



BIRCHAM DYSON BELL

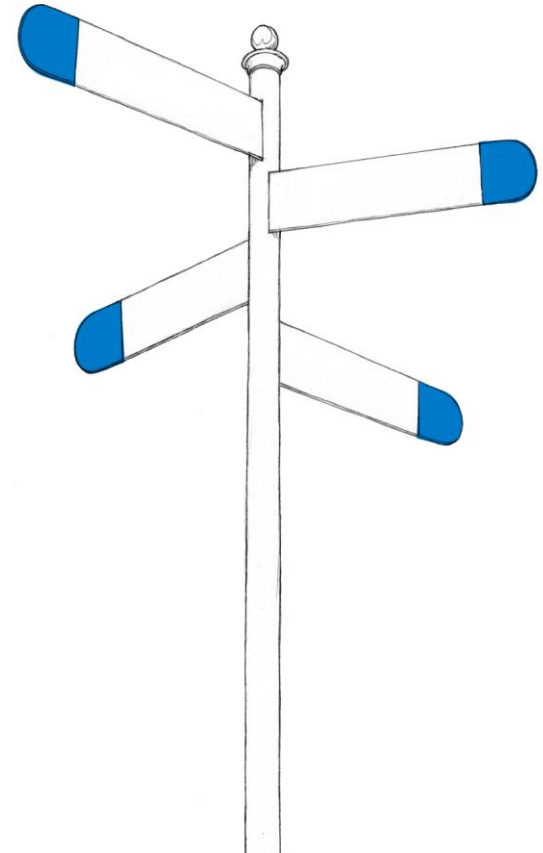
HS2 Summit, 5 March 2013

Hybrid Bills

Nick Brown – Partner

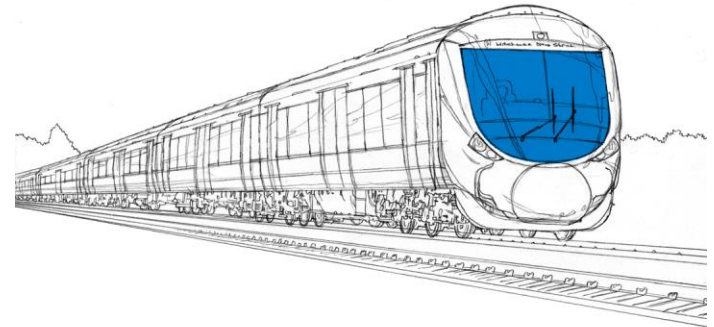
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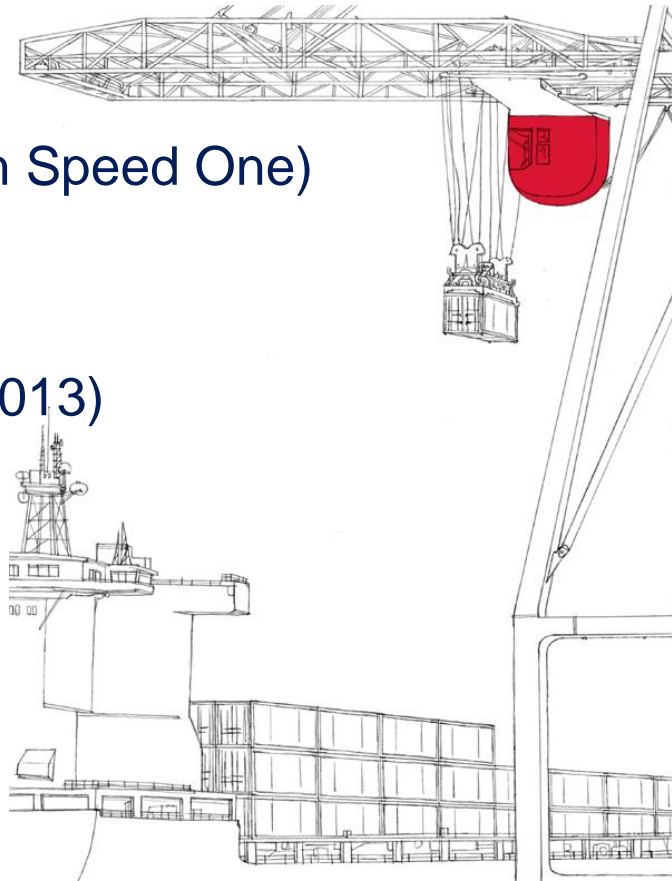
What is a hybrid bill?

