CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W.1, on Thursday, 13th December, 1956, at 11 a.m.

Present:

The Right Hon. R. A. Butler, M.P., Lord Privy Seal (in the Chair).

The Right Hon. Viscount Kilmuir, Lord Chancellor.

The Right Hon. James Stuart, M.P., Secretary of State for Scotland.


The Right Hon. Peter Thorneycroft, M.P., President of the Board of Trade.

The Right Hon. Sir David Eccles, M.P., Minister of Education.

The Right Hon. The Earl of Selkirk, Chancellor of the Duchy of Lancaster.

The following were also present:

The Right Hon. Harold Watkinson, M.P., Minister of Transport and Civil Aviation (Item 1).

The Most Hon. The Marquess of Reading, Q.C., Minister of State for Foreign Affairs.

The Right Hon. Edward Heath, M.P., Parliamentary Secretary, Treasury.

The Lord Lloyd, Parliamentary Under-Secretary of State for the Colonies (Items 1 and 2).

Dr. The Right Hon. Charles Hill, M.P., Postmaster-General (Item 1).

The Right Hon. Allan Noble, M.P., Minister of State for Foreign Affairs (Item 1).

The Right Hon. Henry Brooke, M.P., Financial Secretary, Treasury (Items 1–3).

The Earl of Gosford, Parliamentary Secretary, Ministry of Defence (Item 1).

The Hon. G. R. Ward, M.P., Parliamentary and Financial Secretary, Admiralty (Item 1).

Secretariat:

Mr. B. St. J. Trend.

Mr. H. O. Hooper.
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The Lord Privy Seal said that the Foreign Secretary had now sent a message to the Secretary-General of the United Nations (Paris telegram No. 465) commenting vigorously on the unsatisfactory situation which appeared to be developing at Port Said and emphasising that, if the clearance of the Canal were substantially delayed by reason of an unco-operative attitude on the part of the Commander of the United Nations salvage fleet, General Wheeler, towards the use of British resources, great resentment would be felt against the United Nations.

The same point had been forcefully made to the United States Ambassador in London, who had undertaken to urge the United States Secretary of State to press the Secretary-General once again to clarify the position. It appeared, from New York telegram No. 1668, that the Secretary-General was already in touch with General Wheeler in an endeavour to correct the latter’s apparent misunderstanding of his instructions.

Thus, there were grounds for hoping that we might still secure the use of British resources for the clearance of the Canal. But there could be no certainty on this point, and opinion among the Government’s supporters in the House of Commons was becoming critical of the situation which appeared to be developing. It was for consideration whether any other action could be taken to reinforce the representations which the Foreign Secretary had already made to the Secretary-General of the United Nations.

In discussion the following points were made:

(a) Although it would not be possible to delay the completion of the withdrawal of the Anglo-French force from Port Said beyond the date of 22nd December which had now been agreed with the French Government, public opinion would only accept this withdrawal if some appropriate action had been taken by the United Nations to secure the utmost speed in clearing the Canal. For this purpose we might ourselves table a fresh resolution in the General Assembly. On the other hand we could not be certain that such a resolution would be passed against the probable opposition of the Afro-Asian States.

(b) If it were made clear to the Governments of the Scandinavian countries, both in their respective capitals and at the United Nations, that a refusal by the United Nations to employ British resources for the clearance of the Canal would approximately double the time taken by the clearance operation, they would probably support our representations to the Secretary-General.

The Cabinet—

(1) Invited the Minister of State for Foreign Affairs (Commander Noble) to inform the Foreign Secretary of the points made in their discussion, and to suggest to him that he should arrange for further consideration to be given to the possibility of tabling a new resolution in the General Assembly about the clearance of the Canal, and mobilising the support of the Governments of the Scandinavian countries for the representations which he had already made to the Secretary-General.

The Parliamentary Secretary, Ministry of Defence, said that further consideration had confirmed that the choice lay between transferring our Egyptian prisoners of war to the Commander of the United Nations force or removing them from Egypt to Cyprus. There was no other military base to which they could conveniently be removed, and it had been ascertained that, while the Governor of Cyprus would be reluctant to accommodate these prisoners in the island, he would be prepared to accept them in the absence of any alternative solution.

The Minister of State for Foreign Affairs (Commander Noble) said that, in terms of legal status, the War Office contractors’ staffs
were undoubtedly civilians, and that we should therefore have no 
case for seeking to negotiate their release against the transfer of our 
Egyptian prisoners of war. But it was proposed that, even if we 
handed over the prisoners of war unconditionally, we should retain 
the most senior of them until the Egyptians returned the British 
officer whom they had recently kidnapped in Port Said.

