Indeed, he believed that the building could be sold off in those circumstances, and argued this would drastically reduce the cost to the taxpayer:

It is a real pity that we were not listened to when we were going through all these Committees, when we proposed selling this building off to the private sector. People would be queuing up and biting our arm off to get hold of a place like this. It is a UNESCO site and one of the most iconic buildings in the world. They would be fighting each other to get their hands on it. Selling it off to the private sector would obviously save us billions of pounds on the redevelopment costs. We could then move out to a new building that would meet our requirements as a modern 21st-century democracy. It would meet all the security arrangements that we obviously need, and it would actually accommodate all 650 Members, which is more than can be said for this place.⁵²

Despite this, Pete Wishart did stress that the SNP fully backed the urgent need to move out of the building, describing it as:

Ridiculous to try to stay in a place that is practically falling down and that is infested with vermin. It is no place for our visitors to come to and it is imperative that we should move.⁵³

Other MPs raised concerns about the possible decant and the building of a temporary Chamber elsewhere. For example, Sir Edward Leigh (Conservative MP for Gainsborough) questioned why the work could not be started immediately, particularly given the risks to the building that had been highlighted. Also, although he stated that he accepted the will of the House on the matter of a full decant, he queried whether the work could be carried out over the summer if the September sittings were stopped and

⁵⁰ [HC Hansard, 21 May 2019, col 649.](#)

⁵¹ *ibid*, cols 657–62.

⁵² *ibid*, col 660.

⁵³ *ibid*.

expressed reservations about spending money on a temporary Chamber.⁵⁴ He continued:

The issue now is no longer about decant or no decant; the issue is whether, in the current economic climate, we can justify knocking down a grade II listed building [Richmond House], which was only completed in 1987, to accommodate a permanent replica Chamber of exactly the same size as the Chamber we are in, with division lobbies of the same size. To facilitate that, we will have to knock down a perfectly good listed building, which can be renovated and restored [...]

We do not necessarily need a replica the same size as this Chamber. We do not necessarily need to vote during a short period in the way that we do now. As I mentioned, we could use voting terminals in the lobbies. There are all sorts of ways of doing this job more expeditiously and more cheaply, and equally safely. That is what I would suggest.⁵⁵

In addition, Sir Edward Leigh expressed concerns over how long it may be before Parliament could return to the building, believing it could become “too comfortable” in a replica Chamber. He also relayed concerns about the potential for changes to procedure, tradition and practice upon returning to the Palace:

Other Members are worried that there will be more and more debate about whether, when we come back, we should change the whole nature of this place—our procedures and all the décor and so on. The Leader of the House has to convince us that every bit of the Barry structure—this iconic building—every bit of the Pugin decoration, which is admired worldwide, will be replaced exactly as it is, so that after five or eight or 10 years, we come back to Committee Rooms, to a Chamber, to Lobbies, that look identical.⁵⁶

Addressing Sir Edward Leigh’s points at the conclusion of the debate, the interim Parliamentary Secretary (Minister for the Constitution), Kevin Foster, acknowledged the arguments made and stated that they underlined the importance of proceeding with the bill so that work on the Palace could start:

[Sir Edward Leigh] gave a passionate speech showing his great knowledge and skill and making very clear the risks that we are running if we decide not to grasp this nettle. He talked us through the options.

⁵⁴ [HC Hansard, 21 May 2019, cols 673–8.](#)

⁵⁵ *ibid*, cols 676–7.

⁵⁶ *ibid*, col 677.

I know he has been a passionate proponent of particular outcomes for this project, but it is right that whatever option we look to take—whatever our thoughts on particular aspects of the project—we move on with this bill and set up the Delivery Authority to allow it to happen.⁵⁷

3.2 Committee Stage

Committee stage took place across two public bill committee sittings on 4 June 2019. No amendments were made to the bill during the committee proceedings, but two Opposition amendments were defeated on division.

Both amendments moved to a division, tabled by Christian Matheson and Meg Hillier respectively, would have added to the Sponsor Body's list of duties in clause 2 of the bill and were similar, but stronger, versions of amendments subsequently agreed at report stage. These now form clause 2(2)(f) and (4)(h) of the bill.

