The conduct of Lord Bates
The Committee for Privileges and Conduct
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The conduct of Lord Bates

1. The Commissioner for Standards has submitted the attached report about a complaint made against Lord Bates.

2. The complainant alleged that Lord Bates breached the Code of Conduct by failing to register in the Register of Lords’ Interests his involvement in a proposal by the Chinese developer ZhongRong Group to redevelop part of Crystal Palace Park; and by failing to declare as an interest when he sat on the Olympic and Paralympic Legacy Committee in 2013 his and Lady Bates’ involvement with the proposal.

3. The Commissioner for Standards found that Lord Bates did not breach the Code in respect of any of the allegations.

4. In accordance with paragraph 140 of the Guide to the Code of Conduct we report this case to the House for information.
ANNEX 1:
REPORT BY THE COMMISSIONER OF STANDARDS

Summary of the complaint

1. On 17 April 2015 I received a complaint from Mr Len Duvall AM (appendix A) about Lord Bates. The complaint related to the involvement of Lord Bates and his wife in a former proposal by the Chinese developer ZhongRong Group to redevelop part of Crystal Palace Park. The complaint was based on an article in The Sunday Times; included with it were two documents relating to the process for seeking permission for the proposal and which referred to Lord and Lady Bates’ involvement in the proposal (all are reproduced in appendix A).

2. After writing to the complainant to clarify the scope of the complaint (appendices B and C), he confirmed that there were four allegations:
   
   (a) that Lord Bates was obliged but failed to register in the Register of Lords’ Interests his role with ZhongRong Group in relation to that company’s proposal to redevelop Crystal Palace Park;
   
   (b) that Lord Bates was obliged but failed to register in the Register of Lords’ Interests his wife’s role with that company in relation to that proposal;
   
   (c) that Lord Bates was obliged but failed to declare his role when sitting on the Olympic and Paralympic Legacy Committee between May and October 2013;
   
   (d) that Lord Bates was obliged but failed to declare his wife’s role when sitting on that committee.

3. I carried out a preliminary assessment of the complaint and decided formally to investigate allegations (a), (c) and (d) above. I dismissed the remaining allegation ((b) above) because, while members are required to register a spouse’s interests in certain categories (see paragraph 42 of the Guide to the Code of Conduct1), none of those categories were relevant to the allegations at hand. I do not cover that allegation further in this report.

4. I wrote to Lord Bates on 20 May 2015 (appendix D) advising him of my decision to investigate the three allegations set out above and inviting him to provide a full and accurate account of the matters in question.

5. Lord Bates responded initially in an email on 20 May 2015 (appendix E). He sent a second email on 21 May 2015 (appendix F). I subsequently arranged to interview Lord Bates and did so on 21 July 2015. A transcript of the interview is attached (appendix J). After the interview Lord Bates provided additional information in an email of 22 July 2015 (appendix K). He also made some supplementary points relevant to things said at the interview; these are included as footnotes in the transcript.

Key facts and findings

6. The allegations arose from a proposal to redevelop part of Crystal Palace Park by building a glasshouse similar to that used for the Great Exhibition in 1951. The glasshouse would include a hotel, retail outlets and art galleries. The Chinese company ZhongRong Group was interested in the proposal.

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and, according to *The Sunday Times*, was awarded an “exclusivity agreement” to develop the site. The allegations relate to Lord and Lady Bates’ involvement with the proposal and whether Lord Bates should have registered or declared their involvement. In the event the proposal was dropped in early 2015.

7. A meeting was held on 30 October 2012 between representatives of the Greater London Authority (GLA) and representatives of the ZhongRong Group to discuss the proposal. A GLA “Technical planning advice note” was drawn up on 16 November 2012 (appendix A). It listed as present at the meeting Xuelin Bates (i.e. Lord Bates’ wife) and Lord Bates. They were listed under the heading “Applicant”. Lady Bates was listed first and was described as “Xuelin Bates—Architect and property developer representing Zhongrong Group”. Then there was “Lord Bates (Xuelin’s husband)”.

8. On 27 March 2013 a memorandum of understanding was drawn up in respect of the proposal between the GLA, the London of Borough of Bromley (which Crystal Palace Park is in) and ZhongRong Group. It listed Lady Bates as one of the sponsors of the proposal, along with the chairman of ZhongRong Group and representatives of the GLA and the London Borough of Bromley. It also listed members of a steering committee to take the proposal forward; Lady Bates was one of the members. Lord Bates was not mentioned in the memorandum of understanding.

9. At issue in my investigation was the extent to which Lord and Lady Bates’ presence at the 30 October 2012 meeting, and their involvement otherwise in the proposal, amounted to an interest that should have been registered by Lord Bates on the Register of Lords’ Interests or declared when he sat on the Olympic and Paralympic Committee.

10. There were five representatives of the GLA at the meeting on 30 October 2012. One of them was Stewart Murray, Assistant Director Planning at the GLA. I wrote to him on 16 June 2015 (appendix H) asking for his view of the status of Lord Bates at that meeting. Mr Murray responded on 29 June 2015 (appendix I) stating:

“To the best of my knowledge, Lord Bates and Xuelin Bates were representing the Zhongrong Group at the meeting in question on 30 October 2012. That is certainly the impression I had at the time. However, I should add that I neither sought nor was offered formal confirmation of the status at that time of either Lord Bates or Xuelin Bates in relation to the Zhongrong Group.”

11. I also wrote to the chairman of ZhongRong Group, Mr Ni Zhaoxing, in Shanghai, asking for information about the involvement of Lord and Lady Bates in the proposal. The letter was sent on 1 June 2015 by post and by email. Despite several emailed reminders no response was received. It is regrettable that a potentially useful witness did not respond to my communications.

Should Lord Bates have registered an interest in the Register of Lords’ Interests?

12. Paragraph 10(a) of the Code of Conduct requires members to register in the Register of Lords’ Interests all relevant interests. The test of a relevant interest is whether the interest might be thought by a reasonable member of the public to influence the way in which the member discharges his or her parliamentary duties. Members must register, *inter alia*, employment in
category 2 of the Register. There are also categories for registering miscellaneous financial interests and non-financial interests which meet the test of relevance.

13. The question, therefore, is whether Lord Bates’ involvement in the proposal was such that he should have registered it.

14. In his written statements to me Lord Bates said that the meeting on 30 October 2012 was the only meeting he attended about the proposal. He said that the record of the meeting recorded his status accurately: as “Xuelin’s husband”. The meeting was preliminary; there was no formal application for planning permission at that stage. He said that the purpose of his attending was to ensure that Lady Bates understood the correct procedure should the proposal proceed. In his oral evidence Lord Bates elaborated on this, saying that Lady Bates’ position as the wife of a member of the House of Lords made it important that appropriate procedures were followed. Lord Bates said he attended no further meetings about the proposal and received no payment nor promise of a future benefit in return for attending the meeting.

15. The Code of Conduct requires registration of certain financial interests. There is no evidence to contradict Lord Bates’ statements that he had no financial interest in this proposal.

16. The Code requires registration of certain non-financial interests (in category 10, set out in paragraphs 83 to 85 of the Guide). Aside from unremunerated directorships or other regular employment, the non-financial interests that must be registered are all particular posts (such as being a trustee). In this instance Lord Bates held no post. There is no evidence to contradict his statement that he attended only one meeting about the proposal. Although it is reasonable to assume his presence at the 30 October 2012 meeting was as part of the team representing ZhongRong Group, I do not think a reasonable person would consider that his attendance at that one meeting would generally affect the discharge of his parliamentary duties and so should be registered. This is particularly so given that the meeting was a preliminary one to explore the possibility of the proposal proceeding.

17. I find that Lord Bates was not required to register his interest in the proposal in the Register of Lords’ Interests and so did not breach the Code of Conduct in that respect.

Should Lord Bates have declared his interest when sitting on the Olympic and Paralympic Legacy Committee?

18. The Select Committee on Olympic and Paralympic Legacy was appointed by the House of Lords on 16 May 2013 with the order of reference “to consider the strategic issues for regeneration and sporting legacy from the Olympic and Paralympic Games”. Lord Bates was a member of the committee from when it was established to when he resigned on 8 October 2013 (on being appointed a Government Whip). The committee published its report in November 2013; at that point it disbanded.

19. Paragraph 10(b) of the Code of Conduct requires members to declare during proceedings any interest which is a relevant interest in the context of the matter under discussion. Paragraph 96 of the Guide elaborates on this in the context of select committees. It advises that members should declare in writing to the committee clerk any interests relevant to the inquiry or other work undertaken by the committee. Interests should also be declared orally
the first time the member speaks in public during the inquiry. A list of declared interests is published as an appendix to the committee’s report.

20. In addition, even if an interest is not generally relevant to a committee’s inquiry, and so need not be declared at the start of the inquiry, if it is relevant to a particular witness or to a specific question the member is asking, the member should declare it at that stage.

21. Lord Bates declared no interests when sitting on the committee. The question is whether he should have declared his involvement in the proposal to redevelop Crystal Palace Park—either because it was generally relevant to the whole inquiry or because it was specifically relevant to a particular witness or question he asked.

22. The general order of reference for the committee is quoted above. This was elaborated on by the committee’s call for evidence, which set out the detailed questions the committee proposed to consider. The call for evidence was remarkably comprehensive, running to 60 questions. The questions were grouped under four headings: “sporting legacy”; “regeneration legacy”; “international legacy”; and “further strategic issues”.