Discussion showed that the Cabinet remained unconvinced of 
the wisdom of handing over our Egyptian prisoners of war, with no 
guarantee of any corresponding release of our own nationals. It was 
agreed that, despite the urgency which attached to this matter, the 
final decision must await the Prime Minister's return. In the 
meantime preliminary preparations for the reception of the prisoners 
in Cyprus should be put in hand.

The Cabinet—

(2) Agreed to resume their discussion of the disposal of our 
Egyptian prisoners of war after the return of the Prime 
Minister.

(3) Invited the Parliamentary Under-Secretary of State for the 
Colonies to arrange for preliminary preparations to be 
made in Cyprus for the reception of the Egyptian 
prisoners of war, without prejudice to the Cabinet's final 
decision.

2. The Cabinet had before them a memorandum by the 
Colonial Secretary (C.P. (56) 279) about a proposal, put forward by 
Malayan Ministers, that the Federation of Malaya, on attaining full 
self-government, should retain the right of appeal to the Judicial 
Committee of the Privy Council but that the advice of the Judicial 
Committee should be tendered not to the Queen but to the new 
Head of State in Malaya.

The Lord Chancellor said that this proposal would need to be 
examined very carefully. The new State of Malaya would suffer 
juridically if it did not retain the right of appeal to the Judicial 
Committee, as India and Pakistan had already discovered by their 
own experience. On the other hand it was arguable whether it would 
be consistent with constitutional propriety that the advice of the 
Judicial Committee should be made available not to the Head of the 
Commonwealth but to the Head of another State within the 
Commonwealth. In particular, the implications of such a develop­
ment in relation to other Commonwealth countries, particularly those 
Colonial Territories which were now advancing towards full 
self-government, would need to be considered.

The Cabinet—

Appointed a Committee of Ministers consisting of—

Lord President
Lord Chancellor
Commonwealth Secretary
Colonial Secretary
Paymaster-General
Attorney-General

to consider the proposal that the Federation of Malaya, on 
attaining full self-government, should retain the right of 
appeal to the Judicial Committee of the Privy Council but 
that the advice of the Judicial Committee should be 
tendered not to the Queen but to the new Head of State 
in Malaya.
3. The Cabinet had before them a note by the Secretary of the Cabinet (C.P. (56) 280) covering a report by a Sub-Committee of the Home Affairs Committee and a memorandum by the Lord Chancellor on the renewed application by the Manchester Corporation to be allowed to build 12,000 houses on agricultural land at Lymm in Cheshire.

The Lord Chancellor said that on a reasonable basis of calculation Manchester would have, during the period 1961-71, about 18,000 sites available for houses; and that, if the rate of building during this period was 3,000 houses a year, sufficient sites would be available until 1967. Until more progress had been made in utilising these sites he did not think it would be justifiable to alienate 3,000 acres of the best farming land; and he therefore proposed that the position should be re-examined in a few years' time, during which interval efforts should be made to find an alternative solution.

The Minister of Housing said that the 18,000 sites could not in fact be relied upon. It was very unlikely that Macclesfield would be ready to facilitate the building of 4,500 houses for Manchester's needs; experience had shown that the scope for further development in urban areas reasonably close to Manchester was liable to be exaggerated; and the assumption that a certain number of sites could be found within the city itself did not take sufficient account of the fact that these sites were already occupied by slum properties, the inhabitants of which would need to be re-housed. Since it was impracticable to transfer Manchester's excess population and industry to remoter towns, there was no alternative to the development of a new large site if the urgent needs of Manchester were to be met. The rejection of the Corporation's proposal to develop the site at Lymm would, therefore, clearly imply that slum clearance had been subordinated to the interests of agriculture. The Government, however, had stressed their determination to press forward with slum clearance as an argument justifying the abolition of the general housing subsidy. If, therefore, the Cabinet felt unable to accept the Corporation's proposal, he could only recommend that the issue should again be submitted to a public enquiry, in the light of which a decision could be taken at a later date.

The Minister of Agriculture said that the Government had publicly committed themselves to the policy of preserving first-class agricultural land from further development. The agricultural community regarded the present proposal as a test case of the firmness of the Government's intentions in the matter. Furthermore, the site at Lymm, when developed, might well become merely a dormitory of Manchester, so that the expressed intention of the Manchester Corporation to re-house their surplus population elsewhere would not in fact be carried out.

In discussion the view was expressed that Manchester should approach the problem by increasing the present density ratio of building in order to make more efficient and economical use of the sites already available. Moreover, the needs of Manchester for slum clearance had by no means the highest priority among the larger cities. Doubts were also expressed about the ability of the Manchester Corporation to build at the rate of 3,000 houses a year, a figure which they had not achieved hitherto.

