

# Parliament (Repair) Bill

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A  
**BILL**

TO

Make provision in connection with works for or in connection with the restoration of the Palace of Westminster and other works relating to the Parliamentary Estate; the repeal of the Parliamentary Buildings (Restoration and Renewal) Act 2019; the establishment of a new Parliamentary Works Board; and for connected purposes.

**B**e it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: —

**PART 1: ESTABLISHMENT OF THE PARLIAMENTARY WORKS BOARD**

**1 Establishment of Parliamentary Works Board**

A body corporate called the Parliamentary Works Board is established, and from the date of this Act will have overall responsibility for the Parliamentary works.

**2 Functions of the Parliamentary Works Board**

- (1) The Parliamentary Works Board must, and is empowered to, formulate and implement proposals relating to the design, cost and timing of Parliamentary works within the scope of this Act.
- (2) Subject to the provisions of this Act, the Parliamentary Works Board has power to do anything that individuals, or bodies corporates, generally may do even though they are in nature, extent or otherwise unlike anything —
  - (a) the person or body may do apart from this subsection, or
  - (b) that other public bodies may do.
- (3) The Parliamentary Works Board must act in a way and exercise its functions under this Act in a way which —
  - (a) is compatible with its overriding duty in section 4(1), and
  - (b) it considers most expeditious and appropriate for the purpose of meeting the objectives in section 4(2).
- (4) Subject to the provisions of this Act, and without limitation to subsection (2), the Parliamentary Works Board may do anything that is calculated to facilitate the carrying out of its functions or is incidental or conducive to the carrying out of those functions.

### **3 Membership of the Parliamentary Works Board**

- (1) The Parliamentary Works Board is to have a board of members consisting of –
  - (a) the Prime Minister;
  - (b) the Speaker of the House of Commons;
  - (c) a suitable chief executive officer;
  - (d) two cultural heritage specialists (one of whom must not have been employed by a public body prior to or following the commencement of this Act); and
  - (e) two delivery specialists.
- (2) A person appointed under section 3(1)(c) to (e) must be appointed by the Prime Minister.
- (3) A person may not be appointed as a board member under this section if the person has been appointed, advised, or otherwise been substantially involved in connection with the proposals for Parliamentary works prior to the date of this Act unless the Prime Minister lays a statement in the House of Commons explaining why that appointment is justified and does not conflict with section 4 of this Act.
- (4) In this section –
  - “cultural heritage specialist” means a person who has sufficient experience or knowledge of works to a Grade 1 listed building, or national landmarks and who is anticipated to use that knowledge or experience to support a decision-making function linked to the functions of the Parliamentary Works Board under this Act;
  - “delivery specialist” means a person who has sufficient experience or knowledge of delivering a major project or programme on time and within budget and who is anticipated to use that knowledge or experience to support a decision-making function linked to the functions of the Parliamentary Works Board under this Act; and
  - “suitable chief executive officer” means a person with substantial experience of delivering good value for money in connection with a major project or programme and who is anticipated to use that experience to lead a decision-making function linked to the functions of the Parliamentary Works Board under this Act.

### **4 Overriding duty, and objectives, of the Parliamentary Works Board**

- (1) The Parliamentary Works Board has the overriding duty to deliver and substantially complete the Parliamentary works in a timely and prompt manner and, in any event, no later than 31 December 2031, whilst –
  - (a) ensuring that good value for money is obtained in connection with those works; and
  - (b) reducing cost to maximise the public funds which are capable of being utilised in connection with the police forces, the operation of the criminal justice system, defence or national security purposes, or the national health service.
- (2) The Parliamentary Works Board must, following its appointment, take all reasonable steps to –

- (a) formulate a proposed scope of works by 30 June 2027,
- (b) prepare a preliminary assessment required under section 6(3)(a) by 30 June 2027;
- (c) prepare a final assessment required under section 6(3)(b) by 31 December 2027;
- (d) ensure an approval under section 6(3)(c) is given no later than 28 days following the formulation of that final assessment; and
- (e) complete the Parliamentary works by 31 December 2031.

## **5 Scope of Parliamentary works**

- (1) Subject to the provisions of this section, “Parliamentary works” for the purposes of this Act are those which are strictly required to ensure that the relevant premises —
  - (a) meet fire safety standards,
  - (b) do not expose users of the relevant premises to unacceptable asbestos exposure or cause other physical harm to its users, and
  - (c) do not suffer structural or permanent damage,in a manner which is consistent with the special architectural, archaeological, and historical significance of the Palace of Westminster.
- (2) The Parliamentary Works Board must not propose, formulate, or deliver any works not falling within the scope of subsection (1) in relation to the relevant premises.
- (3) Except as provided for under subsection (1), Parliamentary works exclude (without limitation) works which relate to anything which is not a specified legislative function, and the Parliamentary Works Board must not defray any expenditure, or consider any works which do not relate to that specified function.
- (4) In this section a “specified legislative function” means —
  - (a) the use of the relevant premises by Members of Parliament, or Peers, for the strict purposes of passing or debating legislation, announcing annual budgets, or conducting committee proceedings, in either of the Houses of Parliament; and
  - (b) the use of part of the Parliamentary Estate by the press for the purposes of reporting on the conduct of either House of Parliament.