23. None of the questions in the call for evidence seem relevant to the proposal to redevelop Crystal Palace Park. The park contains a National Sports Centre, but it was not used for the 2012 games and plans for it did not form part of the ZhongRong proposal. The London Borough of Bromley, from whom planning permission would have been sought had the proposal proceeded, did not host any Olympic or Paralympic events, so was not a “host borough”.

24. In written and oral evidence to me Lord Bates said that his interest in joining the committee was because of the United Nations Olympic truce. He promoted that cause by walking from Olympia, Greece, to London in 2011–12. He also asked about it in the House of Lords in a number of oral and written questions in the run-up to the games. One of the questions in the call for evidence was about the legacy of the Olympic truce.

25. I do not think that Lord Bates’ involvement in the proposal to redevelop Crystal Palace Park could reasonably be considered generally relevant to his work on the Olympic and Paralympic Legacy Committee. As stated above, it did not come within one of the many areas set out in the committee’s call for evidence. His involvement in the proposal was limited to attendance at one meeting more than six months before the committee was established, for which he received no payment. There was no suggestion he would attend further meetings. I therefore conclude that he did not need to declare it at the start of the committee’s inquiry.

26. I have also considered whether Lord Bates should have declared his involvement in relation to any particular witness the committee heard from or any particular question asked by Lord Bates. The only witness to whom

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3 Ibid., appendix 3. Some of the 60 questions also contained sub-questions.
4 The legacy for host boroughs was one of the issues asked about in the committee’s call for evidence.
the proposal might have been relevant was the Mayor of London, Boris Johnson. However, by the time it heard oral evidence from him (on 22 October 2013) Lord Bates had resigned from the committee. None of the questions asked by Lord Bates during the committee’s evidence sessions related to the proposal to redevelop Crystal Palace Park.

27. I find that Lord Bates was not required to declare his interest in the proposal when sitting on the Olympic and Paralympic Legacy Committee and so did not breach the Code of Conduct in that respect.

Should Lord Bates have declared Lady Bates’ interest when sitting on the Olympic and Paralympic Legacy Committee?

28. I set out above the requirement for members to declare relevant interests when serving on committees. The majority of declared interests are held by members themselves, but sometimes a member’s spouse’s interest is relevant to the member’s participation in parliamentary business and so should be declared by the member.

29. Lady Bates’ involvement in the proposal to redevelop Crystal Palace Park was clearly greater than Lord Bates’. As Lord Bates told me in oral evidence, the chairman of ZhongRong was a personal friend of hers. She is likely to have approached him about the proposal. She officially represented ZhongRong at the meeting on 30 October 2012. She acted as an informal adviser to ZhongRong on the proposal up to and including a meeting with the chairman about it on 3 May 2013. The memorandum of understanding dated 27 March 2013 listed her as a sponsor of the proposal and a member of the steering committee for it. However, Lord Bates told me that the steering committee never met. Soon after the meeting on 3 May 2013 Lady Bates’ involvement in the proposal ceased. This was because the chairman of ZhongRong wanted to establish a professional team of developers, run from Hong Kong.

30. Lord Bates informed me that Lady Bates was not paid for the work she did on the proposal. Her involvement with it was motivated by her friendship with the chairman and her desire to see inward investment. In his oral evidence Lord Bates hypothesised that if, at some point in the future, an offer had been made by ZhongRong for Lady Bates to take on a more formal, remunerated role with the proposal, she might have been interested. But he stressed that no offer was sought or made. However, in March 2013 Lady Bates received from ZhongRong Group a gift valued at £350 in recognition of her work advising ZhongRong Group on the project.

31. The question I have to decide is whether Lady Bates’ involvement in the proposal was such that Lord Bates should have declared it when sitting on the Olympic and Paralympic Legacy Committee.

32. I deal first with the gift received by Lady Bates. A member is required to register gifts received by his or her spouse if the gift relates substantially to the peer’s membership of the House and is above the registrable threshold. In March 2013, when the gift was received, the threshold was £500 (it has since been reduced to £140). Even if it were not below the threshold, I

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7 Appendix K.
cannot see how receipt of the gift substantially related to Lord Bates’ membership of the House; it was given in recognition of Lady Bates’ involvement with the proposal. Accordingly, it did not need to be registered.

33. As stated above, the proposal to redevelop Crystal Palace Park was not generally relevant to the matters considered by the Olympic and Paralympic Legacy Committee. It therefore follows that Lady Bates’ involvement in the proposal, even though greater than Lord Bates’, was not reasonably relevant to the committee’s work.

34. Paragraph 95 of the Guide provides:

“For the purposes of declaration of interests, relevant interests include future interests, that is to say interests where a member’s expectation has passed beyond vague hope or aspiration and reached the stage where there is a clear prospect that the interest will shortly arise.”

35. Lady Bates’ involvement in the proposal was not such that there was a “clear prospect” that she would shortly be employed working for it. Indeed, by the time the Olympic and Paralympic Legacy Committee was set up the opposite was the case: her last involvement with the proposal was on 3 May 2013, whereas Lord Bates’ membership of the committee did not begin until 16 May 2013. Accordingly, Lord Bates need not have declared his wife’s role in the proposal on the ground that there was a clear prospect that it would shortly arise as a relevant interest.

36. For the above reasons, I find that Lord Bates was not required to declare his wife’s interest in the proposal when sitting on the Olympic and Paralympic Legacy Committee and so did not breach the Code of Conduct in that respect.

Summary of findings

37. I find that Lord Bates was not required to register his involvement in the proposal to redevelop Crystal Palace Park in the Register of Lords’ Interests; and he was not required to declare his involvement nor his wife’s involvement in the proposal when sitting on the Olympic and Paralympic Legacy. I therefore find that Lord Bates did not breach the Code of Conduct.

Paul Kernaghan CBE QPM
Commissioner for Standards
Appendix A: Letter from Len Duvall AM to the Commissioner for Standards, 17 April 2015

Failure of Lord Bates to register interests in Crystal Palace regeneration

I write to raise serious concerns about the failure of Lord Bates of Langbaurgh to declare his involvement in high level meetings on behalf of the developer Zhongrong with regards to the proposed redevelopment of Crystal Palace.

As was revealed by a recent Sunday Times investigation Lord Bates is not only married to a high profile advisor on the project, Xuelin Bates, he himself is listed as having attended a meeting on the technical details of the project in October 2012. On an official note of the technical planning advice meeting on the 16th November 2012, Lord Bates was listed as a representative of the applicants.

In addition to Lord Bates having a clear role in this development, as evidenced by his participation in at least one formal meeting with officers of the Greater London Authority on the subject, Lord Bates’ wife, Xuelin Bates has a clear interest in the success of the project, and was listed as the “architect and property developer representing Zhongrong Group.” Furthermore Mrs Bates’ continued involvement is later made clear when in March 2013 she is listed as a Zhongrong representative on the official Steering Committee for the project.

Whilst Lord Bates has reportedly denied that he or his wife had any direct financial stake in the project, I find that claim hard to believe given Ms Bates had reportedly worked on and had high level involvement the scheme for months.

The House of Lords Code of Conduct states that:

32. The purpose of the Register is to assist in openness and accountability by enabling Members to make clear what are the interests that might be thought by a reasonable Member of the public to influence their actions, speeches or votes in Parliament, or actions taken in their capacity as Members of the House of Lords.

33. Relevant interests may be financial or non-financial. The key consideration in determining relevance in respect of both registration and declaration of an interest is that the interest might be thought by a reasonable member of the public to influence the way in which a Member of the House of Lords discharges his or her parliamentary duties. In the case of registration, this means the Member’s parliamentary duties in general; in the case of declaration, his or her duties in respect of the particular matter under discussion.

36. Any Member having a registrable interest which has not at the time been registered shall not undertake any action, speech or proceeding of the House (save voting) to which the interest would be relevant until they have registered the interest.

In addition to the specific rules on registration and declaration of interests, there is a more general obligation upon Members to bear in mind the underlying purpose of the Code as set out in paragraph 3(b), namely, to provide “openness and accountability”.

It is my belief that Lord Bates markedly failed to declare his interest in the project. This is particularly relevant given his later role on the Lords committee examining the Olympic and Paralympic legacy, an issue which is closely related to the future
of Crystal Palace in the sense that funding for the national sports centre on the site has been significantly affected as a result of the Olympic Park development. This committee investigation commenced only a few months later, presumably whilst Ms Bates continued to represent Zhongrong on their development plans. For this reason I refer this matter to you for formal consideration under the code of conduct for members of the House of Lords.

*Article in The Sunday Times, 12 April 2015: “Minister faces quiz over link to new Crystal Palace”*

A MINISTER is facing questions over his failure to register an interest in a £500m scheme to rebuild Crystal Palace.

Lord Bates of Langbaurgh, a former deputy chairman of the Conservative party and a Home Office minister, met London planners on behalf of a Chinese billionaire who was proposing to recreate the vast glass palace that housed the Great Exhibition of 1851.

Bates’s wife, Chinese-born Xuelin Li, spent months advising ZhongRong Group (ZRG), a property development firm headed by Ni Zhaoxing, an entrepreneur worth $1.3bn (£887m), on plans to site a six-star hotel, shops, jewellery showrooms and art galleries at Crystal Palace on 21.5m sq ft of floor space.

The proposal included an exact replica of the glass and cast iron palace that was erected in London’s Hyde Park and then relocated to south London before burning down in 1936.

ZRG was awarded an “exclusivity agreement” to develop the site but the project foundered two months ago.

Lady Bates is described in records of a meeting with the Greater London Authority (GLA) in October 2012 as “architect and property developer representing ZhongRong Group”. Lord Bates is listed under “applicant”. However, their roles did not come to light until a freedom of information request was met.