The Minister of Housing said that, in his view, none of these arguments was valid. An increase in the density ratio would have only a marginal effect; an order of priority among cities in regard to re-housing was doubtfully consistent with the importance which the Government had publicly and repeatedly attached to slum clearance; and he had no doubt that, if the the Manchester Corporation were enabled to plan sufficiently far ahead by being given the necessary assurance that adequate sites would be available, they would be able to achieve a rate of building of at least 3,000 houses a year.
The Lord Privy Seal said that the discussion showed that the Cabinet considered that a case had not been made out for taking a decision in favour of Manchester at the present time. Such a decision would cause great disquiet among Government supporters and among the agricultural community. A further public enquiry would weaken the incentive to the Manchester Corporation to seek any alternative solution, since they would concentrate their efforts on justifying their case before the enquiry. It was in any case premature to reopen an issue which had already been exhaustively examined within the last few years; and a decision to disallow Manchester's application for the time being could be justified on this ground. This decision could not, however, be easily reconciled with the Government's policy on slum clearance and the terms of the announcement would need careful consideration.

The Cabinet—

(1) Agreed that the renewed application by the Manchester Corporation to develop an agricultural site for building at Lymm in Cheshire should be rejected.

(2) Invited the Minister of Housing to circulate the text of his proposed announcement on this subject.

4. The Cabinet had before them a memorandum by the Minister of Agriculture (C.P. (56) 276) about the application by the Government of New Zealand for the consent of the Commissioners of Crown Lands to a design for the new New Zealand House to be built on the site of the Carlton Hotel.

The Minister of Agriculture said that a decision on this question was now urgent. The Government of New Zealand, who would take possession of the site in January, were anxious that work should proceed as rapidly as possible. Moreover, the Commissioners of Crown Lands would hand over their responsibility for the Crown Estate to the new Board of Crown Estate Commissioners on the following day, and it was preferable that the decision on this particular issue should have been taken before the new Board came into existence.

Of the three designs by Professor Matthew for the proposed building, design A had met with criticism from the Commissioners of Crown Lands and the Royal Fine Art Commission. It had now been discarded by general agreement. Of the remaining alternative designs B and C, the former was more acceptable to the Commissioners of Crown Lands, but the New Zealand Government had expressed a strong preference for design C. The Fine Art Commission had expressed objection to the height of both buildings, but preferred design B to design C. Both designs had recently been made public and had evoked no criticism in terms of either their height or their design. In principle, therefore, we were now virtually committed to a high building in the contemporary idiom which was common to all three designs, and the only issue was the choice between design B and design C.

In discussion the following points were made—

(a) The Minister of Works said that he was directly concerned by reason of his responsibility for Royal Palaces and Parks. He did not think that a very tall building on this site was appropriate and, if it were practicable to oppose this conception in principle, he would wish to do so. If, however, it was thought that the overriding need was to avoid friction with the New Zealand Government on this matter he was reluctantly prepared to acquiesce in design C.
(b) We were entitled to represent to the New Zealand Government that design B remained the better design in the opinion of the Commissioners of Crown Lands and the Fine Art Commission. But it would be undesirable to insist on this point against the opposition of the New Zealand Government; and, if they maintained their preference for design C, we should not press our contrary view to the point of provoking friction between New Zealand and ourselves.

d) The details of the design and the materials used in construction were no less important than the height and general shape of the building. The views of the Planning Committee of the London County Council had still to be obtained. There was no reason to expect that Committee's reaction to be unfavourable; but, if planning approval in principle was given, it should be left to the planning authorities to agree with the architect and the New Zealand Government the details of the final design and the materials to be employed.

d) On the other hand the New Zealand Government claimed that, while the terms of their lease of the Carlton Hotel required them to obtain the assent of the Commissioners of Crown Lands to the design of any building which they might erect on that site, they were exempt, as an independent Government, from any other planning requirement. It would not, therefore, be possible to make our agreement to the project conditional on their accepting any stipulations which we chose to make about the details of the design and the materials to be employed. These questions would best be dealt with by the Ministers to whom the Board of Crown Estate Commissioners would henceforward be responsible, in consultation, as necessary, with the Minister of Housing and the Minister of Works.

The Cabinet—

(1) Invited the Minister of Agriculture to instruct the Commissioners of Crown Lands to inform the New Zealand Government, subject to the concurrence of the London County Council, that the Commissioners would consent to the construction, on the site of the Carlton Hotel, of a building of the type desired by the New Zealand Government, within a limit of 210 ft. of height.

(2) Invited the Lord Privy Seal and the Secretary of State for Scotland, as the Ministers to whom the Board of Crown Estate Commissioners would henceforward be responsible, to keep under review the negotiation with the New Zealand Government of the final details of the design to be adopted and the materials to be employed.

Cabinet Office, S.W. 1,
13th December, 1956.