## **PART 2: DELIVERY OF THE PARLIAMENTARY WORKS**

### **6 Consent for Parliamentary works**

- (1) The Parliamentary works are hereby authorised.
- (2) The Parliamentary Works Board may authorise any person to construct the Parliamentary works provided an approval has been given under subsection (3).

- (3) No part of the Parliamentary works authorised under subsection (1) may be carried out until for that part, the Parliamentary Works Board has –
  - (a) carried out a preliminary assessment, with detailed costs and the particulars of the proposed works, confirming that those proposed works fall strictly within the scope of section 5 and provide good value for money,
  - (b) following compliance with subsection (5) to (7), published a final assessment, with detailed costs and the particulars of the works, confirming that those proposed works fall strictly within the scope of section 5 and provide good value for money, and
  - (c) after the publication of the final assessment under subparagraph (b), approved, following consultation with Historic England and the Victorian Society, a method statement confirming how the works specified in a final assessment will be carried out to preserve and protect the special architectural, archaeological, and historical significance of the Palace of Westminster.
- (4) The Parliamentary works must be carried out in accordance with a method statement approved under subsection (3)(c) and once approved that statement must be published.
- (5) The Parliamentary Works Board must publish the preliminary assessment carried out under section 6(3)(a).
- (6) Any specified person may, 28 days starting from the date of the publication, make representations on the preliminary assessment.
- (7) The Parliamentary Works Board must have due regard to those representations, and revise the assessment, with the aim of providing good value for money and taking a precautionary approach to ensuring there are no works outside of the scope of section 5.
- (8) In this section a “specified person” is –
  - (a) National Audit Office;
  - (b) Historic England;
  - (c) the Victorian Society;
  - (d) an independent person, appointed by the Leader of the House of Commons and House of Lords, who has sufficient experience or knowledge of delivering a major project or programme on time and within budget and who is anticipated to use that knowledge or experience to review an assessment produced under section 6; and
  - (e) any other person the Parliamentary Works Board considers appropriate.

## **7 Further provision in relation to the Parliamentary Works Board**

- (1) The Parliamentary Works Board may, disapply or modify the requirement for any approval, consent, authorisation, or licence under any statutory provision required in connection with the Parliamentary works where –

- (a) no impact statement has been produced in relation to that provision in the 5 years prior to a decision being made by the Parliamentary Works Board;
  - (b) an impact statement has been produced in relation to that provision, but it shows that the measure in question has a net cost which is quantitatively higher than the monetary value of any benefit reported; or
  - (c) an impact statement has been produced in relation to that provision, but it shows that the measure in question has a net benefit based, wholly or partly, on a qualitative assessment provided that the Parliamentary Works Board, in its absolute discretion, consider that those qualitative benefits will not arise in the case of the Parliamentary works.
- (2) The Parliamentary Works Board may determine, for the purposes of completing the Parliamentary works in accordance with section 4(2)(e), that the current legislative functions of the relevant premises are to be carried out at an alternative site.
- (3) The Secretary of State may, subject to the resolution of the House of Commons, make directions about any disapplication or modification under subsection (1) provided that the Prime Minister provides a quantified cost associated with any such direction, and the Lord Speaker and Speaker of the House of Commons agrees the direction would provide good value for money and otherwise not affect meeting any of the objectives in section 4(2).
- (4) The Parliamentary Works Board may –
  - (a) establish its own terms of reference, including in relation to any decision making provided always that the material decisions must be made or approved by the chief executive officer in all cases;
  - (b) appoint staff on such terms and conditions (including as to remuneration and allowances) as the Parliamentary Works Board may determine.
- (5) The Parliamentary Works Board must publish a statement of its accounts for each financial year in accordance with any direction from His Majesty's Treasury, and those accounts must include a detailed breakdown and assessment of any expenditure relating to the Parliamentary works in a manner which would allow a reasonable person to assess whether those funds fall within the scope of section 5.
- (6) The Companies Act 2006 does not apply to the Parliamentary Works Board and the validity of any act of the Parliamentary Works Board is not affected –
  - (a) by a vacancy of board members, or
  - (b) by a defect in the appointment of a person as a board member of the Parliamentary Works Board.
- (7) In this section, “impact statement” means a document which seeks to assess the costs and benefits of a measure or statutory provision, including any post-implementation review or assessment prepared under the Better Regulation Framework or otherwise.