This weekend, Bates insisted he had done nothing wrong by not entering the project on the register of Lords’ interests, saying that neither he nor his wife had received any payment.

He added that there was also no need to declare an interest when he was appointed to a Lords committee considering the regeneration and sporting legacy of the 2012 Olympics.

The use of infrastructure from the London Games has implications for the future of Crystal Palace national sports centre, a stadium in the same park as the planned project.

“Xuelin never received any payment or stood to benefit in any way from the proposed rebuilding of the exhibition palace nor will we in the future,” Bates said. “As such, I would have no interest to enter in the register.”

He said he had attended the meeting “to assist Xuelin in understanding the GLA process” while his wife was a friend of Ni and had acted as his part-time adviser. Her role had ceased in April 2013, the month before the Olympic and Paralympic Legacy committee started work.
However, John Mann, the Labour parliamentary candidate for Bassetlaw, Nottinghamshire, said he believed the requirement for Bates to record his interest was “unambiguous”.

“For him and his wife to work entirely for free on such a large development is very generous,” said Mann. “But there is no ambiguity in terms of what needs to be declared. A direct connection to a major proposed development requires a full declaration of interests.

“Either someone is being paid for what they are doing or it has potential benefits in the future. And the fact that it has potential benefits means it requires declaring. That’s the whole point of declaring.”

It is not the first controversy to involve Lady Bates, who has been photographed alongside dignitaries including David Cameron, the Prince of Wales and the Queen.

Last year, Boris Johnson, the London mayor, rejected allegations of over-cosy relations between his officials and a Chinese company chosen to run a separate multibillion-pound project in London. He also denied any knowledge of claims that Advanced Business Park (ABP), the firm that won the contract, was involved in forced evictions in Beijing.

Channel 4 News reported that Lady Bates, who has given more than £160,000 to the Conservatives, appeared to have played a role in supporting ABP’s bid to develop a 35-acre complex of offices and shops at the Royal Albert Dock near London City airport.

She had formed a company called London China ABP but dissolved it before it was due to file accounts. Lady Bates said at the time that her party donations were purely personal and London China ABP had no connection with the Chinese firm.

Bates, 53, is a former Teesside MP who first got to know his future wife in 2011 in the tear gas of riot-hit Athens. He was in Greece for a walk of nearly 3,000 miles from Olympia to London to urge a truce in global conflict for the London Games. He had told her about his walk at a London dinner and she flew out to help him. They married in 2012.

*Greater London Authority Technical Planning Advice Note (PDU/1295b), 16 November 2012*

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<td>A recreation of Great Exhibition glass-house buildings is proposed on the original site. Uses proposed to be contained within these buildings include a 6 star hotel, retail uses (mainly jewellery showrooms and sales) and art galleries together with 1800 car parking spaces. The floorspace proposed is 2 million sq.m.</td>
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<th>The applicant</th>
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<td>Is Zhongrong Group and the architect is Dominique Hertenberger</td>
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**Context**

1. Following on from a meeting in August between the Mayor, Edward Lister and Rick Blakeway a meeting was held on 30 October 2012 with the following attendees:
GLA

- Richard Blakeway–Deputy Mayor for Housing, Land and Property
- Fiona Fletcher-Smith, Executive Director of Development and Environment
- Martin Clarke, Executive Director Resources
- Stewart Murray, Assistant Director, Planning
- Lan Feng, Principal Policy Officer–International Promotion

Applicant

- Xuelin Bates–Architect and property developer representing Zhongrong Group
- Lord Bates (Xuelin's husband)
- Jeff Cao–Head of Asia Pacific, London and Partners

Site description

2. Crystal Palace Park is located in the London Borough of Bromley immediately to the north-east of Upper Norwood town centre. The park is bounded by Crystal Palace Parade to the west, Crystal Palace Park Road to the north, Thicket Road to the east and Anerley Hill/Crystal Palace to Sydenham railway line to the south. The majority of the park fronts directly onto these roads/railway line, although along parts of Crystal Palace Park Road and Thicket Road there are residential properties in between. The Park is on the north-west tip of the borough boundary. The London Boroughs of Croydon, Lambeth, Southwark and Lewisham all adjoin the Park boundary.

3. Crystal Palace Park Road (A234), Crystal Palace Parade (A212) and College Road (A2199), which joins Crystal Palace Parade are all part of the Strategic Road Network. The nearest Transport for London Road Network is the A205, located approximately 2km away from the site. Crystal Palace national rail station and London Overground is located 500m away from the top site (however it should be noted that there is a steep slope between the station and top site which could be regarded as a significant barrier to accessibility). Adjacent to the southern boundary of the site, whilst Penge West national rail station is located just beyond the eastern boundary of the Park. Both stations offer regular services to Central and South-East London. Crystal Palace bus terminus is also located adjacent to the western boundary of the site and is served by ten different bus services. A further seven bus services run close to the north, east and south of the park respectively along Westwood Hill/Crystal Palace Park Road and Anerley Hill. Given the proximity of the rail and bus station, it is considered that the development site is well located at the south-western boundary and as such, records a public transport accessibility level (PTAL) of 6, out of a range of 1 to 6 where 6 is considered as excellent. Due to the size of the park, this PTAL however decreases gradually to 2 in certain areas of the park and particularly towards the north-eastern boundary.

4. The Park was originally laid out between 1852 and 1855 to accommodate the relocated and enlarged ‘Crystal Palace’–the building designed and built by Joseph Paxton for the Great Exhibition in Hyde Park. Paxton imposed a strong symmetrical design for the park, orientating it around a Central Walk.
(Paxton Axis) with a maze, rosary gardens, English landscape garden, Italianate garden cascades, fountains and basins on either side. The Crystal Palace itself was located on the western side of the park, fronting Crystal Palace Parade, on what is now known as the ‘top site’. The Park and Palace were used for a huge range of activities including shows, exhibitions, concerts and mass meetings of numerous organisations, there was a charge for entry, which varied depending on the event. It was also home to the FA cup final between 1895 and 1914. The Park is regarded as the world’s first theme park for mass entertainment. The company running the Palace and the Park was declared bankrupt in 1911 and in 1913 it was bought for the nation. It was run by the London County Council and its successor the Greater London Council. The London County Council commissioned a masterplan for the Park in 1954 which involved the construction of a national exhibition centres and national sports centre. The latter was completed in 1964. The remainder of the masterplan was never implemented. Between 1937 and 1972 the Park accommodated a motor racing circuit. On abolition of the Greater London Council in 1986 it was transferred to the Bromley Council. The GLA has a leasehold interest in the National Sports Centre.

5. The Park is 80 hectares and now comprises open parkland (grassland and trees) with pathways, access roads and car parks, cricket pitch, fishing lake, maze, along with buildings and structures related to park maintenance and sport and recreation that are mostly located in the centre of the Park. The main built elements include the National Sports Centre (which includes a 50m swimming pool and other indoor sports facilities), the athletics stadium, Lodge Tower (which provides accommodation for athletes), seven houses, the Italian Terraces, the Paxton Axis, BBC television transmitter mast, a caravan site, tidal lakes in the north and south-east, a concert stage, the Crystal Palace Park museum, the base of the Brunel water tower, the subway to the former Crystal Palace ‘high level’ Station, dinosaur statues and geological features, the former City Farm and covered reservoir.

Details of the proposal

6. A recreation of Great Exhibition glass-house buildings is proposed on the original site. Uses proposed to be contained within these buildings include a 6 star hotel, retail uses (mainly jewellery showrooms and sales) and art galleries together with 1800 car parking spaces. The floorspace proposed is 2 million sq.m.

Strategic planning issues and relevant policies and guidance

7. The relevant planning issues and corresponding policies are as follows:

- Economic development
  
  London Plan; the Mayor’s Economic Development Strategy; Employment Action Plan;

- World city role
  
  London Plan;

- Urban design
  
  London Plan;

- Mix of uses
  
  London Plan;

- Regeneration
  
  London Plan; the Mayor’s Economic Development Strategy;
• Transport  
  * London Plan; the Mayor’s Transport Strategy

• Parking  
  * London Plan; draft Revised Early Minor Alteration to the London Plan; the Mayor’s Transport Strategy;

• Retail/town centre uses  
  * London Plan;

• Open land  
  * London Plan; All London Green Grid SPG;

• Green Belt/MOL  
  * London Plan;

• Employment  
  * London Plan; Land for Industry and Transport SPG;

• Biodiversity/Geodiversity  
  * London Plan; the Mayor’s Strategy; draft Tree and Woodland Strategies; London’s Foundations (Geodiversity) SPG;

• Access  
  * London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM);

• Culture  
  * London Plan; Mayor’s Cultural Strategy;

• Historic Environment  
  * London Plan;

• Sustainable development  
  * London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy;

8. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2006 Bromley Unitary Development Plan and the 2011 London Plan.

9. The following are also relevant material considerations:

- the Bromley Core Strategy (Issues and Options stage)
- The Early Minor Alteration to the London Plan

Case history

10. Outline planning permission was granted by Bromley Council for the following description of development in 2008. The decision was upheld by the Secretary of State following a call-in Inquiry in December 2012. The Crystal Palace Community Association challenged this decision by way of judicial review and in June 2012 this was dismissed and the decision upheld. The Claimants have lodged an application to appeal this decision and a decision as to whether they have been granted leave to appeal is awaited.
11. Comprehensive phased scheme for landscaping and improvement of park comprising demolition of and alterations to existing buildings and structures including removal of existing hard surfaces; changes of use including part of the caravan site to public open space and museum to park rangers base; erection of new buildings and structures for various uses including museum, park maintenance facilities, community facilities, information kiosk, greenhouses, retail kiosks, cafes, toilets, classroom, children’s nursery, treetop walk, student accommodation, up to 180 residential units, new regional sports centre; alterations to ground levels with new pedestrian paths, vehicular access roads, car parking highway works, water features.

