



House of Commons  
Regulatory Reform Committee

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# Draft Regulatory Reform (Museum of London) (Location of Premises) Order 2004

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**Seventh Report of Session 2003–04**

*Report, together with formal minutes*

*Ordered by The House of Commons  
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## The Regulatory Reform Committee

The Regulatory Reform Committee is appointed to consider and report to the House of Commons on proposals for regulatory reform orders under the Regulatory Reform Act 2001 and, subsequently, any ensuing draft regulatory reform order. It will also consider any "subordinate provisions order" made under the same Act.

### Current membership

Mr Peter Pike (*Labour, Burnley*) (Chairman)  
Mr Russell Brown (*Labour, Dumfries*)  
Brian Cotter (*Liberal Democrat, Weston-super-Mare*)  
Mr Jeffrey M. Donaldson (*Democratic Unionist, Lagan Valley*)  
Mr Dai Havard (*Labour, Merthyr Tydfil and Rhymney*)  
Andy King (*Labour, Rugby and Kenilworth*)  
Mr Mark Lazarowicz (*Labour, Edinburgh North and Leith*)  
Mr Andrew Love (*Labour/Co-operative, Edmonton*)  
Mr John MacDougall (*Labour, Central Fife*)  
Chris Mole (*Labour, Ipswich*)  
Mr Denis Murphy (*Labour, Wansbeck*)  
Dr Doug Naysmith (*Labour/Co-operative, Bristol North West*)  
Mr Archie Norman (*Conservative, Tunbridge Wells*)  
Andrew Rosindell (*Conservative, Romford*)  
Mr Anthony Steen (*Conservative, Totnes*)  
Brian White (*Labour, Milton Keynes North East*)

### Powers

The full constitution and powers of the Committee are set out in House of Commons Standing Order No. 141, available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/parliamentary\\_committees/regulatory\\_reform\\_committee.cfm](http://www.parliament.uk/parliamentary_committees/regulatory_reform_committee.cfm).

A list of Reports of the Committee in the present Parliament is at the back of this volume.

### Committee staff

The current staff of the Committee are Martyn Atkins (Clerk), Stuart Deacon (Committee Specialist), Brian Dye (Committee Assistant) and Liz Booth (Secretary).

### Contacts

All correspondence should be addressed to the Clerk of the Regulatory Reform Committee, Committee Office, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 2837; the Committee's email address is [regrefcom@parliament.uk](mailto:regrefcom@parliament.uk).

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# 1 Report under Standing Order No. 141

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1. The Regulatory Reform Committee has examined the draft Regulatory Reform (Museum of London) (Location of Premises) Order 2004 in accordance with Standing Order No. 141. We recommend unanimously that the draft Order be approved.

## 2 Introduction

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2. On 6 May 2004 the Government laid the draft Order before Parliament, together with an explanatory statement from the Department for Culture, Media and Sport (the Department).<sup>1</sup> We have already reported on the proposal for the Order, which would amend the Museum of London Act 1965 to expand the geographical boundary within which the Museum of London may operate a museum.<sup>2</sup> That boundary is currently set at the City of London; the proposed Order would expand this to encompass the whole of Greater London. The reason for proposing this is to make it legally possible for the Museum of London to merge with the Museum in Docklands, which is situated outside the current geographical limit of the Museum of London's operation at West India Quay.

3. The Museum in Docklands has been developed as an independent foundation on the basis of materials collected by the Museum of London on the history of the Port of London and the Docklands area. Changes in the financial and operational climate for museums consequent on the opening of the national museums to the public without charge have meant that the financial viability of the Museum in Docklands as an independent institution has been called into doubt. Specific concerns have been raised by the Heritage Lottery Fund, which had made substantial contributions to the costs of establishing the new museum and which continues to make significant donations to support its operations. Since the Heritage Lottery Fund made the merging of the Museum in Docklands with the Museum of London a condition of its future support, the Department has concluded that the Museum in Docklands might not be able to continue to operate unless the proposed merger were effected. The governing bodies of both the Museums formally approved plans to seek a merger at meetings in March 2003.

4. The House has instructed us to examine the draft Order against such of the criteria specified in Standing Order No. 141(6) as are relevant. We are also required to consider the extent to which the responsible Minister has had regard to any resolution or report of the Committee or to any other representations made during the period for Parliamentary consideration.<sup>3</sup> Our discussion of matters arising from our examination is set out below.