## 8 Effect of an approval under section 6(3)

- (1) Where approval has been granted under section 6(3)(c), no consents, approvals, or requirements under planning law or environmental law are required to be obtained or applicable in relation to the Parliamentary works.
- (2) Without limitation to subsection (1), where an approval has been given under section 6(3)(c), no authorisation, consent, or approval required under the following legislation is required in relation to the Parliamentary works –
  - (a) the Town and Country Planning Act 1990,
  - (b) Planning (Listed Buildings and Conservation Areas) Act 1990, and
  - (c) any statutory provisions of local application.
- (3) In this section
 

“planning law” means any statutory provision to the extent that it is mainly concerned with planning or development control; and

“environmental law” means any statutory provision to the extent that it is mainly concerned with environmental protection.

## PART 3: MISCELLANEOUS

## 9 Finance provision

- (1) The following are to be paid out of money provided by Parliament –
  - (a) any expenditure incurred by a Minister of the Crown by virtue of this Act;
  - (b) any expenditure incurred by the Parliamentary Works Board by virtue of this Act.
- (2) Where the Parliamentary works are substantially complete prior to the date specified in column (1) of the table below, the board members of the Parliamentary Works Board (except the Prime Minister, Speaker of the House, and the chief executive officer) are each entitled to an incentive payment specified in column (2) and the chief executive officer is entitled to the incentive payment specified in column (3).

| <i>Date (1)</i>  | <i>Board member sum (2)</i> | <i>Chief executive officer sum (3)</i> |
|------------------|-----------------------------|----------------------------------------|
| 31 December 2028 | £10,000,000                 | £15,000,000                            |
| 31 December 2029 | £5,000,000                  | £10,000,000                            |
| 31 December 2030 | £2,500,000                  | £5,000,000                             |
| 31 December 2031 | £1,250,000                  | £2,500,000                             |

- (3) Where an objective in section 4(2)(a), (b), (c), (d) and (e) is not met by the date specified in that provision, the sums set out in column (2), or if already reduced the reduced amount, shall be reduced by 50%.
- (4) Following the publication of the preliminary assessment under section 6(3)(a) and the publication of the final assessment under section 6(3)(b), the Parliamentary Board member for Standards must, following consultation with the National Audit Office, undertake a review of whether any costs do not provide value for money or are outside of the scope of section 5.

- (5) Where the Parliamentary Board member for Standards determines, following a determination under subsection (6) or otherwise, that there are works which do not provide good value for money, or are outside the scope of section 5, the payments in column (2), or if already reduced the remaining total, shall be reduced by 50%.
- (6) Whether the Parliamentary works are substantially complete for the purposes of subsection (2) shall be determined by the Speaker of the House of Commons, following consultation with three independent persons appointed by the President of the Institute of Civil Engineers.
- (7) The Parliamentary Works Board must pay to Historic England, the Victorian Society and the person appointed under section 6(8)(d) so much of any of their expenses and costs as may appear to it to be attributable to providing representations under section 6.

## **10 Accountability**

- (1) From the date of this enactment, any Minister of the Crown or officer of the House of Commons or Lords, who proposes works to the Palace of Westminster or the Parliamentary Estate which are outside the scope of section 5 (or is substantially involved in those proposals), must lay a statement before the House of Commons and House of Lords which –
  - (a) specifies the amount of non-essential costs,
  - (b) provides a statement quantifying what an amount equivalent to the non-essential costs could fund, if it were used for those purposes, in terms of the –
    - (i) provision of new hospitals; and
    - (ii) police officer's salaries,
  - (c) explains the basis on which those non-essential costs are justified on the proposed works instead of the matters set out in subparagraphs(b)(i) and (ii).
- (2) Where the person under subsection (1) is a Minister of the Crown, or the proposal has had the substantial involvement of that Minister, the statement must also be made by the Prime Minister orally in the House of Commons in the first sitting Wednesday (after that statement is laid) at Prime Minister's Question.
- (3) Where the Parliamentary works are not complete by 31 December 2031, the Chancellor of the Exchequer, and the Prime Minister, must at the first available sitting Wednesday thereafter, break a model of Parliament on the floor of the House.
- (4) Where the Parliamentary works are complete by date specified in section 4(2)(e), the board members (except the Prime Minister and Speaker of the House) will be granted Knight Grand Cross or Dame Grand Cross of the Most Excellent Order of the British Empire.
- (5) Where there Parliamentary works are not complete by the date specified in section 4(2)(e), any order or decorations given to any board member shall be automatically removed.

- (6) In this section “model of Parliament” means a replica of the Houses of Parliament which is at least 1 metre in length, 1 metre in width, and 0.5 metres in height.