**Land use principle**

12. Whilst the economic, cultural and heritage benefits of the proposal are acknowledged the impact on the Metropolitan Open Land will need to be assessed. In order to properly assess the impact of the proposal the quantums of the individual uses should be set out and supplied as soon as possible.

13. London Plan Policy 7.16 sets out that Metropolitan Open Land should be treated in the same way as Green Belt. It then goes on to state that “the strongest protection should be given to London’s green belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances”.

14. The policy guidance of paragraphs 79–92 of the National Planning Policy Framework (NPPF) on Green Belts states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

15. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, paragraph 89 of the NPPF states that ‘a local planning authority should regard the construction of new buildings as inappropriate in Green Belt’. Paragraph 89 sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

16. By definition the development proposed is inappropriate development and will have a substantial impact on the MOL both by its appearance, its introduction of new uses and the substantial number of visitors it will attract.

17. That said it should be noted that the proposal is a recreation of a historic structure, albeit taller than the original, which attracted substantial users and there may be demonstrated very exceptional circumstances.

18. The previous application accepted that restoration of the rest of the park which was in a poor condition, including the dinosaurs, and refurbishment of
the Sports Centre could constitute *Very Special Circumstances* for the development of housing on part of the park in order to fund the works.

19. The Stage 1 report also set out that there was a unique combination of factors in this case to suggest that very special circumstances do exist. Firstly, the Park is not a traditional urban Victorian park (such as Victoria Park or Battersea Park, which is both of a similar size and was both previously run by the GLC). It was a private park to which an entrance fee was charged with a huge indoor attraction and an eclectic range of attractions. It is commonly accepted as being the World’s first amusement park. The historical legacy of these remains—in the form of the listed Terraces, the top site, the dinosaurs etc. These legacy features represent a significant cost, which are exceptional and not common to any other park in London. Secondly, the presence of the listed National Sports Centre and the athletics track and spectator stands significantly detract from the quality of the park—they represent a severe physical barrier in the middle of the park and give rise to further exceptional costs to remedy the problems they cause. Of course they are valued features in their own right, but nevertheless do not fit well with the rest of the Park. The fact that they were part of a much larger proposal for an exhibition centre that was never completed is also relevant. The partial implementation of a much bigger plan has resulted in truncated features such as the elevated walkways. Dealing with these problems is an exceptional cost that is unique to the history of this park.

20. Other factors that have some relevance are the historical precedent established by Paxton, of selling off parts of the edge of the park for residential development to fund ongoing maintenance and the fact that many other parks and open spaces of this size or character in London have alternative sources of funding—e.g. through the Royal Parks Agency, Corporation of London and precept on Council tax, although this is not the case for all parks of this size.

21. Very special circumstances have previously been justified for uses which have substantial public benefits such as educational and health uses. Given the unique combination of factors at play here the employment and economic benefits of this proposal together with its cultural and historic benefits may be able to constitute very special circumstances given the public benefits they bring and if the applicant proposes improvements to the park and sports centre of a similar manner to those previously proposed. In addition the applicant will need to demonstrate these very special circumstances and clearly set out the number of jobs the proposal is expected to generate and the likely economic impact on the surrounding area. The impact of the level of traffic likely to be generated will also need to be taken into consideration.

**Retail, leisure and hotel uses**

22. The London Plan and NPPF set out that retail and leisure uses should be located in town centres and the London Plan sets out that hotels should be located in town centres outside the Central Activities Zone.

23. This site is outside of a town centre and as such generally a sequential assessment and retail impact assessment is required. Given the unique nature of the use it may be possible to make an argument that a sequential test is not required. The applicant will need to clearly set out how the offer differs from usual offers to justify this and the application may need to be conditioned to such a use. A retail impact assessment should be submitted.
24. Whilst the site is not in a town centre justification may be possible for the hotel location given the unique nature and opportunity of the site.

Heritage

25. Whilst the recreation of the glasshouses to the site is welcomed and its positive heritage impact is acknowledged the applicant will need to demonstrate that the proposal does not have an adverse impact on the listed terraces and other heritage assets on the wider site either by virtue of its bulk or the impact of the number of visitors.

Biodiversity

26. As the wider park is in a Site of Borough Importance for Nature Conservation the biodiversity implications of the proposal should be assessed.

Energy

27. Whilst the aspiration to restore the glasshouses to the site is welcomed given the high level of glazing it will be important to have early discussions around the energy strategy and in particular energy efficiency and the levels of cooling required.

Transport

28. The local highway network is not particularly suited to a large increase in traffic. The nearby Upper Norwood / Crystal Palace triangle with local shopping centre operates as a one-way system, which experiences queuing and congestion at peak times. The use of public transport modes should be encouraged. Whilst the scale of the uses is acknowledged, given the PTAL of the site a reduction in parking numbers should be considered. In any case the level of parking will need to be robustly justified. It should be noted that temporary car parking is occasionally provided on the lower terraces below the development site to serve major events in the park, as part of a major event planning process which includes road closures and diversions in the surrounding area to ensure that the local road network operates efficiently.

29. Rail network constraints would prevent any major increase in rail frequencies.

30. At Crystal Palace station, recent internal improvements have been carried out to re-open the former historic ticket hall in September 2012, and lifts are due to open in 2013, which helps to provide internal circulation—though with any major new development all internal circulation impacts would need to be investigated. Impact on train services would also need detailed investigation and potential mitigation. When irregular major athletics events are held, there are lengthened train services and additional staffing and information as part of major event planning.

31. There is a steep hill from the station to the top of the park which would be regarded as a barrier to access and connectivity from the station to the site. The Crystal Palace Tramlink extension would have provided a link from the station to the top of the park, or there may be other alternatives to provide an accessible link from the station to the development site.

32. There is an existing bus station accessed off Crystal Palace Parade which provides standing space for terminating routes and bus stops—which reflects the provision of bus services around the local south London area coming to a
hub at Crystal Palace. This bus standing provision would need to be retained and potentially enhanced, especially if there would be significant increases in the number of people using bus services to access the development proposal. Tramlink extension feasibility work drew up proposals for an integrated tram terminus / bus station in that location.

Tramlink

33. Significant feasibility and development work was carried out on the Crystal Palace extension before it was shelved as a project in 2008. The extension would connect to the existing Tramlink network at Harrington Road with options to utilise part of the National Rail corridor towards Birkbeck and Beckenham Junction as far as Crystal Palace station and there were three alignment options to connect to a terminus near the existing bus station adjacent to the original Crystal Palace site. The park alignment options were designed to dovetail with the LDA's Masterplan proposals within which an alignment was safeguarded.

34. TfL are currently drafting a Tramlink Strategy which prioritises enhancements to the existing system (additional platform at Wimbledon, double-tracking more of the Wimbledon branch), and three potential extensions; Harrington Road to Crystal Palace, Wimbledon to Sutton and Beckenham Junction to Bromley. The Crystal Palace alignment and business case are currently being refreshed, alongside a feasibility study into the potential extension to Sutton so that both projects are at a comparable level of design. It is expected that this work would be available in mid 2013. Tramlink enhancements are included in the London Plan, however there is no commitment to funding in the TfL Business Plan.

35. Following further discussion with the Mayor about Tramlink enhancements, in the current economic climate it is clear that any large infrastructure project needs to be able to generate additional jobs and homes and/or other types of development to prove viable, and local Boroughs have been made aware of this. TfL are undertaking a series of studies to look at development potential along the extension routes.

36. Whilst the Crystal Palace extension is only one of the options being considered to improve connectivity and capacity in south London should it be decided to go ahead with it any development of the scale proposed would be expected to include a substantial contribution to this extension.

Conclusion

37. The principle of recreating the Great Exhibition glasshouses on their original site is strongly supported in terms of supporting London’s World City role and achieving the exceptional strategic development of Crystal Palace as a major destination. The planning and technical appraisal process will be an important next step to provide further justification for the nature and scale of the envisaged mixed use development. In addition, discussion is encouraged early on to ensure that a robust case can be demonstrated on the very special circumstances arguments for the scale and uses proposed, particularly the retail/shopping elements, hotel and leisure uses as well as the transport impacts of the proposal.

38. It should be noted that it would be expected that these proposals would come forward as part of a package to restore and upgrade the park and sports centre and to make a contribution to the Tramlink extension.
39. There would need to be close dialogue between the GLA, Transport for London, Bromley Council and neighbouring Borough Councils and communities on the vision and masterplanning of this significant strategic development. Clearly, there could be demonstrated very significant community and wider London benefits providing the planning policy tests and local impacts are fully addressed.

40. Early technical advice and establishment of a competent planning and transportation consultancy team for the development is highly recommended who could then engage closely with the GLA’s Planning Team and TfL, alongside the Local Planning Authority, Bromley Council. The key contacts at the GLA Planning are as follows:

Stewart Murray, Assistant Director–Planning
Colin Wilson, Senior Manager–Planning Decisions
Justin Carr, Strategic Planning Manager (Development Decisions)
Emma Williamson, Principal Strategic Planner

Memorandum of understanding in respect of the proposal to rebuild the Crystal Palace between the Greater London Authority, the London Borough of Bromley and ZhongRong Group, 27 March 2013

THIS MEMORANDUM OF UNDERSTANDING (“MoU”) is dated 27 March 2013

PARTIES

The parties to this MoU are:

(1) The Greater London Authority, City Hall, the Queen’s Walk, London SE1 2AA (“the GLA”).
(2) The London Borough of Bromley, Civic Centre, Stockwell Close, Bromley BR1 3UH (“LBB”).
(3) ZhongRong Group a company registered in China, 43F No. 8 Middle Yincheng Road, Shanghai, China, 200120 (“ZRG”).

