



HL Bill 4 of 2024–25

Holocaust Memorial Bill

Author: Heather Evennett

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The [Holocaust Memorial Bill](#) is due to have its second reading in the House of Lords on 4 September 2024. It is a government bill, introduced under the previous Conservative government and continued by the newly elected Labour government. It is sponsored by the Ministry of Housing, Communities and Local Government (MHCLG).

This short bill seeks to make provision for expenditure on the construction and operation of a Holocaust memorial and learning centre. It would also remove restrictions on building these in Victoria Tower Gardens, next to Parliament. While there has been cross-party support for the concept of a Holocaust memorial and learning centre, concerns have been raised relating to its location, design, cost and security measures in place to protect it. One demonstration of this is the 2021 legal challenge to the planning decision to build the memorial and learning centre in Victoria Tower Gardens.

The High Court subsequently decided to quash planning permission for a memorial and learning centre, citing restrictions in the London County Council (Improvements) Act 1900. These are the restrictions the bill seeks to remove. Should the bill pass, the planning decision to locate the memorial and learning centre in Victoria Tower Gardens would need to be retaken.

The bill is a hybrid bill, meaning it applies generally but also has a particular effect on specific groups, people or places. This entails additional stages for the bill. The bill was subject to a carry-over motion prior to the dissolution of the 2019–24 parliament, having completed all of its stages in the House of Commons. The bill is made up of two substantive clauses. It would extend to England and Wales, and apply to England. It would come into force two months after receiving royal assent.





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I. Background

On 18 July 2024, the government introduced the Holocaust Memorial Bill in the House of Lords.¹ The bill would authorise expenditure on the construction and operation of a Holocaust memorial and learning centre. It would also allow the building of a memorial in Victoria Tower Gardens by disapplying relevant sections of the London County Council (Improvements) Act 1900. Victoria Tower Gardens is a Grade II listed public park next to Parliament and dates from the nineteenth century.²

The bill is a hybrid bill and completed its stages in the House of Commons during the 2019–24 parliament.³ It was subject to a carry-over motion in the House of Commons on 22 May 2024,⁴ and had been introduced in the House of Lords on 23 May 2024. The bill was re-introduced into the House of Lords in the 2024–25 parliamentary session on 18 July 2024.⁵ The bill was not mentioned in the 2024 Labour Party manifesto. However, the briefing notes accompanying the King’s speech on 17 July 2024 outlined the government’s intention to proceed with the bill, stating:

We must do everything we can to ensure that the Holocaust is never forgotten and to fight antisemitism and all forms of hatred and prejudice in our society. Our Holocaust Memorial Bill will support the building of a national Holocaust memorial and learning centre in the heart of our democracy, next to the Houses of Parliament. It will be a focal point for national remembrance of the Holocaust, dedicated to the six million Jewish men, women and children and all other victims of the Nazis and their collaborators.⁶

I.1 Establishing a new national Holocaust memorial and learning centre

The potential creation of a new memorial to the Holocaust has been mooted for over a decade. Prime Minister David Cameron stressed the importance of preserving the memory of the Holocaust when he gave a speech to mark the 25th anniversary of the Holocaust Educational Trust on 16 September 2013. To this end he announced a multi-faith, cross-party commission “to investigate whether further measures should be taken to ensure Britain has

¹ [HL Hansard, 18 July 2024, col 132.](#)

² Royal Parks, [‘History of Victoria Tower Gardens’](#), accessed 6 August 2024.

³ UK Parliament. [‘Holocaust Memorial Bill’](#), 18 July 2024.

⁴ [HC Hansard, 22 May 2024, cols 992–3.](#)

⁵ [HL Hansard, 18 July 2024, col 132.](#)

⁶ Prime Minister’s Office, [‘King’s Speech 2024: Background briefing notes’](#), 17 July 2024, p 100.



a permanent and fitting memorial and educational resource for generations to come”.⁷ The events which culminated in the Holocaust Memorial Bill reaching the House of Lords on 18 July 2024 are outlined in brief below:

- **2013:** Speech by then Prime Minister David Cameron announcing the creation of a commission to investigate the potential for a memorial and educational resource. The commission was led by Mick Davis, who was the then chair of the Jewish Leadership Council.
- **2014:** A public call for evidence ran from 27 January to the end of May with people across the country invited to submit their views.
- **2015:** The commission published its report, ‘Britain’s promise to remember’, in January.⁸ Its recommendations included “a striking and prominent new national memorial” and a “world-class learning centre”, an endowment fund “to secure the long-term future of Holocaust education”, and three potential sites for any memorial; these did not include Victoria Tower Gardens.⁹ David Cameron accepted the recommendations and set up the United Kingdom Holocaust Memorial Foundation (UKHMF) to “get on with this urgent work”.¹⁰ He also committed £50mn towards the delivery of the new national memorial, learning centre and the endowment fund. In September, the UKHMF laid out ten criteria for considering the siting of the new memorial. It noted that while it would explore the three locations recommended by the commission, it would also consider other options.
- **2016:** The UKHMF recommended Victoria Tower Gardens to the government. The government confirmed the memorial would be in Victoria Tower Gardens on 27 January.¹¹ In September, the government confirmed that the learning centre would be co-located with the memorial. In the same month an international design competition for the memorial and learning centre was launched.

⁷ Cabinet Office, [‘25th anniversary of the Holocaust Educational Trust: Prime Minister’s speech’](#), 16 September 2013.

⁸ Prime Minister’s Holocaust Commission, [‘Britain’s promise to remember: The Prime Minister’s Holocaust Commission report’](#), January 2015.

⁹ As above, pp 41–52.

¹⁰ House of Commons, [‘Written statement: The Prime Minister’s Holocaust Commission \(HCWS226\)’](#), 27 January 2015.

¹¹ Prime Minister’s Office, [‘PM: Holocaust memorial will stand beside Parliament as permanent statement of our British values’](#), 27 January 2016.