## **11 Repeal of the 2019 Act etc.**

- (1) Except as otherwise provided in this section or under regulations made under section 12 of this Act, the 2019 Act is repealed.
- (2) The Leader of the House of Commons or Leader of the House of Lords may by regulations –
- (a) for the purposes of transferring any function, property, rights or liabilities from the Sponsor Body or Delivery Authority to such other person (including the Parliamentary Works Board) as the Leader of the House of Commons or Leader of House of Lords considers appropriate; or
  - (b) apply or modify a procedural or administrative provision contained in Schedule 1 to the 2019 Act which relates to the governance of the Sponsor Body to the Parliamentary Works Board provided that provision is not inconsistent with this Act and the application does not in any way affect the overriding duty of the Parliamentary Works Board, or its objectives, under section 4 or otherwise add any further function or duty in connection with the Parliamentary works.
- (3) Regulations under subsection (2) may –
- (a) create rights, or impose liabilities, in relation to property or rights transferred;
  - (b) make provision about the continuing effect of things done by the Sponsor Body or Delivery Authority in respect of anything transferred;
  - (c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to the Sponsor Body or Delivery Authority in respect of anything transferred;
  - (d) if the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) do not apply in relation to the transfer, make provision that is the same or similar; or
  - (e) make other consequential, supplementary, incidental, or transitional provision (including consequential provision amending or repealing any provision of this Act).

## **12 Consequential provisions**

- (1) The Secretary of State, the Leader of the House of Commons or Leader of the House of Lords may by regulations –
- (a) amend or repeal any enactment passed before or in the same session as this Act;
  - (b) amend or revoke subordinate legislation made before the passing of this Act.
- (2) A regulation under subsection (1) may be made only for the purposes of –

- (a) supplementing or giving full effect to this Act; or
  - (b) making provision consequential on, or incidental to, the passing of this Act (including transitional or savings provisions).
- (3) Regulations made under this section are to be made by statutory instrument.
- (4) A statutory instrument containing regulations under this section is subject to the affirmative resolution.

### 13 Interpretation

In this Act—

“the 2019 Act” means the Parliamentary Buildings (Restoration and Renewal) Act 2019;

“board member” means a person appointed under section 3, or who is otherwise a member of the Parliamentary Works Board by virtue of that section;

“Delivery Authority” has the meaning given in the 2019 Act;

“fire safety standards” means standards which the Parliamentary Works Board considers are relevant to—

- (a) measures to reduce the risk of
  - (i) fire in relevant premises; and
  - (ii) the risk of the spread of fire there;
- (b) measures in relation to the means of escape from relevant premises;
- (c) measures for securing that, at all material times, the means of escape from relevant premises can be safely and effectively used;
- (d) measures in relation to the means of extinguishing fires in relevant premises;
- (e) measures in relation to the means of
  - (i) detecting fires in relevant premises; and
  - (ii) giving warning in the event of fire, or suspected fire, in relevant premises;
- (f) measures in relation to the arrangements for action to be taken in the event of fire in relevant premises (including, in particular, measures for the instruction and training of employees and for mitigation of the effects of fire);

“good value for money” means ensuring that any expenditure is limited to what is strictly necessary to achieve economically and efficiently the objectives under section 4(2), and must be based on giving significant regard to public funds being used for purposes other than the Parliamentary works and determinative weight to ensuring no expenditure, which could be used for the operation of the criminal justice system, defence, police forces or the national health service is used or contemplated in connection with non-essential costs;

“Leader of the House of Commons” means the Minister of the Crown who is for the time being designated as Leader of the House of Commons by the Prime Minister;

“Leader of the House of Lords” means the Minister of the Crown who is for the time being designated as Leader of the House of Lords by the Prime Minister;

“non-essential costs” means any cost which, on a precautionary basis, is not strictly and necessarily within the scope of works under section 5;

“Parliamentary works” has the meaning given by section 5(1);

“relevant premises” means the Palace of Westminster or the Parliamentary Estate;

“Sponsor Body” has the meaning given in the 2019 Act; and

“unacceptable asbestos exposure” means a level of asbestos exposure which, taking into account the duration of that exposure, the Parliamentary Works Board considers would be –

- (a) greater than the exposure that the average citizen would be exposed to in the course of ordinary conduct; and
- (b) cause a proven and serious health issue.

## **PART 4: FINAL PROVISIONS**

### **14 Crown application**

This Act binds the Crown.

### **15 Commencement**

This Act comes into force on the day after the day on which it receives Royal Assent.

### **16 Extent**

This Act extends to England and Wales.

### **17 Short title**

This Act may be cited as Parliament (Repair) Act 202[ ].

# Parliament (Repair) Bill

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## BILL

TO

Make provision in connection with works for or in connection with the restoration of the Palace of Westminster and other works relating to the Parliamentary Estate; the repeal of the Parliamentary Buildings (Restoration and Renewal) Act 2019; the establishment of a new Parliamentary Works Board; and for connected purposes.