1. BACKGROUND

1.1 ZRG has approached the GLA with a proposal to rebuild the Crystal Palace on its original site in Crystal Palace Park, Bromley, South London (“the Proposal”). The need to address the issues relating to the future of the Crystal Palace Park (“the Park”) is a priority for the Mayor of London and LBB as it is in need of significant investment. ZRG’s proposal may provide a solution to the challenges faced by the Mayor and LBB in securing a sustainable future for the Park.

1.2 The parties have agreed to work together with a view to facilitating the Proposal, as further described in this Memorandum of Understanding (“MOU”).

1.3 Phase One of the Proposal will be complete upon submission by ZRG of a planning application for the Proposal to the GLA and the Council.
1.4 The parties acknowledge that “the Park” is governed by specific acts of Parliament made between 1853–1990 and the national, regional and local planning framework.

2. **KEY OBJECTIVES**

2.1 The parties will undertake Phase One of the Proposal to achieve the key objectives set out below:

(a) Consideration of the business case proposed by ZRG and key principles of the Proposal.

(b) Consideration of principles between the Council and ZRG of an approach to land acquisition to enable implementation of the Proposal.

(c) Submission of a planning application by ZRG to the GLA and the Council to provide a framework for subsequent development and implementation of the Proposal.

2.2 The parties intend that key objectives (a) and (c) will be achieved within 6 months of the date of this MoU. Objective (b) will be achieved within three months of the date of this MoU.

2.3 A precursor to Phase One is the appointment of a UK team by ZRG. Within four weeks of completion of this MoU ZRG undertake to appoint a multi-disciplinary UK-based team covering specialisms including planning, environmental, legal, community engagement and culture/heritage and any other specialism which in the opinion of ZRG may be necessary to progress the Proposal.

3. **GOVERNANCE**

3.1 Sponsors

(a) The Sponsors will provide strategic oversight and direction to progress the Proposal.

(b) The Sponsors are:

   GLA: Fiona Fletcher Smith (Executive Director, Development, Enterprise and Environment) and Richard Blakeway (Deputy Mayor for Housing, Land and Property)

   LBB: Marc Hume Director of Renewal and Recreation and Stephen Carr (Leader of the Council)

   ZRG: Ni Zhaoxing (Chairman and CEO of ZRG) & Lady Xuelin Bates

3.2 Steering Committee

(a) The Steering Committee will be responsible for implementing the directions of the Sponsors, and will provide strategic management to the Working Group.

(b) The members of the Steering Committee will draw upon their own internal technical, commercial, legal and communications resources as appropriate, in order to support the delivery of the Proposal.
(c) The Steering Committee members are:

(i) GLA: Debbie Jackson (Assistant Director, Regeneration)

(ii) LBB: Mark Bowen (Director of Resources)

(iii) ZRG: Lady Xuelin Bates, William Cheng (GM of ZhongRong International Holding Company (Hong Kong)), Raymond Loïc CHAN (Architect)

(d) The Steering Committee will meet at intervals of 6 to 8 weeks.

3.3 Working Group

(a) A small Working Group of regional (GLA regeneration officers) local (LBB) government officials and ZRG representatives shall be established. The Working Group will be responsible for the day to day implementation of the Proposal. The officials will participate in discussion with ZRG and its authorised representatives in order to help develop the Proposal. This may draw upon the officials’ existing knowledge of the landscape or their network of contacts.

(b) The Working Group will report monthly to the Steering Committee. ZRG will provide administrative support for the Steering Committee and the Working Group.

4. CONFIDENTIALITY

4.1 The parties recognise the history of proposals for the Crystal Palace site. As such any information which reaches the public domain prematurely could have a negative and disproportionate effect on the future of the Park. The GLA, ZRG and the LBB will stress the importance of confidentiality of discussions concerning the Proposal to their representatives.

4.2 GLA and Council officers shall treat all discussions about the Proposal as commercially confidential information and shall not intentionally disclose details of the Proposal outside the Steering Group, Working Group, their respective line management chains or legal advisers, without the express permission of ZRG or its authorised representatives or as required by law or by order of a court of competent jurisdiction.

4.3 It will be necessary for members of the Working Group to make general enquiries about the Park, its surroundings and connected or related activities. In these circumstances, the Working Group shall take due care not to disclose any details of the Proposal or the prospective investor.

4.4 If any party receives any formal inquiry, complaint, claim or threat of actions from a third party (including, but not limited to, claims made by a supplier or requests for information required by law) in relation to the Proposal, the matter shall be promptly referred to the Steering Committee (or its nominated representative). No action shall be taken in response to any such inquiry, complaint, claim or action, without the prior approval of the Steering Committee (or its nominated representatives).

4.5 ZRG acknowledges that the GLA and the LBB are public authorities and therefore bound by the law to disclose information in certain
circumstances and that the provisions of this clause 4 are subject to the GLA and the Council's obligations as required by law.

4.6 These provisions do not prevent disclosure where necessary to elected members of LBB or to professional advisors of any party.

4.7 ZRG will not receive preferential treatment from the GLA, LBB or its agencies with respect to the Proposal.

5. **TERM AND TERMINATION**

5.1 This MoU will commence on the date of signature by both parties, and will expire on the earlier of the completion of Phase One of the Proposal and the date being seven months from the date of this MoU.

5.2 Each party may terminate this MoU by giving at least one month’s notice in writing to the other parties at any time.

6. **VARIATION**

6.1 This MoU may only be varied by written agreement of the parties.

7. **COSTS**

7.1 Following an initial inception meeting, the formal pre-application process will attract a fee in line with both the GLA’s and LBB’s standard rate.

7.2 The GLA and LBB reserve the right to seek a reasonable contribution to their costs, to be reviewed a month from the signing of this agreement.

8. **STATUS**

8.1 This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from this MoU. The parties enter into the MoU intending to honour all their responsibilities.

8.2 Nothing in this MoU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.

8.3 English Law shall apply to this MOU and its interpretation. The parties agree to submit to the exclusive jurisdiction of the English Courts in relation to any dispute arising from it.

8.4 Nothing in this MOU restricts or is intended to restrict or fetter the proper exercise at any time by the Mayor the GLA or LBB of any of their respective statutory powers, functions or discretions in relation to the Proposal or otherwise.

8.5 Any views expressed by GLA officers during the course of discussions with ZRG and the Council are without prejudice to the Mayor’s formal consideration of any planning application which is submitted for the Proposal.

8.6 If GLA officers provide guidance to ZRG in advance of the formal submission of a planning application for the Proposal the process will be
conducted in accordance with the procedures set out in the GLA’s pre-
application advice service guidance note and information provided to
ZRG during the course of these discussions may be made public in the
event of a planning application being referred to the Mayor under the
provisions of the Town and Country Planning (Mayor of London) Order
2008.

8.7 The provisions of clauses 8.5 and 8.6 apply equally to LBB its officers
and Members.

Appendix B: Letter from the Commissioner for Standards to Len Duvall
AM, 17 April 2015

Thank you for your letter of complaint of 17 April 2015 about Lord Bates. I am
currently carrying out a preliminary assessment of the complaint.

May I please ask for clarification on the precise scope of your complaint? My
reading of your letter is that there are four allegations:

(a) that Lord Bates was obliged but failed to register in the Register of
Lords’ Interests his role with ZhongRong Group in relation to that
company’s proposal to redevelop Crystal Palace Park;

(b) that Lord Bates was obliged but failed to register in the Register of
Lords’ Interests his wife’s role with that company in relation to that
proposal;

(c) that Lord Bates was obliged but failed to declare his role when sitting on
the Olympic and Paralympic Legacy Committee between May and
October 2013;

(d) that Lord Bates was obliged but failed to declare his wife’s role when
sitting on that committee.

I would be grateful if you could confirm whether the above four allegations
constitute the scope of your complaint.

A prompt reply would be much appreciated. Once I have received your
clarification and then completed my preliminary assessment I will be in contact to
inform you how I intend to proceed.

Appendix C: Letter from Len Duvall AM to the Commissioner for
Standards, 29 April 2015

Failure of Lord Bates to register interests in Crystal Palace regeneration

I am writing to confirm the scope of my concerns as set out in your letter of 17th
April. Whilst I am not an expert in the House of Lords procedures it is my belief
that, for the reasons set out in my previous correspondence and clarified in your
reply, Lord Bates should have declared his interest in the ZhongRong Group’s
proposal to redevelop Crystal Palace.

Appendix D: Letter from the Commissioner for Standards to Lord Bates, 20
May 2015

I am writing because I have received a complaint that you have breached the Code
of Conduct. The allegations are that you were required to but did not register in
the Register of Lords’ Interests and declare when a member of the Olympic and
Paralympic Legacy Committee an interest that you and your wife may have had. I enclose for your information a copy of the letter I have received from the complainant (Mr Len Duvall AM), together with the supporting material he provided.