- **2017:** In October, the winning design by Adjaye Associates and Ron Arad Architects for the Holocaust memorial and learning centre was announced.¹²
- **2018:** Revisions to the design. Public consultation on the plans and exhibition of the finalised plans.
- **2019:** The designs were revised further. In January, the government submitted a planning application to Westminster City Council.¹³ In May, the government committed a further £25mn to the project.¹⁴ In November, prior to a decision from Westminster City Council, the then housing minister Esther McVey “called in” the planning application.¹⁵ This is where the secretary of state directs a local authority to refer the application to the secretary of state to make a decision on a planning application.¹⁶ The government said there were strict handling arrangements in place to ensure a functional separation between those bringing forward the proposal for development and those taking a decision on it.¹⁷
- **2020:** The planning inspector held a public inquiry into the planning application.
- **2021:** In April, recommendations from the planning inspector were provided to MHCLG.¹⁸ In July, the then housing and planning minister, Christopher Pincher, gave planning consent to build the Holocaust memorial and learning centre in Victoria Park Gardens.¹⁹ The London Historic Parks and Gardens Trust, a charity which seeks to preserve and enhance London’s open green spaces, applied to the High Court for statutory review of the planning decision. Permission to review the decision was given by the High Court in October.²⁰

¹² Cabinet Office, ‘[Adjaye Associates and Ron Arad Architects win UK Holocaust memorial international design competition](#)’, 24 October 2017.

¹³ City of Westminster, ‘[Planning application documents](#)’, accessed 25 July 2024.

¹⁴ UK Holocaust Memorial Foundation, ‘[Prime Minister leads unprecedented support for Holocaust memorial as further £25mn committed](#)’, 7 May 2019.

¹⁵ Department for Levelling Up, Housing and Communities, ‘[Holocaust memorial and learning centre: DLUHC handling note](#)’, 14 April 2022. This note indicates that the administrative arrangements to ensure functional separation between the secretary of state making the application and the individual deciding it meant that the housing minister, rather than the secretary of state, would determine whether the planning application would be granted.

¹⁶ Planning Inspectorate, ‘[Guidance: Called-in planning applications](#)’, 18 January 2021.

¹⁷ Department for Levelling Up, Housing and Communities, ‘[Government to introduce legislation to pave the way for new national Holocaust memorial](#)’, 26 January 2023.

¹⁸ Ministry of Housing, Communities and Local Government, ‘[Called in decision: Victoria Tower Gardens, Millbank, London \(ref: 3240661—29 July 2021\)](#)’, 29 July 2021, pp 26–407.

¹⁹ As above, p 1.

²⁰ [London Historic Parks and Gardens Trust v Secretary of State for Housing Communities and Local Government \[2020\] EWHC 2580 \(Admin\)](#).



- **2022:** In April, the High Court quashed the government’s decision on planning permission.²¹ The judgment found that the inspector’s assessment did not take into account the implications of the London County Council (Improvements) Act 1900. In July, the Court of Appeal refused the government’s application to appeal the decision.²²
- **2023:** On 25 January, then Prime Minister Rishi Sunak committed to “legislate to build a Holocaust memorial and learning centre next to Parliament”.²³

A more detailed analysis of events since 2013 is provided in the House of Commons Library briefing [‘Holocaust Memorial Bill: Progress of the Bill’](#), 16 May 2024.

As of June 2023, the Conservative government had spent £17.8mn on the project.²⁴ It indicated that forecast costs for the completion of the proposed Holocaust memorial have increased since estimates were made in July 2021 from £102.9mn to £138.8mn excluding contingency. It stated that this increase was due to delays to the programme arising from the High Court challenge and the “effects of construction price inflation”.²⁵ The previous government said that it expects that charitable donations will cover at least £25mn of these costs. An independent charity, The Holocaust Memorial Charitable Trust, chaired by Sir Gerald Ronson CBE, will lead the effort to secure pledges towards the fundraising campaign.²⁶ In April 2024, the House of Commons Select Committee on the Holocaust Memorial Bill expressed concerns that the “true costs of this project” had not been established.²⁷

The Holocaust Memorial Bill does not include all the provisions necessary to enable the construction of the Holocaust memorial and learning centre at Victoria Tower Gardens. Should the bill pass, planning consent will be sought through the provisions of the Town and Country Planning Act 1990.²⁸

²¹ [London Historic Parks and Gardens Trust v Minister of State for Housing \[2022\] EWHC 829 \(Admin\)](#).

²² [London Historic Parks and Gardens Trust v Minister of State for Housing \[Court of Appeal 2022-000831\]](#).

²³ [HC Hansard, 25 January 2023, col 1000](#).

²⁴ House of Commons, [‘Written question, National Holocaust memorial centre and learning service: Finance \(186809\)’](#), 8 June 2023.

²⁵ House of Lords, [‘Written statement: Holocaust memorial forecast cost \(HLWS875\)’](#), 28 June 2023.

²⁶ House of Lords, [‘Written question: National Holocaust memorial centre and learning service \(HL3105\)’](#), 20 March 2024.

²⁷ House of Commons Holocaust Memorial Bill Select Committee, [‘First special report of the Holocaust Memorial Bill Select Committee’](#), 26 April 2024, HC 121 of session 2023–24, p 3.

²⁸ [Explanatory notes](#), p 3.



While there is support for the principle of a Holocaust memorial and learning centre, there have been several areas of contention. In particular, these relate to location, design and security measures in place for the memorial. This is considered further in section 3 of this briefing.