- A Bill in Parliament that
 - has features of public bills – i.e. promoted by the government
 - has features of private bills – i.e. only affects a subsection of the population



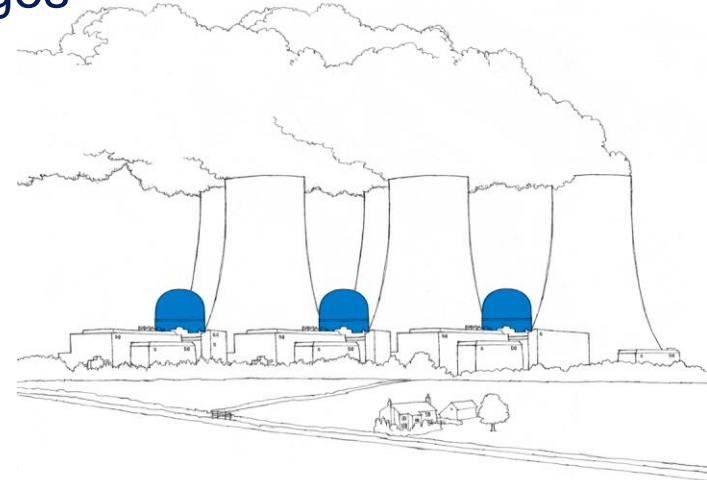
Past and future examples

- Severn Bridges Act 1992
- Cardiff Bay Barrage Act 1993
- Channel Tunnel Rail Link Act 1996 (i.e. High Speed One)
- Crossrail Act 2008
- High Speed Two Bill (expected December 2013)



The process

- Like all bills, hybrid bills have the following stages in each House
 - First reading (i.e. publication)
 - Second reading (i.e. debate on general principles)
 - Committee stage (i.e. clause by clause scrutiny)
 - Report stage (i.e. report to whole House of committee stage)
 - Third reading (i.e. final debate on final version of bill)
- Unlike public bills, there are additional stages
 - Between second reading and committee stage:
 - Petitioning period
 - Petitions heard by select committee



Petitioning: how opponents can be involved

- Technically, those *especially and directly affected* may petition
- A petition is an objection in a special format
- Cannot petition against the principle of the Bill (whatever that is)
- Can only petition personally or via Parliamentary agents
- There are a small number of permanent ('Roll A') Parliamentary agents
- It is possible to become a temporary ('Roll B') Parliamentary agent for a particular bill

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2005-06

CROSSRAIL BILL

P E T I T I O N

Against the Bill – On Merits – Praying to be heard by Counsel, &c.

The select committees

- Two main differences from planning inquiries
 - The committee members: more of them and more interventionist
 - Oral evidence is given without notice to the other side (physical exhibits are usually provided 48 hours in advance)



The select committees

■ Using Crossrail as an example

- The Commons committee consisted of 10 disinterested MPs
- 457 petitions were lodged
- 205 petitioners were heard by the committee
- The committee held 84 public sessions
- The committee made 7 site visits
- A series of amendments to the Bill were recommended and accepted



- The Lords committee consisted of 7 peers
- 113 petitions were lodged
- 45 petitioners were heard by the committee
- The committee held 29 public sessions
- The committee made 4 site visits
- No amendments to the Bill were recommended



Is it still appropriate?

- It is slow: Crossrail took 3½ years to pass through Parliament
 - HS2 could have a single, joint select committee to speed things up
 - It is unpredictable: MPs in particular may make dramatic changes
 - It is probably currently incompatible with EU law on environmental assessment
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- As a Parliamentary bill, there are no limits to its powers
 - Petitioners do feel they have 'had their say'
 - It is flexible, changes can be and are made

Paving Bill?



How can BDB help?