The complaint is dated 17 April 2015. Since then Mr Duvall has confirmed the scope of his complaint, which is as follows:

(a) that you were obliged but failed to register in the Register of Lords’ Interests your role with ZhongRong Group in relation to that company’s proposal to redevelop Crystal Palace Park;
(b) that you were obliged but failed to register in the Register of Lords’ Interests your wife’s role with that company in relation to that proposal;
(c) that you were obliged but failed to declare your role when sitting on the Olympic and Paralympic Legacy Committee;
(d) that you were obliged but failed to declare your wife’s role when sitting on that committee.

I have carried out a preliminary assessment of the complaint and have decided it would be in the interests of all concerned for me to investigate allegations (a), (c) and (d) above.

On the basis of the complaint it appears that the following provisions of the Code may have been breached:

“10. In order to assist in openness and accountability Members shall:

(a) register in the Register of Lords’ Interests all relevant interests, in order to make clear what are the interests that might reasonably be thought to influence their parliamentary actions;

(b) declare when speaking in the House, or communicating with ministers or public servants, any interest which is a relevant interest in the context of the debate or the matter under discussion; …

11. The test of relevant interest is whether the interest might be thought by a reasonable member of the public to influence the way in which a Member of the House of Lords discharges his or her parliamentary duties: in the case of registration, the Member’s parliamentary duties in general; in the case of declaration, his or her duties in respect of the particular matter under discussion.

12. The test of relevant interest is therefore not whether a Member’s actions in Parliament will be influenced by the interest, but whether a reasonable member of the public might think that this might be the case. Relevant interests include both financial and non-financial interests.”

Paragraphs 31–38 and 82–94 of the Guide to the Code of Conduct are also particularly relevant. I further draw your attention to the seven general principles of conduct identified by the Committee on Standards in Public Life and incorporated into the Code of Conduct.

I invite you to respond in writing with a full and accurate account of the matters in question. A response by 10 June 2015 would greatly assist me in investigating this matter in a timely fashion.
I have decided not to investigate allegation (b) above: that you breached the Code of Conduct by not registering in the Register of Lords’ Interests your wife’s role with ZhongRong Group in relation to that company’s proposal to redevelop Crystal Palace Park. This is because, while the Code of Conduct requires members to register a spouse’s interests in certain categories (please see paragraph 38 of the Guide to the Code of Conduct), none of those categories (being categories 5, 7 and 8) are relevant to the allegation at hand. Therefore I have dismissed this allegation and you do not need to address it in your response.


Appendix E: Email from Lord Bates to the Commissioner for Standards, 20 May 2015

I have received just over an hour ago your letter of 20 May concerning the complaint that I may have been in breach of the Code of Conduct made by Mr Len Duvall AM. Needless to say I am deeply distressed that this even ‘may’ have been the case and would want to immediately respond with the facts as I recall them to assist you with your investigation.

Context:

Between 2011 and 2013 when the UK property market was in deep recession and the banks were not lending there was a great deal of activity by the GLA to try and attract foreign investment into development sites to kick start the recovery. Xuelin (my wife) as a respected British Chinese architect and property developer offered to help by using her contacts in China and trying to interest them in investing in London. Xuelin did all of this work without pay or the expectation of any personal gain and I am immensely proud of what she did.

Specifics:

The meeting with the GLA I attended with my wife Xuelin was on 30 October, 2012 was before the Olympic & Paralympic Legacy ad hoc Select Committee was established on 16 May 2013.

The meeting was to assist Xuelin in understanding the general application process. I was listed as attending the meeting as (Xuelin’s husband) in the official record not as ‘a representative of Zhongrong Group’. I attended no further meetings on the project.

There was no project at that stage in October 2012. It was a concept which the GLA were very keen for Xuelin’s help to secure potential investors for and which would then be the subject of an open tendering process.

I never had any role with ZhongRong Group or I would have registered it. I never received any payment or the promise of any future benefit or I would have registered it.

I never spoke in parliament about the proposed development, asked any questions about it, made any approaches to ministers about it otherwise I would have certainly declared it even if it was a past association and of no financial benefit (of course in reality I would not have declared it because I would never have done it).
Upon joining the Olympic & Paralympic Legacy Select Committee in May 2013 Xuelin had ceased her role as a part-time adviser to Mr Ni of ZhongRong Group as he had appointed a full-time team based in Hong Kong to work with him at the formal start of the application process leading to the open tender.

The proposal to rebuild the Exhibition Palace was not linked other than by geography (neighbouring sites) to the future of the national sports centre. These were two separate development projects.

That said, had the issue of the national sports centre at Crystal Palace ever been raised in evidence to the Select Committee’s work then I would have sought guidance from the Chair and the clerks in the usual way to see if my wife’s previous involvement was a relevant interest which should be declared.

My interest in joining the Olympic & Paralympic Legacy Committee was primarily because of the Olympic truce, a cause which I had championed by walking 2,916 miles from Olympia to London in 2011–2012 (www.walkfortruce.org) and which I remain passionate about. My contributions were invariably orientated around the international aspects of the legacy.

The future of the national sports centre at Crystal Palace was never raised in evidence sessions and was not part of the Committee’s recommendations and I certainly never discussed it or asked any questions about it.

Had there been a direct financial interest in the project then, or in the future I would of course consider it to be a duty to record this in the Register of Interests and to declare it when appropriate.

Had I held a non-financial role with ZhongRong Group such as a director or adviser then I would have of course considered it to be a duty to record this in the Register.

Had my wife held a financial or non-financial role with Zhongrong Group at the time I would have sought guidance from the Chair and the clerks as to whether this was something which should be entered in the register and declared at the start of evidence sessions.

Had I ever spoken about, asked questions about, proposed legislation about or made any representations to ministers related to the rebuilding of the Exhibition Palace project then I would of course consider I would be under a duty to declare the full details of Xuelin’s previous involvement irrespective of whether there was any direct financial interest although as stated I simply would never have done that.

I have studied parts 10, 11 and 12 of the Code carefully along with paragraphs 31–38 and 82–94 of the Guide to the Code of Conduct again and I feel that I have complied with them. That said, I do feel that given the concerns that have been raised by a member of the public on this issue then had I had my time again then I would have wanted to have had this exchange of correspondence before joining the Committee so that I could avoid bringing any aspect of the House of Lords’ work or that of the Committee of which I was privileged to be a member into question.

I am sorry if this response appears rushed or disjointed I simply wanted to ensure you had my initial response to your enquiry as soon as possible. Needless to say I am willing to expand on any of these points or to seek to answer further questions which may arise from them.
Appendix F: Email from Lord Bates to the Commissioner for Standards, 21 May 2015

I have now received the hard copy of your letter and have had an opportunity to read the letter sent to you by Mr Len Duvall AM of the GLA on 17 April 2015. There are a number of points which I would wish to respond to the allegations Mr Duvall makes against myself and my wife:

1. The Technical Planning Note of 16 November did not list me as a ‘representative of the applicant’s’ it listed me correctly in the capacity in which I attended the meeting which was as ‘(Xuelin’s husband)’;

2. Xuelin had an ‘interest in the success of the project’ to the extent that she wanted to help the GLA secure a major investment into the UK at a time of deep economic recession. As I have stated she received no payment, nor stands to benefit in any way should the scheme go-ahead or not. Mr Duvall may find this ‘hard to believe’ but that doesn’t mean it is not true. It is not an unusual concept in Chinese culture to help when asked but she now understands that in the UK such ‘help’ is looked upon with deep suspicion and cynicism especially as now she is linked to someone in public office;

3. The letter claims that I attended ‘at least one formal meeting with officers’ I would stress again I only attend this one meeting with officers informally or formally and it was solely for the purpose of making sure Xuelin understood (English is not Xuelin’s first language) the correct procedure should ZhongRong choose to submit a formal proposal for development of the project;

4. Mr Duvall states in connection with my membership of the Olympic & Paralympic Legacy ad hoc Select Committee that ‘Ms Bates continued to represent ZhongRong on their development plans’ as stated in my previous email this is not the case. Xuelin’s role as representative of ZhongRong Group ended before the Committee was established when the decision was taken to progress with a formal bid and the appointment of a professional full-time team led by Arup. Had this not been the case then I would have sought guidance from the Chair and the clerks as to whether this was an interest which should be registered and disclosed. Moreover, had this not been the case then Mr Duvall would have been able to show records of meetings attended by Xuelin after April 2013 which there could not be because there were none;

5. Mr Duvall’s note suggests that the work of the House of Lords Olympic & Paralympic ad hoc Select Committee was to examine the future and funding of the national sports centre at Crystal Palace. I do not recall this ever being part of the remit of the Committee and it certainly did not feature in the final report and recommendations. Decision making powers for the Exhibition Palace and the national sports centre at Crystal Palace are for the elected representatives of the GLA and the London Borough of Bromley to decide and be held accountable for.

Apologies for adding further to the email of yesterday but I wanted you to be aware of my responses specifically to the matters raised by Mr Duvall in his letter to you.

I am not sure what the correct procedure is for investigations of complaints but if it would be appropriate to meet in order for me to expand upon the answers given then I would be pleased to have an opportunity to do so.
Appendix G: Letter from the Commissioner for Standards to Ni Zhaoxing, 1 June 2015

I am writing in relation to an investigation I am undertaking into Lord Bates, a member of the House of Lords in the United Kingdom. I am investigating a complaint that Lord Bates breached the House of Lords Code of Conduct by not registering and declaring certain interests. These interests relate to Lord Bates’ role and his wife’s role with ZhongRong Group in relation to the company’s proposal to redevelop Crystal Palace Park.