2. Provisions in the bill

The Holocaust Memorial Bill was introduced in the House of Lords on 18 July 2024.²⁹ As outlined in the explanatory notes to the bill:

The purpose of this bill is to make provision for and in connection with expenditure by the secretary of state on the construction, use, maintenance, operation or improvement of a Holocaust memorial and learning centre, and the removal of restrictions to the siting of the Holocaust memorial and learning centre on certain land.³⁰

Clause 1 would allow the secretary of state to incur expenditure in relation to a Holocaust memorial and learning centre. This would include:

- construction on, over or under any land of a memorial commemorating victims of the Holocaust and a centre for learning relating to the memorial
- the use, operation, maintenance or improvement of the memorial and learning centre and any ancillary costs

Clause 2 would disapply sections 8(1) and (8) of the London County Council (Improvements) Act 1900 in relation to the proposed activities described in clause 1.³¹ Sections 8(1) and (8) of the 1900 act require that Victoria Tower Gardens be “laid out and maintained in manner herein-after provided for use as a garden open to the public”. The importance of the 1900 act was mentioned by the judge in the April 2022 High Court decision to quash planning permission for the memorial and learning centre in Victoria Tower Gardens.³²

²⁹ [HL Hansard, 18 July 2024, col 132.](#)

³⁰ [Explanatory notes](#), p 2.

³¹ [London County Council \(Improvements\) Act 1900.](#)

³² [London Historic Parks and Gardens Trust v Minister of State for Housing \[2022\] EWHC 829 \(Admin\).](#)



Clause 3 provides that the bill would apply to England and Wales and would come into force two months after it received royal assent. The clause also contains the bill's short title.

3. Reaction

3.1 Support for a Holocaust memorial

As the timeline in section I of this briefing demonstrates, there has been ongoing discussion about the most appropriate memorial to victims of the Holocaust.

The concept of a Holocaust memorial and learning centre received cross-party support during the bill's progress in Parliament. Likewise, in her 2022 ruling quashing planning consent in Victoria Tower Gardens, Mrs Justice Thornton noted that all those involved in that action, brought by London Historic Parks and Garden Trust, "support the principle of a compelling memorial to the victims of the Holocaust".³³ The Holocaust Commission's 2015 report had itself identified widespread dissatisfaction with the existing national Holocaust monument and education about the Holocaust.

The Board of Deputies of British Jews supports the proposed Holocaust memorial and learning centre, describing it as "a powerful and important tool in combatting the rising tide of Holocaust denial and distortion".³⁴ In July 2024, it welcomed the inclusion of the bill in the King's speech.³⁵ Karen Pollock, chief executive of the Holocaust Educational Trust, expressed gratitude to the Labour government for re-introducing the bill, arguing "the need for progress on building the memorial and learning centre next to Parliament has never been more urgent".³⁶

However, despite the consensus on the need for a new memorial and learning centre, there have been ongoing disagreements on issues including location, cost, design and security. Some of the arguments relating to these issues are outlined in brief below.

³³ [London Historic Parks and Gardens Trust v Minister of State for Housing \[2022\] EWHC 829 \(Admin\)](#).

³⁴ Board of Deputies of British Jews, '[Board of Deputies welcomes introduction of Holocaust Memorial Bill](#)', 23 February 2023.

³⁵ Board of Deputies of British Jews, '[Board of Deputies welcomes inclusion of Holocaust Memorial Bill in government's legislative agenda](#)', 17 July 2024.

³⁶ Lorin Bell-Cross, '[Government commits to building Westminster Holocaust memorial](#)', Jewish Chronicle, 17 July 2024.



3.2 Location, design and security

The proposed location of the memorial in Victoria Tower Gardens has proved contentious. In its 2024 report, the House of Commons Holocaust Memorial Committee provided an overview of events leading to the choice of Victoria Tower Gardens.³⁷ It noted that the site was not identified in the initial 2015 shortlist of sites generated by the Prime Minister’s Holocaust Commission. Victoria Tower Gardens was originally identified by a member of the UKHMF in October 2015, with Millbank proposed as a site for a learning centre. As outlined in section I of this briefing, the decisions to locate the memorial in Victoria Tower Gardens and co-locate the learning centre were taken in 2016. The committee expressed surprise that the choice of site had not been reached through a consultation.³⁸

In 2016 a design competition for designs for a “striking new national memorial” and a “below-ground learning centre” was held.³⁹ The winning design by Adjaye Associates and Ron Arad Architects was announced in October 2017 and subject to public consultation in 2018, with further changes made in 2019 following further consultation. Adjaye Associates describe their design as follows:

Visitors approaching the memorial will see a subtle grass landform with only the tips of the memorial’s fins bristling in the distance. Its design stimulates a sense of curiosity and intrigue where visitors are encouraged to explore further into the memorial [...] the overarching vision for the memorial and learning centre, is to retain Victoria Tower Gardens as a public park affecting minimal green space. Our proposal intervenes lightly, ensuring the park’s existing uses can be retained and enhanced rather than replaced.⁴⁰

During public consultation on the plans, concerns were raised about the potential loss of green space, security, traffic, the impact on memorials already present in Victoria Tower Gardens and the impact of the memorial on the children’s playground in Victoria Tower Gardens.⁴¹

³⁷ House of Commons Holocaust Memorial Bill Select Committee, [‘First special report of the Holocaust Memorial Bill Select Committee’](#), 26 April 2024, HC 121 of session 2023–24, p 5.

³⁸ As above.

³⁹ Prime Minister’s Office, [‘International design competition opens for new UK Holocaust memorial beside Parliament’](#), 14 September 2016.

⁴⁰ Adjaye Associates, [‘UK Holocaust memorial and learning centre’](#), accessed 9 August 2024.

⁴¹ More detailed discussion about the development of the design and response to it can be found in House of Commons Library, [‘Holocaust Memorial Bill: Progress of the bill’](#), 16 May 2024.



