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NOTE OF A MEETING BETWEEN THE CHANCELLOR OF THE DUCHY OF LANCASTER AND MR MICHAEL FOOT IN ROOM 4, HOUSE OF COMMONS, AT 9.45 P.M. 5 DECEMBER 1979

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The Local Government, Planning and Land Bill

The Chancellor of the Duchy said that the Cabinet would discuss on Thursday whether or not this Bill should continue to proceed first in the Lords. His personal assessment from some soundings he had taken was that the Cabinet would confirm their earlier decision. While he did not accept the arguments advanced by Mr Foot at their meeting on 3 December (and in particular there was no evidence in recent years to show that the Lords had been more favourably disposed towards bills coming from governments of one party than towards those of another), the Chancellor asked whether the Opposition's concern that introduction in the Lords would prevent the Commons declaring their views before the Lords preceded to consider the Bill, would be met if there was a day's general debate in the Commons on a motion for the adjournment.

Mr Foot in refusing this offer said that such a course would disrupt the natural order of business in the Commons which entailed not only a discussion on the principle of the Bill but also an examination in great detail. Since the meeting on 3 December he and some of his colleagues had studied the bill and thought about the Government's proposal to proceed with this major and controversial bill in the Lords with great care, and they remained of the view that it was an absolutely novel procedure which involved a fundamental change in the relationship between the two Houses. To suggest that the Labour Party could introduce a controversial Bill in the Lords was to seriously misunderstand the relationship with the Lords, and the Government were scandalously misinformed if it believed that the Labour Party in the Lords wanted it to start there.

Mr Foot said that the Opposition took their stand on what the then Leader of the House (Mr Whitelaw) said in a debate on a Procedure Committee Report on 16 November 1971 (O.R. Col 375) - which Mr Foot contended was the last time the House of Commons considered the allocation of First Readings between the two Houses: "I am absolutely firm in my view that there are many Bills, the vast majority, which by their very nature, political or, of course, financial, must start in this House. There can be no question of that. They must



start in this House and they do. No Government would ever suggest that they should not."

Mr Foot said that he urged the Government to change its mind. He appreciated the difficulties in doing so when the Bill had already started in the Lords, but the Opposition regarded what had been done with the utmost seriousness. They had advised the Government of their attitude at the outset and if the Bill continued to proceed in the Lords the Opposition would regard it as a serious injury to the House of Commons and a matter which would cause serious difficulties between the parties for a long time to come.

The meeting ended at 10.00 p.m.

J W Stevens  
6 December 1979