I understand that ZhongRong Group’s proposal to redevelop Crystal Palace Park is not proceeding and that any role Lady (Xuelin) Bates may have had with it may have ceased in April 2013. Nonetheless I would be grateful if you could provide answers to the following questions:

1. What role did Lord Bates have as regards ZhongRong Group’s proposal to redevelop Crystal Palace Park?
2. Was Lord Bates remunerated for any work he did on that proposal?
3. If not, did ZhongRong Group expect in time to remunerate him?
4. What role did Lady (Xuelin) Bates have as regards ZhongRong Group’s proposal to redevelop Crystal Palace Park?
5. Was Lady (Xuelin) Bates remunerated for any work she did on that proposal?
6. If not, did ZhongRong Group expect in time to remunerate her?

A prompt response would be much appreciated. Please feel free to supply any additional information which may be relevant to Lord or Lady Bates’ role with the project. Please feel free to reply by email to the address at the top of this letter.

My investigation is covered by parliamentary privilege and I therefore would be grateful if this matter could be treated as confidential.

Appendix H: Letter from the Commissioner for Standards to Stewart Murray, Assistant Director—Planning, Greater London Authority, 16 June 2015

I am investigating a complaint about Lord Bates which alleges that he breached the House of Lords Code of Conduct by not registering or declaring relevant interests. The complaint concerns the alleged business interests of Lord Bates and his wife.

I am in possession of a copy of a document entitled “Technical Planning Advice Note (Ref: PDU/1295b)”. A copy is enclosed.

I note that you signed this document as the senior Greater London Authority planning official. At the meeting on 30 October 2012 referred to in the document the applicant was apparently represented by three people, two of whom were Xuelin Bates (“Architect and property developer representing Zhongrong Group”) and Lord Bates.

I should be grateful if you would advise me as to the background to the technical advice planning note and specifically the designation of these two individuals as attendees on behalf of the applicant. For example, did they or the ZhongRong Group advise you that they represented ZhongRong?
Lord Bates is described in the technical advice planning note as “Xuelin’s husband”. What was your understanding of Lord Bates’ status at the meeting? What did you see his role as?

A response by 3 July 2015 would be very helpful.

My investigation is covered by parliamentary privilege and I therefore would be grateful if this matter could be treated as confidential.

Appendix I: Letter from Stewart Murray Assistant Director—Planning, Greater London Authority, to the Commissioner for Standards, 29 June 2015

Thank you for your letter of 16 June which I shall of course treat as confidential.

The technical planning advice note you refer to was obtained from the Greater London Authority (GLA) under the Freedom of Information Act (FoIA) and is a standard document for my team to produce in such circumstances, namely a developer looking to bring forward a scheme at a specific location in the capital.

To the best of my knowledge, Lord Bates and Xuelin Bates were representing the Zhongrong Group at the meeting in question on 30 October 2012. That is certainly the impression I had at the time. However, I should add that I neither sought nor was offered formal confirmation of the status at that time of either Lord Bates or Xuelin Bates in relation to the Zhongrong Group.

Please let me know if I can be of any further assistance.


The Commissioner for Standards: Lord Bates, thank you for coming to this interview. The interview is being recorded and a transcript will be produced. You will be sent a copy of the transcript and given the opportunity to correct any errors and to add to anything you have said. The transcript will be appended to my report on your case, but will not be published unless and until the Committee for Privileges and Conduct reports on the case.

Present at this interview are myself, Paul Kernaghan, the House of Lords Commissioner for Standards, my colleague Nicolas Besly—the clerk assisting me—and yourself, Lord Bates.

You are aware of the complaint by Mr Len Duvall. I am investigating the allegations that you should have registered any role that you had with the ZhongRong Group’s proposal to redevelop Crystal Palace Park in the Register of Lords’ Interests, that you should have declared any such role when sitting on the Olympic and Paralympic Legacy Committee in 2013 and that you should have declared your wife’s role when sitting on that committee.

I am grateful for the written responses to the allegations, which you promptly supplied to me. The purpose of this interview is to seek clarification about some points that arise from the complaint. In this interview, I will ask first about your role in the proposal and then about your wife’s role. Is there anything that you would like to say at the outset by way of setting the context, or shall we proceed straight to questions?
Lord Bates: Please proceed.

The Commissioner for Standards: Thank you. What was your involvement in the proposal by the ZhongRong Group to redevelop Crystal Palace Park and how did you come to be involved in it?

Lord Bates: As context, between 2011 and 2013, in the midst of an enormous recession in the property sector, there were a number of major projects in London in particular that could not find investors. Efforts were made to see whether we could find foreign investors who might be able to take over some of these orphan projects, as they were referred to. My wife is a respected member of the Chinese community. She is a property developer and architect. She has a number of contacts and friends in China and she agreed to help this effort of trying to identify potential investors. One of the investors in one of the projects, which was Exhibition Palace, was Mr Ni, who is a personal friend of my wife. She agreed to help him initially, as an informal adviser to him. When we attended the meeting on 30 October 2012, at that time it was one of many ideas about a number of sites and a number of potential investors. In a way that may seem ironic given how it has turned out, I said to my wife, “If you’re dealing with UK as opposed to China investment, you need to get it in black and white what the correct procedure is, because it is not like China, where these developers are used to operating and where public officials have enormous power, discretion and influence. There are procedures to go through and you have to follow them.” So I said that I would go with her to this introductory meeting. I think, from recollection, that my only contribution at the meeting was simply to say, “It would be very helpful if my wife could have a clear statement as to what the correct procedures are at each stage—what she should do and how she should do it.” And that was it. I had no further meetings. I had no further connection with the project.

The Commissioner for Standards: Thank you. You have referred to a meeting on 30 October 2012. I am now showing you a document, which is described as a technical planning advice note, dated 16 November 2012 but documenting the meeting on 30 October.

Lord Bates: I am familiar with the document.

The Commissioner for Standards: Thank you. Based on what you have just told me, my question is: who suggested that you attend that meeting? I think that what you have just told me is that it was your suggestion to your wife that you accompany her. Is that correct?

Lord Bates: Well, it is a husband and wife situation. As to who suggested it to whom, I was and am very proud that at a very difficult time for the UK economy my wife stepped up to the plate and tried to attract—and successfully attracted—major investment into the UK. I am thrilled that she did that and I wanted to help her. I am her husband and therefore at the meeting my role was correctly recorded as Xuelin’s husband. That is what I was there to do. I want to make a very important point, which is that at that point Exhibition Palace was an idea. It was some considerable way from a formal proposal and a very long way from an actual tender or planning bid.

The Commissioner for Standards: Thank you. I am now reading from the document—the technical planning advice note—about the meeting on 30 October 2012. In paragraph 1 there are two sub-lists. The representatives of the GLA are listed by name and official designation. Then, under the subheading “Applicant”,
your wife is mentioned, namely, “Xuelin Bates, Architect and property developer representing ZhongRong Group”. Then there is you, Lord Bates, as “(Xuelin’s husband)” and then there is a third colleague, Jeff Cao, stated to be “Head of Asia Pacific, London and Partners”. While I appreciate that someone had to draft these minutes to document the proceedings, from your perspective you were there primarily as your wife’s husband. While they have listed you under the heading “Applicant”, I think that you are trying to tell me that you were there exclusively as Xuelin’s husband.

**Lord Bates:** Yes. I want to stress that doing business in China is very different from doing business in the UK. That is why I mentioned that there is a sense of irony that one finds oneself here. I wanted to protect her by making sure that everything was done in accordance with the rules and procedures, set out clearly. That is why I was there. I was very conscious that she needed to do that, particularly, but not solely, because of my position as a public office holder.

**The Commissioner for Standards:** Thank you. Have you had any involvement with the ZhongRong Group other than with this specific proposal?

**Lord Bates:** No.

**The Commissioner for Standards:** Thank you. Have you had experience of the GLA planning process other than with this project?

**Lord Bates:** No. I have never personally been involved in it. My wife was involved in it with some other projects around the same time.

**The Commissioner for Standards:** Right. You indicated that your wife has a background—she is an architect and property developer and she has had some involvement in similar projects in the past. You have just indicated that you had no previous dealings with the GLA planning process, so can I ask what value did you think you were going to add by your presence alongside your wife?

**Lord Bates:** To protect my wife’s interests and to ensure that she did things absolutely correctly. As a further element of context, the relationship with my now wife is relatively new. It began in 2011, during a walk I undertook. This was part of her adjusting to the fact that it is one thing being a Chinese entrepreneur but now you are a Chinese entrepreneur and married to someone who has a public office. That brings a whole new set of standards by which you must operate.

**The Commissioner for Standards:** Thank you. I now will focus on Lady Bates’ involvement in the proposal. Do you recall whether your wife was asked by the ZhongRong Group to help with their proposal or did she approach them?

**Lord Bates:** I would have thought that she approached them, because she had a list of orphan sites that were looking for investors and went out to contact people to say, “Would you be interested?” She mentioned that site to Mr Ni of ZhongRong Group. I imagine that she would have made the approach in general about investment and about this particular site.

**The Commissioner for Standards:** Thank you. The *Sunday Times* reported that your wife’s role with the proposal that we are discussing ceased in April 2013. To the best of your knowledge, is that correct?