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1 Copies of the proposal are available to Members of Parliament from the Vote Office and to members of the public from the Department. The proposal is also available on the Cabinet Office web site: [www.cabinet-office.gov.uk/regulation/rra/rro/proposals.asp](http://www.cabinet-office.gov.uk/regulation/rra/rro/proposals.asp)

2 Fourth Report of the Regulatory Reform Committee, Session 2003-04, *Proposal for the Regulatory Reform (Museum of London (Location of Premises) Order 2004*, HC (2003-04) 414

3 Standing Order No. 141(7)

## 3 Findings of our previous report

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5. We issued our substantive report on 3 March 2004, early in the 60 day period for Parliamentary consideration. On 30 March 2004 we made our formal report to the House, recommending that a draft Order in the same form as the proposal should be laid before the House.<sup>4</sup>

6. We were satisfied that the proposal met the criteria against which we were required to judge it. We considered that the proposal was both straightforward and beneficial and we concluded that a draft Order in the same terms as the proposal should be laid before the House.

### Adequate consultation

7. We were satisfied that the proposal had been the subject of an adequate consultation process. All of those who responded to the Department's invitation gave their support to the proposal.

8. We noted that the Department had not initially identified all of those whom it consulted on the proposal when laying the draft Order before Parliament. The schedule of consultees included the general designations "Community Organisations" and "Educational Organisations". At our request the Department identified the particular parties concerned as being The Isle of Dogs Community Foundation and the Director of Education at Tower Hamlets Borough Council. Whilst having no concern about the adequacy of the consultation process itself, we did feel it was misleading for the Department initially to have suggested that a range of community and educational bodies had been consulted. We questioned why the individual consultees concerned should not have been properly identified at the time the proposal was laid.<sup>5</sup>

## 4 The Department's response to our report

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### Drafting of the Order

9. We were content with the form in which the proposal had been drafted. The Department has made no amendments to the drafting of its Order.

### Adequate consultation

10. As noted in paragraph 7 above, we were concerned by the Department's failure to identify all those bodies which had received copies of its consultation document on the proposal. In light of this, we are disappointed that the Department has made no comment

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4 *Votes and Proceedings*, 30 March 2004

5 HC (2003-04) 414, para 38

or acknowledgement of the point made concerning the desirability of properly identifying those parties who were consulted on its proposal.

11. Subject to this point, we are satisfied that the responsible Minister has had due regard to our previous report on the proposal for the draft Order.

## 5 Other representations

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12. The period for Parliamentary consideration of the proposals began on 22 January 2004 and expired on 31 March 2004. The Department received one additional representation during that period from an employee of the Museum in Docklands.<sup>6</sup> The concern raised was that the proposed Order should make the most rapid possible progress into law. This was because he had been given to understand that completion of the merger of the Museum in Docklands with the Museum of London would enable the contractual terms and conditions of the two current Museum's staffs to be harmonised. He considered that differences in the two sets of pay and conditions for staff to be to the disadvantage of employees of the Museum in Docklands.

13. The Department's response indicated that pay and conditions for the staff of the Museums were a matter for the Board of the Museum of London.<sup>7</sup> With respect to the timetable for implementing the Order, it is the Department's intention that, should it receive Parliamentary approval, the proposed Order should be in force by July 2004. **We consider that, should both Houses approve the draft Order, the Department should arrange for it to take effect as soon as is practicable so that the discrepancy identified above can be addressed.**

## 6 Recommendation

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14. **In accordance with Standing Order No. 141(15), we recommend unanimously that the draft Order be approved.**

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6 Letter from Mr Giovanni Presti to Mr Owain Lloyd-James, DCMS, Explanatory statement, Annex A

7 Explanatory statement, Annex A

## Formal minutes

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**Tuesday 11 May 2004**

Members present:

Mr Peter Pike, in the Chair

Mr Russell Brown

Dr Doug Naysmith

Mr John MacDougall

Brian White

Mr Denis Murphy

The Committee deliberated.

Draft Report [Draft Regulatory Reform (Museum of London) (Location of Premises) Order 2004], proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 14 read and agreed to.

*Resolved*, That the Report be the Seventh Report of the Committee to the House.

*Ordered*, That the Chairman do make the Report to the House.

[Adjourned till Tuesday 25 May at 9.30 am.]



## Reports from the Regulatory Reform Committee since 2001

The following reports were published during the present Parliament by the Regulatory Reform Committee under its previous name, the Deregulation and Regulatory Reform Committee.

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Ninth	Draft Deregulation (Correction of Birth and Death Entries in Registers or Other Records) Order 2002 Proposal for the Regulatory Reform (Vaccine Damage Payments Act 1979) Order 2002	708
Tenth	Draft Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 Draft Regulatory Reform (Carer's Allowance) Order 2002	807
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Twelfth	Proposal for the Regulatory Reform (Removal of the 20 Member Limit) Order 2002	1104
Thirteenth	Proposal for the Regulatory Reform (Sugar Beet Research and Education) Order 2003	1247
Fourteenth	Draft Regulatory Reform (Removal of 20 Member Limit in Partnerships Etc.) Order 2002	1303
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