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CONSULTATION ON THE INTRODUCTION OF NEW AND AMENDING BYELAWS FOR GOOD RULE AND GOVERNMENT

I am responding to the City of Westminster's consultation letter of 8 December on behalf of the Home Office it may be helpful to explain why we consider it necessary to include our building at 2 Marsham Street within scope of the planned byelaws.

The proposal is to provide powers to authorised officers and constables to deal with tents and other structures in the Parliament Square and Whitehall area and to seize noise equipment used in contravention of byelaws throughout the city. These powers were provided by Parliament through the Police Reform and Social Responsibility Act 2011 and are intended for use by any local authority to bolster the effective enforcement of byelaws for good rule and government at local level.

My Department's particular concern is the risk of encampments or other incursions arising on the Department's land or pavements surrounding its Headquarters.

We believe we may be a target for such actions because:

- i. the Home Office brought forward the legislation to deal with the particular problem of encampments on Parliament Square;
- ii. Ministers have publicly made clear that they do not consider the right to protest extends to the right to set up encampments; and,

- iii. there is an area of raised grass at the front of 2 Marsham Street which might attract those wishing to setting up an encampment, together with open space provided by walkways through the site and wider pavements. Furthermore, the building's outside water feature would be a potential public health hazard if improperly used possibly for personal ablutions or as a latrine, with consequent risks to public health. .

In developing its Headquarters, the Department accepted the wishes of the local residents that the site should be made permeable by the provision of public walkways through the site between Marsham Street and Monck Street which provides a valued amenity to the area. It is however important that these walkways are kept open and available for public use which would be much more difficult to accommodate in the event of threats to the building's security arising.

While it is not possible to refer to security issues in any detail the Department's responsibilities for counter-terrorism, maintenance of public order, border controls and policing mean that it is essential that there is continuity of uninterrupted use of our Headquarters building without threats arising to safety, access or use of the building. We have some 4,000 staff based here with around 1,000 visitors per week. It is in the essential national interest that business continuity is maintained which could be put at serious risk if an encampment or similar intrusion were to appear close to the building.

Finally, I should make clear that in strongly advocating the inclusion of 2 Marsham Street in scope there is no wish in any way to prevent legitimate demonstrations or protests which indeed have taken place from time to time outside the building since it was opened in 2005.

*Yours,
Helen Ghosh*

HELEN GHOSH