The first called on the Delivery Authority to ensure that contracts for construction work were not awarded to companies that had been found to blacklist workers or that had failed to enter into a Trade Union Recognition Agreement.⁵⁸ The second would have required the Delivery Authority to ensure that opportunities to bid for contracts were promoted across the UK and that a yearly audit be carried out of the location and size of the companies awarded contracts.

In both cases, Kevin Foster stated that although the Government agreed with the principle of the amendments, it believed they should not be included in the bill.⁵⁹ Instead, it stressed that the matters should be for the Sponsor Body to consider as part of its work and through its agreements with the Delivery Authority and both Houses of Parliament. It argued this would ensure the Sponsor Body could attract an appropriate range of bidders and seek value for money. However, Kevin Foster emphasised his belief that the Sponsor Body would fully consider both these issues when awarding contracts.

Both amendments were defeated by 9 votes to 8 upon division.⁶⁰

⁵⁷ [HC Hansard, 21 May 2019, col 694.](#)

⁵⁸ House of Commons, [Public Bill Committee: Parliamentary Buildings \(Restoration and Renewal\) Bill](#), 4 June 2019, 1st sitting, cols 6–7.

⁵⁹ *ibid*, cols 25–30.

⁶⁰ *ibid*, col 34.

In addition, five further amendments were discussed but not moved to a division.⁶¹ These covered proposals:

- to elect the parliamentary members of the Sponsor Body;
- for the chair of the shadow Sponsor Body to be appointed to the statutory body without having to go through a new recruitment exercise (a similar amendment was agreed and added to the bill at report stage);
- for the Comptroller and Auditor General to have access rights to assess the preparedness of the Sponsor Body and the Delivery Authority to undertake the works;
- for the Sponsor Body to have regard to a firmer commitment on making educational facilities available to visitors of the restored premises (again, a similar amendment was agreed and added to the bill at report stage); and
- requiring the Delivery Authority to publish a report setting out how it will ensure full disabled access to the restored Palace.

3.3 Report Stage

At report stage, five amendments were made to the bill, covering four issues:⁶²

- the shadow Sponsor Body's external members automatically continuing their role in the statutory board, subject to agreement by both Houses of Parliament;
- the strengthening of the Sponsor Body's duty so it must have regard to the "need to ensure" educational facilities are available to visitors of the Palace after the works;
- a requirement for the Delivery Authority to have regard to a company's policies on corporate social responsibility (including those relating to blacklisting) when awarding contracts; and
- the Sponsor Body having regard to the need to ensure that economic benefits of the parliamentary building works are delivered across the nations and regions of the United Kingdom.

The first two issues were supported by the Government and agreed without division.

Speaking to the amendments proposing a continuation of the shadow Sponsor Body's external membership, Mark Tami (Labour MP for Alyn and

⁶¹ Further details on these can be found in the House of Commons Library briefing on the debate, [Parliamentary Buildings \(Restoration and Renewal\): Progress of the Bill](#), 17 June 2019.

⁶² [HC Hansard, 19 June 2019, cols 268–306.](#)

Deeside) expressed his appreciation of the work of the external members and his belief that the amendment would ensure some continuity:

As a member of the shadow board, I can say that I greatly value the work and experience that the external members of the shadow board have brought to bear, and I think it is important that that carries on. The amendments cover the members who only last year went through a fair and open competition, based on merit, to be appointed to the shadow Sponsor Body. Given that the shadow Sponsor Body has only recently commenced its work, it is important to retain these members, for now, for the continuity of the restoration and renewal programme.⁶³

He welcomed the Government's support on the amendments.