According to government figures, the current plans mean that the Holocaust memorial and learning centre would occupy 7.58% of the total area of Victoria Tower Gardens (1,429 square metres).⁴² The government said the reduction in the lawn areas of Victoria Tower Gardens would be 15%.⁴³ The plans also include a floor area of 3,258 square meters of underground construction, with 52.85% of that space used for exhibitions and public space as part of the learning centre.⁴⁴

In 2022, London Historic Parks and Gardens Trust brought a challenge in the High Court to the planning decision, concerning the location of the memorial. In its argument to the court, the trust argued that the gardens were chosen without any professional assessment to support the choice of the site and no public consultation as to its suitability, acceptability or desirability as a location.⁴⁵ The trust has expressed concern about the impact of the memorial on the park itself and concern for other monuments in the park.⁴⁶

The trust has calculated that the Holocaust memorial and learning centre would occupy a much larger proportion of Victoria Tower Gardens than the figures given previously by the government. It has published diagrams to illustrate its calculations that the design would occupy 3,910 square metres, or 20.7% of the total area of the gardens.⁴⁷ It also calculated that 31.2% (370 square metres) of the current children's playground would be lost.

Other groups and individuals have also set out their concerns about the proposed memorial and learning centre through petitions about the bill.⁴⁸ The Thorney Island Society and residents of Westminster opposed the location of the memorial, arguing that the development of a memorial in “a small park which has for more than a century been used

⁴² House of Lords, '[Written question: National Holocaust memorial centre and learning service \(HL6914\)](#)', 12 April 2023. The government said this figure included the entrance pavilion, the courtyard and ramp into the learning centre, associated hard standing, service access, new access paths, parts of the grass mound that would be inaccessible to the public, and areas to be enclosed to ensure the security of the centre.

⁴³ House of Commons, '[Written question: National Holocaust memorial centre and learning service \(270274\)](#)', 4 July 2019.

⁴⁴ House of Lords, '[Written question: National Holocaust memorial centre and learning service \(HL6914\)](#)', 12 April 2023.

⁴⁵ [London Historic Parks and Gardens Trust v Minister of State for Housing \[2022\] EWHC 829 \(Admin\)](#).

⁴⁶ House of Commons Select Committee on the Holocaust Memorial Bill, '[Petition HMB-009: London Historic Parks and Gardens Trust](#)', 24 July 2023.

⁴⁷ London Historic Parks and Gardens Trust, '[VTG plans before and after August 2024](#)', August 2024. The trust said this figure included all the areas the government had listed when it set out what was covered by its own 7.5% figure.

⁴⁸ Individuals, groups of individuals, organisations and businesses directly and specially affected by a hybrid bill can “petition” in either or both Houses of Parliament to seek to mitigate the effects of the bill on their property or business. This is covered further in section 4 of this briefing.



and enjoyed as a place of peace and recreation for local residents, workers and visitors” was wrong.⁴⁹ They called for the separation of a learning centre from the memorial and limiting the size of the development.

The Buxton family and the Thomas Fowell Buxton Society expressed concern about “our ancestor’s memorial” and the impact of the Holocaust memorial and learning centre upon it should it be built. The Buxton Memorial Fountain was erected in Victoria Tower Gardens by Charles Buxton to commemorate the Slavery Abolition Act 1833, and the achievement of his father, Thomas Fowell Buxton, and his associates, in bringing it about.⁵⁰

Other petitions have been received by the House of Lords Select Committee on the Holocaust Memorial Bill.⁵¹ These will be examined if the bill receives second reading in the House of Lords. For example, in their petition, Baroness Deech and six Holocaust survivors stated “we do not understand the thinking” behind the decision on the location of the memorial. Stating that the results of the decision on location made with “no studies, research or consultation” were dire, the petition argued:

[...] first, the promoters have had to justify the choice by specious and vague references to democracy. This turned the project from a memorial to the victims of Nazism, predominantly Jews, into a reassuring and political project about “British values”. Secondly, the physical constraint of having to squeeze the learning centre into a restricted space under the memorial has resulted in the promised “world-class learning centre” being converted into a visitors’ centre.⁵²

The petition expressed concern about the local impact of the project, the size and nature of the learning centre, and the design of the memorial. It included a number of recommendations including a new public consultation on the form and location of any memorial or learning centre and a government report on the security and costs aspects of the project.

⁴⁹ House of Commons Select Committee on the Holocaust Memorial Bill, ‘[Petition HMB-0007: The Thorney Island Society and residents of Westminster](#)’, 24 July 2023.

⁵⁰ House of Lords Select Committee on the Holocaust Memorial Bill, ‘[Petition: Buxton family and the Thomas Fowell Buxton Society](#)’, 17 July 2024; and Historic England, ‘[Buxton memorial fountain, Victoria tower gardens](#)’, September 2020.

⁵¹ Petitions about the bill can be made to both the House of Commons Select Committee on the Holocaust Memorial Bill and the House of Lords Select Committee on the Holocaust Memorial Bill.

⁵² House of Lords Select Committee on the Holocaust Memorial Bill, ‘[Petition: Baroness Deech et al](#)’, 17 July 2024, pp 4–5.



A number of these arguments were reiterated by Baroness Deech in an article in the Jewish Chronicle in August 2024.⁵³ She argued that the location of the memorial beside Parliament was “to make light of the fears of the Jewish community for their safety now and in the future” and would serve as a focus for what she described as “anti-Israel and antisemitic protest”. She expressed several concerns about the content of the learning centre and stated that the proposed memorial “is no longer a Holocaust memorial” and would “treat the Holocaust as one amongst several hate-related genocides”. Baroness Deech concluded:

If the new government really wants to do more than pay lip service to eradicating antisemitism, it should end this misguided, divisive and expensive campaign and instead redirect resources to a better understanding of Jewish history by a more meaningful memorial and larger learning centre, ideally a new Jewish museum.

Security considerations at the site were also raised by the former independent reviewer of terrorism legislation, Lord Carlile of Berriew. In his petition to the House of Lords Select Committee he argued that “the site proposed presents a very real terrorism risk”, commenting “there is a real and present and serious prospect” that the memorial would be regarded as “iconic and tempting [...] given its proximity to the Palace of Westminster”.⁵⁴ Sir Peter Bottomley (until May 2024 the Conservative MP for Worthing West) called for a requirement in the bill that there should be a public consultation on “a better or best location”.⁵⁵ Lord Strathclyde and a number of peers called for “a complete rethink”, with a fresh planning application made to Westminster City Council.⁵⁶

In contrast, the co-chairs of the Holocaust Memorial Commission, Ed Balls and Lord Pickles, have stated:

Victoria Tower Gardens, at the heart of Westminster and alongside the great symbol and heart of our democracy, is absolutely the right place to construct the national memorial to the Holocaust.⁵⁷

⁵³ Baroness Deech, [‘The government must rethink its Shoah memorial’](#), Jewish Chronicle, 8 August 2024.