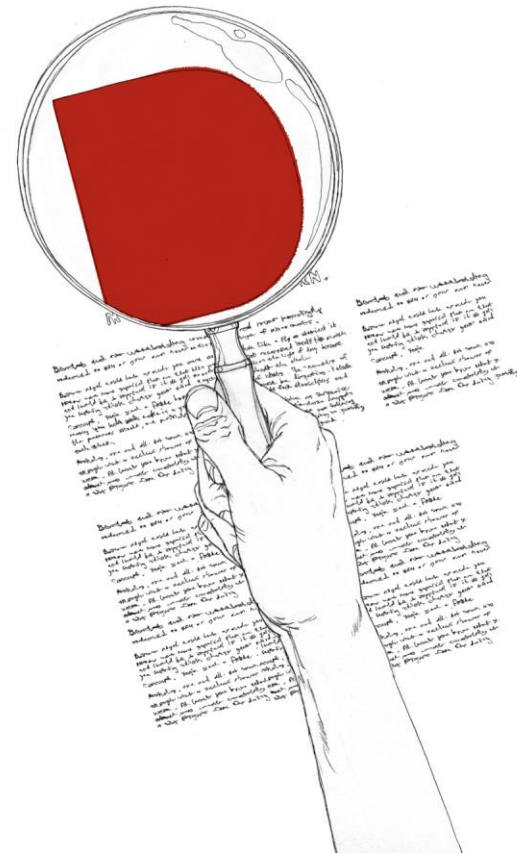


- 3 'Roll A' Parliamentary Agents
- My own experience petitioning against hybrid bills includes:
 - Severn Bridges
 - Cardiff Bay
 - Channel Tunnel Rail Link
 - Crossrail Hybrid Bill
- Other similar bills
 - Kings Cross Railway Lands
 - First Crossrail Bill
- Full team of experts
- We can guide you through the process, represent your interests and negotiate with HS2 Limited

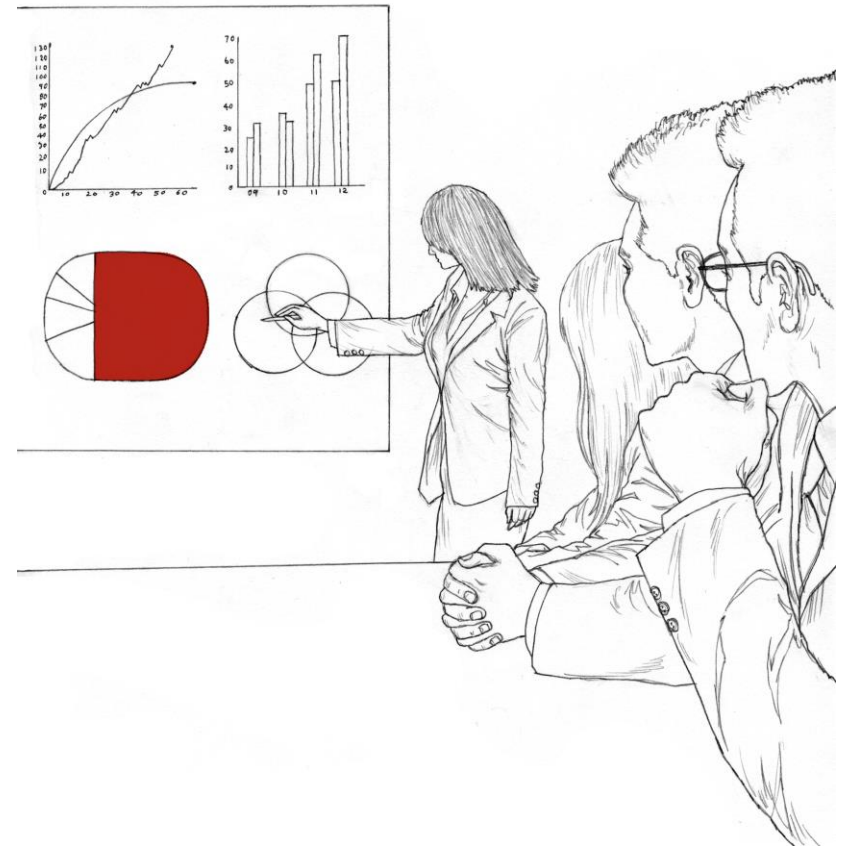


Costs

- Estimated costs of objection:



Any Questions?



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Thank you

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