Speaking for the Government, Kevin Foster emphasised that support. He said that although the Government believed the original drafting provided flexibility, this did not seem necessary under the present circumstances.⁶⁴

Moving the amendment regarding the need to ensure educational facilities in the restored premises, Christian Matheson agreed with the Government that the provision needed to be as flexible as possible, but asserted that it must be unambiguously present in the bill. He praised the current facilities:

The education team does a brilliant job of engaging young people in Parliament and politics, and that success must continue on the renewed parliamentary estate. It is therefore crucial that a concrete commitment is made to guarantee the refurbishment of our vital education services. The education centre cannot be an optional extra. It plays a vital role in helping schoolchildren to develop a political understanding and in engaging the politicians and public servants of the future.⁶⁵

Kevin Foster indicated that the Government had reflected upon the points raised regarding the education centre at committee stage, and now supported the proposal. He explained:

Although we were keen to have a bill that is a framework allowing the Delivery Authority to get on practically, it did seem rather inconceivable that Members in this House or the other place would support a project that did not include an education centre. As an inevitable part of the project, it makes sense to make an education

⁶³ [HC Hansard, 19 June 2019, cols 270–1.](#)

⁶⁴ *ibid*, col 294.

⁶⁵ *ibid*, col 287.

centre a need, rather than a desire. This does not unduly constrain the ability of the Sponsor Body to take the project forward.⁶⁶

Turning to the proposal to place a requirement on the Delivery Authority to have regard to a company's policies on corporate social responsibility when awarding contracts, Christian Matheson repeated the concerns he raised during committee about blacklisting within the construction sector:

I remind the House that blacklisting is pernicious. It destroys lives, it is dangerous, and it is still going on. Skilled and qualified tradesmen are still refused starts, or are finished up on a job after just a couple of days, without explanation. If a worker's name appears on a blacklist, it may well be because he or she has been a trade union representative or—more likely—because they have in the past complained about poor health and safety standards. Construction is a dangerous business. Site managers are under pressure to keep costs down, but that can lead to lower standards. Too often, the men or women who have been willing to stand up for their fellow workers and challenge lax health and safety regimes are the ones who have been marked down as troublemakers, when the truth is that in many respects they do their employers a service.⁶⁷

Welcoming the Government's condemnation of blacklisting at committee stage, he asserted that it was now important for Parliament to actually take a stand against the practice. He indicated he had listened to colleagues and hoped his new amendment would be viewed as "less prescriptive".

As at committee stage, Kevin Foster sympathised with the purpose of the amendment, but stressed that the Government did not feel it needed to be in the bill. He stated that the issue was adequately covered by current legislation and by the provisions in the bill that ensured transparency and accountability through the entire process of the building works:

We consider that the current legislative framework and the bill's provisions already include the necessary safeguards to ensure transparency, accountability to Parliament through the period of the parliamentary building works and ongoing scrutiny of the parliamentary building works. Parliamentary committees will also have the opportunity to scrutinise works that are ongoing. While the Government cannot support the amendment, we believe many measures are in place that will allow us not only to tackle blacklisting but to ensure there is constant accountability to this place on the widest range of environmental, social and labour legislation, and to ensure that this project is an exemplar of them all.⁶⁸

⁶⁶ [HC Hansard, 19 June 2019, col 294.](#)

⁶⁷ *ibid*, col 291.

⁶⁸ *ibid*, col 298.

Upon division, the amendment was agreed by 211 votes to 132.⁶⁹

Moving the amendment requiring the Sponsor Body to have regard to the need to ensure that economic benefits of the works are felt across the UK, Neil Gray (SNP MP for Airdrie and Shotts) stressed this was important as a matter of fairness and also to gain full political and public support. He stressed that the bill, as drafted, contained nothing to ensure this, but that the project would involve taxpayer money from across the UK:

Nowhere in the bill is there a commitment that the project will see benefit derived outside London. However, clause 9, which is about spending issues relating to the project, extends and applies to Scotland. That means that taxpayers in Scotland will pay for their share of these works on a project in London but, with the way the bill is currently drafted, will get nothing in return. We have had warm words, but according to what the bill actually says, which is what matters, this will be another massive capital project in London, which already enjoys a huge share of UK capital spending [...]

If amendment 4 does not pass, there will be nothing in the bill to mandate the Sponsor Board or the Delivery Authority to ensure that any spending, any procurement or even one single job is gained outside London, where the project will obviously be based.⁷⁰

The amendment was also supported by some Labour MPs, including Meg Hillier, who tabled a similar amendment at committee stage.