⁵⁴ House of Lords Select Committee on the Holocaust Memorial Bill, [‘Petition: Lord Carlile of Berriew’](#), 17 July 2024, pp 5–6.

⁵⁵ UK Parliament, [‘House of Lords Select Committee on the Holocaust Memorial Bill’](#), accessed 9 August 2024.

⁵⁶ House of Lords Select Committee on the Holocaust Memorial Bill, [‘Petition: Lord Strathclyde et al’](#), 17 July 2024.

⁵⁷ Department for Levelling Up, Housing and Communities, [‘Government to introduce legislation to pave the way for new national Holocaust memorial’](#), 26 January 2023.



Responding to concerns raised by Baroness Deech in her Jewish Chronicle article, Lord Pickles argued that the memorial's location "immediately speaks of the unparalleled significance of the Holocaust and situates the memorial at the centre of our national life".⁵⁸ Addressing security concerns, he said that the memorial would have "security arrangements similar to many other public buildings in Westminster". In relation to the proposed learning centre's content, Lord Pickles stressed that historians would make those decisions, stating "we owe it to the victims and survivors of the Holocaust to tell the unvarnished truth about what happened and why".

Chief Rabbi Ephraim Mirvis described the choice of venue as "inspirational", arguing it was "the most wonderful location because it is in a prime place of prominence, the heart of our democracy".⁵⁹

More detailed analysis of objections, particularly related to the location of the monument can be found in the following documents.

- House of Commons Library, '[Holocaust Memorial Bill: Progress of the bill](#)', 16 May 2024
- Written and oral evidence given to the House of Commons Select Committee on the Holocaust Memorial Bill by those petitioning against the bill. Available at House of Commons Holocaust Memorial Bill Select Committee, '[Publications](#)'.
- Ministry of Housing, Communities and Local Government, '[Called in decision: Victoria Tower Gardens, Millbank, London \(ref:3240661—29 July 2021\)](#)', 29 July 2021
- Westminster City Council, '[Holocaust memorial inquiry information](#)', accessed 7 August 2024.

4. Parliamentary scrutiny

The Holocaust Memorial Bill was first introduced into the House of Commons on

⁵⁸ Lord Pickles, '[The Shoah memorial's proposed location speaks to the Holocaust's unparalleled historical significance](#)', Jewish Chronicle, 15 August 2024.

⁵⁹ Ministry of Housing, Communities and Local Government, '[Called in decision: Victoria Tower Gardens, Millbank, London \(ref: 3240661—29 July 2021\)](#)', 29 July 2021, p 48.



23 February 2023 and has been subject to several carry-over motions.⁶⁰ For these reasons substantive parliamentary stages have often occurred under the previous Conservative government, when the current MHCLG was at times known as the Department for Levelling Up, Housing and Communities (DLUHC).

4.1 A hybrid bill?

Hybrid bills combine elements of public and private bills in that they apply generally but also have a particular effect on specific groups, places or people.⁶¹ A hybrid bill has extra stages compared to a public bill; notably, after second reading it is sent to a specifically formed select committee which considers petitions against the bill.

Following the introduction of the bill in February 2023, the House of Commons clerk of legislation designated the bill as being “prima facie hybrid”. It was therefore referred to the examiners of petitions for private bills to determine whether the bill was hybrid.⁶² The bill could not receive its second reading until the examiners’ report.⁶³

In this case, the examiners of petitions for private bills included the clerk of bills in the House of Commons, the deputy head of the Legislation Office in the House of Lords, counsel for domestic legislation in the House of Commons, and assistant counsel to the chairman of committees in the House of Lords.⁶⁴

In evidence to the examiners, the Conservative government argued that the bill was not hybrid.⁶⁵ The examiners also received submissions from a number of interested parties who argued that the bill was hybrid and standing orders for private business should therefore apply; these submissions are known as memorials. The London Historic Parks and Gardens Trust, the Thorney Island Society and residents of Westminster, Baroness Deech and

⁶⁰ Hybrid bills, like private bills, can be ‘carried over’ from one session to another (including dissolution). The procedure by which this is done provides for the waiving of certain standing orders by agreement between the two Houses in order that the bills may be taken pro forma up to the stage that they had reached in the previous session. House of Lords, ‘[Companion to the standing orders and guide to the proceedings of the House of Lords](#)’, 24 February 2024, para 2.15, p 24.

⁶¹ UK Parliament. ‘[MPs’ guide to procedure: Hybrid bills](#)’, accessed 18 July 2024.

⁶² House of Commons Examiners of Petitions for Private Bills, ‘[Holocaust Memorial Bill: Report from the examiners and statement of reasons](#)’, 22 May 2023, HC 1403 of session 2022–23, p 2.

⁶³ House of Commons and House of Lords, ‘[Examination of the Holocaust Memorial Bill factsheet](#)’, May 2023, p 1.

⁶⁴ As above, p 2.

⁶⁵ As above, p 3.