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*Note by Lord Bates:* It was a ten-month solo walk from Greece to London to raise awareness of the 2012 Olympic truce.
Lord Bates: Certainly April or early May. We have been back through the correspondence and emails, trying to look. Certainly what changed was that, at that initial stage, which was the 27 March 2013 memorandum of understanding, that was taking it to a formal next step and at that point it was not confirmed that they were actually going to take this forward in a strong and serious way—in other words, put cash on the table. Very soon after signing that, Mr Ni decided that he wanted to do that and to do it out of Hong Kong with Arup. He set up his own team, a professional team. Though the MoU suggested a steering group, the steering group never met. As to my wife’s involvement beyond that point, the only area of question is that there was a visit by Mr Ni. We have not been able to pinpoint it from diaries, but it was either at the end of April or the beginning of May, when he came across to look at the plan and at the site and to confirm what he was going to do. Xuelin was at that meeting, but that was her last involvement, because a formal team, as opposed to an informal adviser, had been appointed. It then went ahead—it was announced to the press on 25 July 2013, the formal launch was on 3 October of that year and a new exclusivity agreement was announced on 5 November that year. None of the processes beyond the signing of the note on 27 March involved my wife.

The Commissioner for Standards: Thank you. Just to clarify, based on your earlier email responses, this work carried out by your wife was unpaid and there was never any suggestion that she was to receive payment in the future. Is that correct?

Lord Bates: That is right. I think that is correct to say. She was doing it as a friend—informally as an adviser. It would be speculation to say that, if Mr Ni of the ZhongRong Group had made her a proposal at some later stage, as a businesswoman she might have been interested in that. But no proposal was made and she did not seek one.

The Commissioner for Standards: There was a memorandum of understanding signed on 27 March 2013. It set out a list of sponsors and a steering committee to take the proposal forward. Your wife is listed as both a sponsor and a member of the steering committee. But I think what you have told me is that, notwithstanding that it was signed on 27 March 2013, in around April 2013 the ZhongRong Group decided not to proceed with that set-up but to go for a full-time team.

Lord Bates: Yes. That is basically it. I think they said, “This is a great opportunity and we want to do it and we want to run it out of Hong Kong with our team of advisers”. I think Xuelin just accepted that. There was never any proposal made and there was never any proposal sought, if you get what I mean. If Mr Ni had said at some stage in the future, “Listen, Xuelin, we’d be thrilled to have you as part of this. Would you like to be part of it? Here is an offer”, I do not know what would have happened and Xuelin does not know what she would have said, because it was never made. The reason why I am taking a bit of time over that is that, the way you have phrased the question, you could be saying that all the way through Xuelin’s approach to this was, “Well, this is just helping out a friend and it didn’t even cross my mind that there might be something in the

9 Note by Lord Bates: The last meeting Lady Bates attended about the project was on 3 May 2013.
future”, but that would be stretching it a bit too far. But the reality is that there never was any proposal made or received.\textsuperscript{10}

**The Commissioner for Standards**: Thank you. So your wife’s membership of the steering committee ceased in April 2013, or, alternatively, the steering committee ceased to function.

**Lord Bates**: The steering committee never met.

**The Commissioner for Standards**: Right. Thank you. Can I ask whether you wife has done any other work for the ZhongRong Group, paid or unpaid?

**Lord Bates**: She tried to interest them in a project, the Silvertown Quays, in 2010–11. That was another one that did not proceed.

**The Commissioner for Standards**: Thank you. Has she received any gifts to your knowledge from the ZhongRong Group?

**Lord Bates**: On gifts, I have to be very careful, because Chinese culture is strongly about giving gifts of tea or whatever. Could you say a bit more about what you mean by “gifts”?

**The Commissioner for Standards**: My role is limited to investigating allegations of breach of the House of Lords Code of Conduct, so it is gifts within the context of the Code of Conduct. I am not looking—if I can put it by way of example—at whether, at a dinner, she was given a bouquet of flowers; I am looking for something slightly more substantial than that.

**Lord Bates**: Not that I am aware of, no.\textsuperscript{11}

**The Commissioner for Standards**: Right. Thank you. I think we have already covered the point that, to your knowledge, your wife had no previous experience of the GLA planning process.

**Lord Bates**: Knowledge of the GLA planning process—as a property developer in London, it is possible that before we met she might have submitted planning applications, but I would not know; I would not have sufficient knowledge of that. Could I ask you to expand on the question?

**The Commissioner for Standards**: Have you got the up-to-date guidance on gifts, because it has been altered recently? Specifically, in “Category 8: Gifts, benefits and hospitality”, a value of £140 has been put. Are you aware of gifts having been made by the ZhongRong Group to your wife?

**Lord Bates**: The reason why I hesitate is that these are very important matters. The culture is that every time they meet each other they give each other some gift of tea or some gift of that nature. That is the reason why I am hesitating in stating categorically that no gifts were received of that amount.

\textsuperscript{10}Note by Lord Bates: Had any proposal been made and accepted then that would have been recorded as appropriate in the Register of Lords’ Interests and at the first meeting of the Olympic and Paralympic Legacy Committee on 21 May 2013, which was when members of the committee were asked to declare relevant interests.

\textsuperscript{11}Note by Lord Bates: As stated in an email to the Commissioner for Standards on 22 July 2015, during the period of Lady Bates’ involvement with the Exhibition Palace concept she received one substantial gift of the value of £350 in recognition of her unpaid advisory work.
The Commissioner for Standards: Rather than pursue the matter now, could I ask you to speak to your wife and to establish, if gifts were exchanged, of roughly what financial value they were? That would be very helpful.

Lord Bates: Okay.

The Commissioner for Standards: I have quoted the current guidance. In fact, previously £500 was the amount specified in the Code of Conduct. It has been reduced recently to £140. If you are talking about a gift of tea et cetera, I cannot—

Lord Bates: I feel categorically sure that there was nothing in the order of £500. What I hesitate about is that sometimes teas can be expensive and I cannot figure on that sort of price, or of a bottle of wine. But it is things of those orders. Certainly, I am not aware of anything greater than £500.

The Commissioner for Standards: It would be helpful if you could come back—

Lord Bates: I will check.

The Commissioner for Standards: Roughly, were any of them proximate to this proposal about Crystal Palace Park or were they historic in terms of other work or liaisons that your wife had with the ZhongRong Group? That would be helpful.

In your email to me of 20 May 2015 you stated: “I do feel that given the concerns that have been raised by a member of the public on this issue had I had my time again then I would have wanted to have had this exchange of correspondence before joining the Committee so that I could avoid bringing any aspect of the House of Lords’ work or that of the Committee of which I was privileged to be a member into question.” Hindsight would be helpful to us all, but that seems to indicate that there is a desire to be open and accountable in relation to your functions as a member of the House of Lords. Do you feel that that was compromised, or is it that, because someone has made a complaint, you now think that, if you had known it would give rise to a complaint, you might have either registered an interest or declared an interest during the proceedings of the Olympic and Paralympic Games Committee?

Lord Bates: By instinct, I would always be cautious. That is what the clerks, the chairman and the Registrar are there for. I would have checked with them, in retrospect. I had in my mind a view that an interest represented some role, so clearly if I were a director of the ZhongRong Group or an adviser to them, that would be instantly declarable. If I received money from them, that would be instantly declarable. Not that I would have ever, but had I ever lobbied on behalf of the Exhibition Palace project, spoken, asked a question or raised an issue on it—as I say, I would never have done it—I would certainly at that point have sought guidance or volunteered, without having to seek guidance, certainly if I was asking a question about the Exhibition Palace. As I say, I would never have done it. I have never had this issue before. I have always been quite precise about it.

Remember that at the beginning of the process, the point at which I was involved, the Exhibition Palace had nothing to do with the National Sports Centre. There is hindsight and experience, but they were completely separate development proposals. I did not understand or know at that stage how contentious the issue was or how contentious Crystal Palace was. I now know, through bitter
experience, that it is one of the most politically contentious bits of land in the country. I am aware of that now, but at the time I did not feel that that was relevant. Had my wife had a role with the ZhongRong Group that was current at the point, I think that that would have been an interest not that I would have automatically declared but about which I would have said to the clerks, “What do you think of this? Is this something I need to declare?” Overall, in retrospect, of course I wish that we had had that conversation then rather than now.

The Commissioner for Standards: Thank you. I have no further questions. Do you wish to make any final comments?

Lord Bates: The only thing that I have been keen to do is to say that I understand the concept of what a reasonable person in full possession of the facts might think, but I hope that it would be possible to accept that, at the time of my involvement in the meeting on 30 October 2012, this was an idea and did not represent an interest of either my wife or myself. Neither of us received any payment or the promise of future benefits. We had no formal role in this, other than on 27 March 2013. My interest in the Olympic and Paralympic Legacy Committee was 100% because of my passion for the Olympic Truce, which is an issue that I continue to advocate and campaign on. That was the purpose of my wanting to have that role. I hope that somebody looking at the full facts of the case might draw the conclusion that this was not some wilful attempt to obtain some advantage for myself or my wife, but simply a case of the detail of the interests not being clear at that stage to me.

The Commissioner for Standards: Thank you very much. We will now terminate the interview. I reiterate that shortly you will be supplied with a full transcript of this afternoon’s proceedings.

Appendix K: Email from Lord Bates to the Commissioner for Standards, 22 July 2015

Further to our interview yesterday afternoon you asked me to reflect with my wife on whether any gifts or hospitality were received from ZhongRong Group. We have identified two gifts:

In order to attend an event in September 2011 (i.e. before the first exploratory meeting with the GLA about the rebuilding of Exhibition Palace took place on 30 October 2012) Xuelin had an internal flight from Beijing to Shanghai plus one night’s hotel accommodation paid for by ZhongRong Group.

In March 2013 Xuelin received a gift from ZhongRong Group valued at £350 in recognition of her unpaid advisory work on the Exhibition Palace concept between October 2012 and March 2013. This gift was below the then threshold of £500 for Category 8 disclosures under the then Code of Conduct and therefore not disclosed at the time.