

Mr John Stevenson, MP
Chair,
Select Committee on the Holocaust Memorial Bill
House of Commons
Westminster
London
SW1A 0AA

DDI +442074906420

E robbie.owen@pinsentmasons.com

15 January 2024

Dear Mr. Stevenson

HOLOCAUST MEMORIAL BILL

We are writing to you on behalf of the Promoter of the Bill, the Secretary of State for Levelling Up, Housing and Communities, to clarify two matters that were the subject of exchanges with the Committee at the end of its first public sitting on 08 January 2024.

Approach taken by the Bill regarding Victoria Tower Gardens

You asked why Victoria Tower Gardens is not referred to on the face of the Bill.¹ Mr. Katkowski KC replied that the primary purpose of the Bill is to remove a legal obstruction to the building of the Holocaust Memorial and Learning Centre, which is done by Clause 2, rather than to authorise its construction.² That obstruction is specific to Victoria Tower Gardens, rather than any other location.

As further background, the reason the Bill is drafted like this is because if it were to authorise the construction of the Holocaust Memorial and Learning Centre at Victoria Tower Gardens, that would replace the conventional planning process which the Promoter believes should be followed. A Bill with such a purpose would also need to include many more provisions and be supported by extensive environmental impact assessment information (for example, on the impact on heritage assets) such as has been prepared for the planning application. Whilst railways (such as HS2) and other major linear transport projects are often authorised through the hybrid bill process, the Holocaust Memorial and Learning Centre is clearly a much smaller development project and therefore the Promoter considers that apart from authorising public expenditure (Clause 1), the Bill should just disapply the 1900 Act restriction as that cannot be done by the grant of a planning permission. In that way it removes the statutory impediment to building in Victoria Tower Gardens but leaves other matters for the normal planning process.

Witnesses for the Promoter and their cross-examination by petitioners

We would like to assure the Committee that if at any stage you consider that it would assist the Committee to hear evidence on a particular matter, then the Promoter will use its best endeavours to

¹ [Minutes of Oral Evidence taken before the Holocaust Memorial Bill Committee, Wednesday 10 January 2024](#), p.32 para 139.

² [Minutes of Oral Evidence taken before the Holocaust Memorial Bill Committee, Wednesday 10 January 2024](#), p.33 para 141-142.

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

Pinsent Masons LLP is a limited liability partnership, registered in England and Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate jurisdictions in which it operates. Reference to "Pinsent Masons" is to Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name "Pinsent Masons" as the context requires. The word "partner", used in relation to the LLP, refers to a member or an employee or consultant of the LLP or any affiliated firm, with equivalent standing. A list of members of Pinsent Masons, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com



provide an appropriate witness to give that evidence and to be available for questioning by the Committee.

So far as petitioners' cases are concerned, the onus is on petitioners generally to make their case. It follows that if in relation to submissions made and/or evidence given on behalf of a petitioner the Promoter feels that it would be helpful to the Committee to respond with its own evidence, then in accordance with standard process the Promoter's witness(es) concerned will then be made available for cross-examination by the petitioner. Cross-examination is only on the evidence that has been given by the witness, however; the established procedure in hybrid bill select committees is that there is no wider ability for petitioners to require the Promoter to produce a witness for general questioning by the petitioner.

Yours sincerely

RJV Owen, Partner of Pinsent Masons LLP

Parliamentary Agent for the Secretary of State for Levelling Up, Housing and Communities