Holocaust survivors, the Buxton family and the Thomas Fowell Buxton Society, and Westminster City Council, and Sir Peter Bottomley MP all submitted memorials.⁶⁶

In May 2023 the report by the examiners found that the Holocaust Memorial Bill was hybrid, and that private business standing orders 4, 4A, 10, 11, 38 and 39 were applicable to the bill.⁶⁷ These standing orders chiefly relate to the publication of notices outlining how objections can be made by petitioners and making copies of the bill available.⁶⁸

The examiners argued that removing the protection in the 1900 act would affect all members of the public, and in addition those who live close to Victoria Tower Gardens would be “particularly affected”.⁶⁹ As outlined by the examiners:

If a bill is found non-compliant with the private business standing orders by the examiners, it is referred to the Standing Orders Committees of the two Houses (the committee of the House of Commons first). The House of Commons Standing Orders Committee is made up of MPs, including the deputy speakers. The Standing Orders Committees can decide to dispense with the relevant standing orders and allow the bill to proceed, to allow the bill to proceed with conditions, or to prevent the bill from proceeding.⁷⁰

On 13 June 2023, the House of Commons Standing Orders Committee met. It heard from the government, as well as London Historic Parks and Gardens Trust, the Thorney Island Society and residents of Westminster, Baroness Deech and Holocaust survivors, and the Buxton family and the Thomas Fowell Buxton Society.

Speaking for the government, parliamentary agent Robert Owen argued that “this was not a case where government could reasonably have concluded that the bill would be seen to be hybrid. It is a highly unusual bill. There is no clear precedent”.⁷¹ The government sought

⁶⁶ House of Commons and House of Lords, [‘Examination of the Holocaust Memorial Bill factsheet’](#), May 2023, p 3.

⁶⁷ House of Commons Examiners of Petitions for Private Bills, [‘Holocaust Memorial Bill: Report from the examiners and statement of reasons’](#), 22 May 2023, HC 1403 of session 2022–23.

⁶⁸ UK Parliament, [‘Standing orders of the House of Commons—Private business’](#), 19 December 2019, HC 6 of session 2019–21; and [‘The standing orders of the House of Lords relating to private business’](#), 18 December 2017, HL Paper 55 of session 2017–19.

⁶⁹ House of Commons and House of Lords, [‘Examination of the Holocaust Memorial Bill factsheet’](#), May 2023, p 4.

⁷⁰ As above.

⁷¹ House of Commons Standing Orders Committee, [‘Minutes of proceedings’](#), 13 June 2023.



dispensation of the standing orders and for the bill to proceed. It argued that the secretary of state had taken action to comply substantively with the standing orders following the decision by the examiners that the bill was hybrid. Other respondents argued the standing orders should apply. Several respondents said there had been a lack of consultation or meaningful dialogue with the government, calling for a pause in the bill proceedings to allow this to happen. In addition, concerns with legislative drafting and concerns about environmental protections were raised.

After deliberations, the committee decided to dispense with all the private business standing orders with which the hybrid bill had failed to comply. The bill would therefore progress to its second reading in the House of Commons.⁷²

4.2 Second reading

The bill received its second reading on 28 June 2023.⁷³

Opening second reading on 28 June 2023, the then secretary of state for levelling up, housing and communities, Michael Gove, noted the cross-party support for the bill. He emphasised the “vital purpose” of the bill to ensure that a “fitting, government-led” memorial and learning centre was established “in a suitable, prominent centre at the heart of our capital city”.⁷⁴

Lisa Nandy, the then shadow secretary of state for levelling up, housing and communities, highlighted the Labour party’s support for the bill. She also supported the proposed location of the memorial, commenting that while “I do not doubt the sincerity of those who have taken part [...] that debate has run for long enough”.⁷⁵ Matthew Pennycook, then shadow housing minister agreed. He argued that the hybrid process and resulting petitioning window would allow any “outstanding criticisms and objections” to be expressed and heard.⁷⁶

Other speakers also supported the bill, emphasising the need for timely progress on the issue.

⁷² House of Commons Standing Orders Committee, [‘Minutes of proceedings’](#), 13 June 2023, p 9.

⁷³ [HC Hansard, 28 June 2023, col 364.](#)

⁷⁴ [HC Hansard, 28 June 2023, col 321.](#)

⁷⁵ [HC Hansard, 28 June 2023, col 328.](#)

⁷⁶ [HC Hansard, 28 June 2023, col 361.](#)



In contrast, several members expressed concerns about the legislation. Nickie Aiken (then Conservative MP for Cities of London and Westminster) raised concerns from her constituents “which come back to one major issue: location”.⁷⁷ She noted that the loss of even small open spaces could have a big impact on the community, concluding “right memorial but in the wrong location”.⁷⁸ John Baron (then Conservative MP for Basildon and Billericay) argued “there appears to have been a complete lack of public consultation”.⁷⁹

Sir Peter Bottomley (then Conservative MP for Worthing West) tabled a reasoned amendment to object to the second reading of the Holocaust Memorial Bill. He also emphasised concerns about a lack of consultation about the proposed location of the memorial.⁸⁰ Sir Peter did not push his amendment objecting to the progress of the bill to a vote, and the bill passed its second reading.⁸¹

4.3 Committal and instruction to select committee

The bill was then committed to a select committee to consider petitions against the bill. This reflects the procedure used in the case of hybrid bills.⁸² The House of Commons also passed an instruction to the select committee outlining how the bill should be considered.⁸³ The instruction had the effect of limiting the matters which the committee could consider. Felicity Buchan, then parliamentary under-secretary for levelling up, housing and communities, explained that passing an instruction was “familiar practice” for hybrid bills.⁸⁴ The instruction specified that the committee could not hear any petition relating to:

- the question of whether or not there should be a memorial commemorating the victims of the Holocaust or a centre for learning relating to the memorial, whether at Victoria Tower Gardens or elsewhere; or
- whether or not planning permission and all other necessary consents should be given for the memorial and centre for learning, or the terms and conditions on which they should be given.