Responding for the Government, Kevin Foster again stressed support for the principle of the amendment and believed it would be a matter considered by the Delivery Authority. However, he indicated the Government could not support the amendment, as it had concerns over how it may relate to procurement law:

Where I have concerns, sadly, is in how this amendment relates to procurement law. The Delivery Authority will need to create a level playing field as per the public procurement rules. Within these parameters, it is of course open to the Delivery Authority to encourage nations and regions across the UK to participate fully in and to benefit from the works processes. For example, the Delivery Authority may take steps to ensure that companies UK-wide are aware of the bids process by taking out advertising in regional media outlets and perhaps by doing roadshows, as Heathrow airport has done. However, in developing its procurement strategy and assessing bids, it would not be lawful to factor in the geographical location of companies. Adjusting the playing field in the way the amendment

⁶⁹ [HC Hansard, 19 June 2019, cols 301–3.](#)

⁷⁰ *ibid*, col 273.

prescribes would, I am advised, expose the Delivery Authority to challenge under procurement law.⁷¹

In response, Neil Gray expressed his belief that the wording of the amendment would not cause any issues with procurement law.

The amendment was moved to a division and agreed by 203 votes to 117.

A linked amendment, which would have required an annual audit of the size and geographical location of companies that have been awarded works, was also discussed. This requirement would have been added to clause 2 of the bill. One of the sponsors of the amendment, Christian Matheson, believed it would not be “onerous” and would allow Parliament to monitor how the work was being distributed: “no more, no less, but at least it would give us an opportunity to see what was happening”.⁷²

Kevin Foster again indicated he appreciated the purpose of the amendment, but believed that the wording was not appropriate to add to clause 2 of the bill. Instead, he suggested that adding similar wording to schedule 1 could be considered and worked on for the bill’s passage through the House of Lords:

Given the intention for reporting, this could be put in the part of schedule 1 that already lists, for example, the annual statement of accounts and the report on the building works that must be presented and laid. It would make sense to work on such an option and present in the other place something that sums up these areas, without putting it where it would look unusual and making sure that we do not violate the procurement rules.⁷³

The amendment was not moved.

It was also suggested that the issue of heritage may be considered further in the House of Lords. For example, Tim Loughton (Conservative MP for East Worthing and Shoreham) sponsored an amendment that would have added the following wording to the list of matters that the Sponsor Body must have regard to:

The need to conserve and sustain the outstanding architectural, archaeological and historical significance of the Palace of Westminster, including the outstanding universal value of the World Heritage Site.

Speaking to the amendment, Tim Loughton stated that it was supported by Historic England and the All-Party Parliamentary Archaeology Group (of

⁷¹ [HC Hansard, 19 June 2019, col 298–9.](#)

⁷² *ibid*, col 288–9.

⁷³ *ibid*, col 299.

which he is co-chair).⁷⁴ He stressed the importance of ensuring that everything in and around the Palace is protected during the works and beyond:

We must absolutely make sure that, in the considerable work that will need to take place in this Palace, the full archaeological integrity and importance of the building—what is under it, what is on it and what is next to it—is appreciated and we do not lose the opportunity to investigate more the history of this place or destroy, in our pursuit of getting a building that is more sustainable, user-friendly and so on, all that in the process.⁷⁵

Although he accepted that the matters would likely be considered as part of the planning process, he questioned the downside of adding archaeological and historical significance as matters of equal consideration on the face of the bill.⁷⁶ He believed this argument would also attract the interest of the House of Lords:

I know that the Minister will argue that the considerations that I am trying to insert in the bill are covered by planning law, and by the various agencies—English Heritage, as was, and others—which will have an input. However, things that have happened in the past have led to the neglect or destruction of major features in the House. I think it is crucial—and sensible—that when the Sponsor Body is carrying out all its other important functions, someone should be able to ask, “And how does that preserve, or promote, or make more accessible or available or better explain, the archaeological, historical and architectural importance of this building?” That is all I am asking. I do not think it unreasonable, and I think that many others, in another place, will advance a similar argument.⁷⁷

Kevin Foster appreciated the importance of the amendment, stating that everyone recognised the need to respect the heritage of the building while also ensuring it is repaired and restored to meet modern needs:

[All of us are] keen that the work is undertaken in a way that preserves the unique heritage of this building for future generations while respecting the fact that there is no intention for this building to become a museum; it has to continue to be a functioning Parliament for visitors, the staff who work here and others.⁷⁸

⁷⁴ [HC Hansard, 19 June 2019, col 276.](#)

⁷⁵ *ibid*, col 277.