⁷⁷ [HC Hansard, 28 June 2023, col 337.](#)

⁷⁸ [HC Hansard, 28 June 2023, col 340.](#)

⁷⁹ [HC Hansard, 28 June 2023, col 321.](#)

⁸⁰ [HC Hansard, 28 June 2023, cols 330–4.](#)

⁸¹ [HC Hansard, 28 June 2023, col 364.](#)

⁸² [HC Hansard, 28 June 2023, col 377.](#)

⁸³ [HC Hansard, 28 June 2023, col 377.](#)

⁸⁴ [HC Hansard, 28 June 2023, col 368.](#)



In its April 2024 report, the select committee noted this left it “with a very limited remit compared to what we might have considered”.⁸⁵ It also expressed concerns about assurances MPs were given regarding what would be in the scope of the committee. For example, Sir Edward Leigh had asked whether not having an underground learning centre might be considered by the committee. Responding Felicity Buchan stated, “the committee can consider the extent and any conditions on the memorial in Victoria Tower Gardens”.⁸⁶ The committee’s report noted:

The interpretation of the instruction was raised in discussion during proceedings. It was at this point that the promoter told us that the secretary of state’s statement could be interpreted as the following: “he meant that it would be a matter for the committee to consider whether [a given issue] fell into scope” [...]

The minister’s assurances are of utmost importance to members in deciding whether to support the bill. We were therefore surprised to read the promoter’s arguments in their letter to the committee of 5 February 2024, which stated that:

We do not consider that the ministerial statements made during the second reading of the bill are relevant to the committee’s interpretation of the instruction, because it is the instruction itself which determines the matters that the committee may consider.

[...] The notion that we should disregard anything that a minister says in debate when trying to persuade the House to agree to something is wrong. What is further troubling is that the government seems to hold two quite opposing views about which matters fell within the scope of our committee.⁸⁷

During debate on the instruction, several MPs had sought clarity on the effect of the instruction. Sir Peter Bottomley argued the instruction “makes it impossible for the petitioners to have their cases heard effectively”.⁸⁸ He moved an amendment seeking to remove elements of the instruction about planning permission and the location of the

⁸⁵ House of Commons Holocaust Memorial Bill Select Committee, ‘[First special report of the Holocaust Memorial Bill Select Committee](#)’, 26 April 2024, HC 121 of session 2023–24, p 7.

⁸⁶ [HC Hansard, 28 June 2023, col 368.](#)

⁸⁷ House of Commons Holocaust Memorial Bill Select Committee, ‘[First special report of the Holocaust Memorial Bill Select Committee](#)’, 26 April 2024, HC 121 of session 2023–24, p 8.

⁸⁸ [HC Hansard, 28 June 2023, col 370.](#)



memorial but was defeated at division.⁸⁹

A carry-over motion for the bill was agreed in the Commons on 28 June 2023,⁹⁰ and by the House of Lords on 23 October 2023.⁹¹ The bill was reintroduced into the House of Commons and received its first and second reading in the new parliamentary session on 8 November 2023 and was committed to a select committee.⁹²

4.4 Select committee

As it is a hybrid bill, the passage of the Holocaust Memorial Bill includes a petitioning phase following second reading. Guidance to petitioners in the House of Lords outlines the process as follows:

As well as being debated in both Houses of Parliament in the usual way, individuals, groups of individuals, organisations and businesses directly and specially affected by the bill are given the opportunity to “petition” in either or both Houses to seek to mitigate the effects of the bill on their property or business. They do this by submitting a petition and then, if they wish, putting their case to a select committee [...] This process may result in amendments to the bill or commitments made by the promoters. Petitions may not, however, seek to defeat or stop the bill. This is because, by granting the bill a second reading (which takes place before select committee stage), the House has agreed to the principle of the bill.⁹³

Following the bill’s committal to the select committee, the committee received ten petitions objecting to the bill, of which two were withdrawn at a later stage.⁹⁴ The committee subsequently held oral evidence sessions for petitioners in January and February 2024, publishing its final report on April 2024.⁹⁵ Issues raised in petitions and oral evidence included a lack of consultation about the location of the memorial, increasing costs of the project, security concerns for any Holocaust memorial and suggestions that the Holocaust

⁸⁹ [HC Hansard, 28 June 2023, cols 375–7.](#)

⁹⁰ [HC Hansard, 28 June 2023, cols 377–8.](#)

⁹¹ [HL Hansard, 23 October 2023, cols 394–5.](#)

⁹² [HC Hansard, 8 November 2023, col 168.](#)

⁹³ House of Lords, ‘[House of Lords petitioning guidance](#)’, 17 May 2024, p 1.

⁹⁴ House of Commons Holocaust Memorial Bill Select Committee, ‘[First special report of the Holocaust Memorial Bill Select Committee](#)’, 26 April 2024, HC 121 of session 2023–24, p 5.

⁹⁵ As above.



memorial and learning centre should be undertaken separately.⁹⁶

The committee decided not to amend the bill, concluding that suggestions put forward to amend the bill would either engage planning considerations, in contravention of the instruction agreed by the House, or focus on the principle of the bill, which would be a course of action out of scope of the committee. However, it raised concerns about the lack of a full consultation at the site selection phase and the costs of the project. The committee also recommended that the government published information on the steps it intended to take around the security of any memorial and learning centre “expeditiously before any planning application is progressed.”⁹⁷

Once a hybrid bill has been considered by a select committee, it is sent to a public bill committee or committee of the whole House and continues its parliamentary stages in the same way as a public bill.⁹⁸

4.5 Committee of the whole house

The bill was considered in a committee of the whole house on 22 May 2024 and passed unamended. There was wide cross-party support for the memorial. However, several members again raised concerns about the costs, location and security of the proposed memorial and learning centre. Amendments discussed included proposals to:⁹⁹

- expand clause 1 to include expenditure on educational purposes and activities related to the memorial and the centre for learning
- restrict expenditure to £50mn
- specify that restrictions on planning would be removed only in relation to the Holocaust memorial
- limit the total area of Victoria Tower Gardens for which restrictions were lifted
- specify that no other memorials would have harm caused to them

⁹⁶ House of Commons Holocaust Memorial Bill Select Committee, ‘[First special report of the Holocaust Memorial Bill Select Committee](#)’, 26 April 2024, HC 121 of session 2023–24, pp 15–18.

⁹⁷ As above, pp 3–4 .

⁹⁸ House of Commons, ‘[MPs’ guide to procedure](#)’, January 2024, p 208.

⁹⁹ House of Commons, ‘[Holocaust Memorial Bill: Committee stage decisions](#)’, 22 May 2024.



None of the amendments were pushed to a division.¹⁰⁰ In addition, John Stevenson (then Conservative MP for Carlisle), Nickie Aiken and Sir Peter Bottomley jointly proposed a new clause to the bill. The clause would have required a review of proposed security arrangements for the memorial and learning centre to be carried out prior to their construction and a report made to Parliament. Regulations relating to the security arrangements would then be subject to the affirmative procedure.¹⁰¹

Speaking to the new clause, John Stevenson argued that while some consideration was given to security during the planning process, “circumstances have fundamentally changed”.¹⁰² Nickie Aiken called a security review “not only financially prudent, but necessary from a national security perspective”.¹⁰³ Bob Blackman (Conservative MP for Harrow East and co-chair of the All-Party Parliamentary Group on Holocaust Memorial) argued that security threats were not an argument against the memorial; “rather, they are an argument for why the memorial is needed in the first place”.¹⁰⁴

The then shadow housing minister, Matthew Pennycook, did not support any amendment to the bill, stating that it should complete its stages as “speedily as possible”.¹⁰⁵ Mr Pennycook also recognised what he described as the “valid criticisms” about the historical lack of consultation. However, he argued that security considerations would form part of any inquiry by the planning inspectorate when a new planning application was considered for the memorial.

Simon Hoare, then parliamentary under-secretary of state for levelling up, housing and communities, argued that security for a memorial to the Holocaust would always be an issue, regardless of the location.¹⁰⁶ However, he stated that if a fear of those who seek to disrupt such a memorial becomes “a trump card”, then “the mob will have won”.¹⁰⁷ Mr Hoare also said that there had been reviews of alternative sites. In relation to costs, he conceded costs had gone up but argued “costs will go up still further the longer that we delay”.¹⁰⁸

¹⁰⁰ House of Commons, [‘Holocaust Memorial Bill: Committee stage decisions’](#), 22 May 2024.

¹⁰¹ As above.

¹⁰² [HC Hansard, 22 May 2024, col 940.](#)

¹⁰³ [HC Hansard, 22 May 2024, col 949.](#)

¹⁰⁴ [HC Hansard, 22 May 2024, col 954.](#)

¹⁰⁵ [HC Hansard, 22 May 2024, col 968.](#)

¹⁰⁶ [HC Hansard, 22 May 2024, col 972.](#)

¹⁰⁷ [HC Hansard, 22 May 2024, col 972.](#)

¹⁰⁸ [HC Hansard, 22 May 2024, col 974.](#)



Winding up the debate, Sir Peter Bottomley again raised the costs of the project, the amount of Victoria Tower Gardens that was being used and issues about security. Pushing his new clause to a vote he stated:

[...] the government should compare the present proposal with the best alternatives from the consultants and then have a proper consultation on the alternatives before the planning process starts again.¹⁰⁹

The proposed new clause was negated on division and, and the bill passed unamended.¹¹⁰ As the bill had been considered by a committee of the whole house and passed unamended there was no report stage and the bill went straight to third reading.¹¹¹

4.6 Third reading

Opening third reading for the government, Simon Hoare thanked opposition MPs for their support, but acknowledged concerns about the location of the memorial. However, he contended “while many of the concerns are totally legitimate, they are germane to the planning process, not the progress of the bill”.¹¹²

For the opposition, the then shadow housing minister Matthew Pennycook reiterated his support for the bill. He noted that “whatever differences might exist about precisely how we do so, we are united as a House in our commitment to remembering and learning from the Holocaust”.¹¹³

Sir Peter Bottomley raised concerns with the design, size and location of the memorial. He urged the House of Lords, to look at early day motion 711, which he said spelt out a number of the issues with the bill.¹¹⁴

¹⁰⁹ [HC Hansard, 22 May 2024, col 977.](#)

¹¹⁰ [HC Hansard, 22 May 2024, cols 978–9](#)

¹¹¹ UK Parliament, ‘[MP’s guide to procedure](#)’, accessed 20 August 2024.

¹¹² [HC Hansard, 22 May 2024, col 981.](#)

¹¹³ [HC Hansard, 22 May 2024, col 983.](#)

¹¹⁴ [HC Hansard, 22 May 2024, col 984](#); and UK Parliament, ‘[Early day motion 711: Holocaust memorial proposals](#)’, tabled 1 May 2024.



The bill was read a third time and passed.¹¹⁵ Directly afterwards, the House of Commons agreed a carry-over motion to the bill.¹¹⁶ The bill was introduced into the House of Lords on 23 May 2024. Following the general election, the bill was presented in the House of Commons on 18 July 2024 and deemed to have been read a first, second and third time.¹¹⁷

4.7 House of Lords stages

The Holocaust Memorial Bill Select Committee in the House of Lords received petitions between 23 May 2024 and 17 July 2024.¹¹⁸ As at 23 July 2024, 18 petitions had been received by the select committee; these are published on the committee's website and will be considered after second reading.¹¹⁹ The bill is scheduled to receive its second reading in the House of Lords on 4 September 2024.

Once a hybrid bill is considered by a select committee in the House of Lords it is sent to a grand committee or committee of the whole house and thereafter follows the usual course of a public bill.¹²⁰

¹¹⁵ [HC Hansard, 22 May 2024, col 990.](#)

¹¹⁶ [HC Hansard, 22 May 2024, cols 992–3.](#)

¹¹⁷ [HC Hansard, 18 July 2024, col 212.](#)

¹¹⁸ UK Parliament, '[Holocaust Memorial Bill](#)', 18 July 2024.

¹¹⁹ UK Parliament, '[Holocaust Memorial Bill Select Committee](#)', accessed 23 July 2024.

¹²⁰ House of Lords, '[Companion to the standing orders and guide to the proceedings of the House of Lords](#)', 24 February 2024, paras 8.222–8.230, pp 168–9.

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