⁷⁶ *ibid*, col 281.

⁷⁷ *ibid*, col 282.

⁷⁸ *ibid*, col 295.

However, he stated the Government had concerns over the wording of the amendment. He stated that as the world heritage site also encompasses Westminster Abbey and St Margaret's Church, this could lead to misinterpretation. In addition, he explained the Government was concerned that "explicit provision" to protect heritage in this manner may override the opportunities to renew and improve the site's purpose.

Kevin Foster urged Tim Loughton to withdraw the amendment, stating that work could then be done on tabling a more appropriately worded amendment during the bill's passage through the Lords:

There could be some useful engagement with him, his group and Historic England, to look for an appropriate wording that could be inserted into the bill in the other place. That would cover the legitimate concerns he has picked up.⁷⁹

The amendment was not moved.

3.4 Third Reading

Opening third reading, the Leader of the House of Commons, Mel Stride, thanked everyone for their work on the bill and expressed the opinion it had found a high level of consensus across the House.⁸⁰ He described it as a bill for Parliament as a whole, rather than the Government, and reiterated the importance of the works.

Turning to the amendments made to the bill, he stressed that some of these had been made with the support of the Government, but that some issues may be worth further discussion during the bill's progress through the House of Lords:

We look forward to examining them and to considering whether they might be improved or changed in some way when this bill goes to the other place, but that is down to the will of the House.⁸¹

Meg Hillier also expressed gratitude for the work progressing the bill. She reiterated the need to move out and get on with the works and for future Parliaments to guard against the Palace falling into such disrepair. She also called for further consideration in the House of Lords of the need to provide for annual audit reports on the size and location of the companies carrying out the work.⁸²

⁷⁹ [HC Hansard, 19 June 2019, col 295.](#)

⁸⁰ *ibid*, col 306.

⁸¹ *ibid*, col 307.

⁸² *ibid*, col 314.

Andrea Leadsom, former Leader of the House of Commons and the initial sponsor of the bill, also spoke of all the hard work on the issue over the last few years.⁸³ She stated she was glad to see the House accept the need to get on with the works:

I am so glad to see this vital legislation moving forward and that the House itself has come to accept that, if we want to stay here for decades to come and pass this great Palace on to future generations, we simply must get on with it.⁸⁴

However, she did make three additional points that she believed the Sponsor Body and Delivery Authority should consider, which she viewed as “critical to value for money and to the securing of a modern and functioning democracy”.⁸⁵ First, having received assurances it would not negatively impact work on the project, she called for Elizabeth Tower to remain open to members of the public. She stated that it will have been “expensively restored” and will be finished “long before we leave this place”. Second, she called for consideration of also retaining access to the Grand Committee Room in Westminster Hall, which she viewed as a “particularly useful place”. She stated it would not, in itself, be impacted significantly by the works, but did accept that access would be complicated by the works going on around it. Finally, she expressed concerns about media access to Parliament during the works. She noted that, under current proposals, the media could have “considerably” less space than they do now.

Finally, speaking for the SNP, Neil Gray agreed with many of the points raised by Andrea Leadsom and suggested they should be fully considered.⁸⁶ He also welcomed the fact that the amendment on ensuring the economic benefits of the works were felt across the UK had been supported by much of the House and had made it into the bill. Welcoming Kevin Foster’s willingness to engage on issues during the Commons passage of the bill, he urged the Government “not to sabotage” the economic benefits provision when it is considered in the House of Lords.

⁸³ [HC Hansard, 19 June 2019, cols 310–2.](#)

⁸⁴ *ibid.*, col 312.

⁸⁵ *ibid.*, cols 311–2.

⁸⁶ *ibid.*, col 313.