

FAQs on the High Speed 2 Hybrid Bill

What is a Hybrid Bill?

Hybrid bills are so called because they combine features of public bills and private bills. Essentially they are Government bills which affect certain individuals and bodies in ways that do not affect everybody. Infrastructure bills—and in particular transport infrastructure bills—tend to do this because they have different effects for different geographical parts of the route.

How is a Hybrid Bill treated in Parliament?

In Parliament, hybrid bills are treated partly like public bills and partly like private bills. Like a public bill, the bill is first presented by a Government Minister (First Reading) and is then debated in a Second Reading debate. If Second Reading is agreed to, the bill is referred to a specially appointed select committee, similar to the process for private bills which gives individuals and bodies directly and specially affected by the bill the opportunity to object to the bill's provisions and seek its amendment.

The select committee hears argument and evidence from the promoters of the bill and from petitioners and reaches a decision on each point at issue. It can recommend changes to the bill.

After the select committee stage, a public bill committee follows in which the bill's clauses are debated by MPs.

Find out more information about how [public bill committees work](#).

After the public bill committee, the bill progresses in the same way as a normal public bill. This process happens in each House.

Can I oppose the Bill?

The principles of the Bill were debated by Members of Parliament at Second Reading, and as the Bill passed its Second Reading the House is taken to have agreed the principle of the Bill. You could lobby your MP before the Second Reading debate, but after Second Reading on 28 April 2014 the principle of having a High Speed 2 Phase One Railway cannot be opposed.

There was a period for petitioning against the Bill (which ran from April 29 to May 23 2014) during which you could oppose any particular aspect of the Bill (including details of the route) if you could demonstrate that you were an individual, group of individuals, or organisation directly and specially affected. The way to do this was to petition against the Bill in the form set out in the petitioning guidance. A valid petition gave petitioners the opportunity to be heard by the select committee. If the select committee agrees with petitioners' objections it has the power to change the Bill accordingly.

A campaign group which is not composed of individuals directly and specially affected, but which simply opposes the principle of the Bill, cannot petition. Such groups can, however, lobby Members of Parliament separately from the petitioning process.

Can you give an example of what “directly and specially affected” means?

A customer of a directly affected commodity (e.g. cement) supplier who lost that supplier because of the planned railway would probably not be considered directly affected because they would normally be able to find an alternative supplier elsewhere. Hence they would be considered only indirectly affected. A customer of a specialist product not obtainable elsewhere might argue differently, however.

Arguing that another transport project had been cancelled because of HS2 would be another example of an indirect effect.

To show that you are “specially affected” you must demonstrate that there are effects on you and/or your community that exceed the general impact of an infrastructure project on the relevant local population. This might vary depending on the locality. In a rural area it might cover a wider area, for instance. A Birmingham resident would probably not be able to argue that they were specially affected merely because of the general effect of the railway on Birmingham’s economy, but a resident of a Birmingham suburb might argue differently in relation to the local economy.

If you are in any doubt about whether you are directly and specially affected you can obtain advice via the Private Bill Office.

Can I oppose the additional provisions deposited on 13 July 2015?

Yes. The procedure is analogous to that for opposing the Bill. A link to the modified petitioning kit is on the [committee website](#).¹ Separate locus standi challenges *may* be made against petitions on the additional provisions.

What is a locus standi challenge?

Locus standi is the right of a petitioner to appear before the Select Committee based on their petition documents demonstrating adequately that they are directly and specially affected. It can be challenged if the promoter of the Bill disagrees that there is a direct and special effect. In that event, the Committee decides whether there is a right to appear. You will be notified if your petition is to be challenged. Petitions against additional provisions can be challenged as to their locus standi separately from the locus standi challenges made against petitions on the Bill already deposited.

How exactly do I petition?

You should follow the advice and recommended format contained in the hybrid bills petitioning kit on the [select committee website](#). Please note that there was a new format of cover sheet as of 9 September 2014.

¹ <http://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-london-west-midlands-bill-select-committee-commons/>

Petitioning dates, times and locations for additional provisions

The time period for depositing petitions against the additional provisions deposited on 13 July 2015 is from 17 July 2015 to 14 August 2015 inclusive.

The dates, times and locations for depositing petitions are:

Fridays

Friday 17 July, Friday 24 July, Friday 31 July and Friday 7 August: 10am-2pm. Please come to Portcullis House reception and ask to speak to the HS2 Committee staff on x3250 who will come and meet you there.

Other times (except for final week)

Monday 20 to Thursday 23 July, Monday 27 to Thursday 30 July and Monday 3 August to Thursday 6 August: By appointment. Please call the HS2 Committee staff on x3250 to arrange a time. Location will be as above.

Final week

Monday 10 to Friday 14 August: 10am to 4pm (2pm on Friday 14 August). Please come to Portcullis House and ask to speak to the HS2 Committee staff on x3250 or make your way to the special petitioning room which we will operate in the final week only.

Petitions will need to be presented in person, at Portcullis House, the entrance to which is on the Embankment round the corner from Westminster tube station. (The entrance is marked 4 on the attached map).

Please do not bring bulky or sharp items as a security screen will operate on entrance. Further guidance is here: <http://www.parliament.uk/visiting/access/security/>

If you require any special assistance please speak to the Visitor Assistant when you arrive.

Why must I pay a £20 fee to petition?

The fee of £20 is partly a token of good faith and partly to help defray the administrative costs of running the select committee. It has remained at its current level since 1988. Payment will be accepted by cash or cheque. Payment must accompany your petition. Cheques should be made payable to 'GBS: re HoC: Administration' and marked 'HS2' on the back. It is possible for you and other petitioners affected in the same way can submit a single petition for which there will be a single £20 fee.

If you have already petitioned on the Bill you will not have to pay a second time.

Your MP can also deposit your petition on your behalf.

How many copies should I bring?

Please bring four stapled copies of your petition, together with the accompanying forms in the petitioning kit. Don't forget to bring two copies of the cover sheet too (this is in the kit).

Can my petition be reviewed in advance?

Yes, the Private Bill Office will review petitions. For contact details, see below. However, please be aware that the earlier you sent your draft the more likely it will be reviewed. Toward the end of the petitioning period it will be difficult to review drafts in detail.

What if I miss the petitioning deadline?

If you miss the deadline you will still be able to petition against the bill when it reaches the House of Lords. The petitioning procedure is slightly different in the House of Lords. For more information contact the [House of Lords Private Bill Office](#)

Why must I sign a declaration agreeing to observe parliamentary rules and practice?

A petition on a hybrid bill gives the opportunity to participate in extensive and highly significant parliamentary proceedings which are similar to court proceedings, and it is important that these are conducted properly and without disruption.

What if I do not want my address published?

In that case, include it only on the cover sheet, and in the petition simply include a general indication of your location.

Should I include details of any medical condition which I think is relevant to my petition?

Not unless you are content for them to be published. If you have such a condition and are not content for publication to occur, please state in general terms that you have a medical issue which you will raise with the Committee in private in due course.

What about consultation on the environmental statement additional provisions?

This is a separate process from petitioning. You can find details here:

<https://www.gov.uk/government/consultations/hs2-phase-one-supplementary-environmental-statement-and-additional-provision-2-july-2015-environmental-statement-consultation>

What is different about a petition against a Hybrid Bill?

A petition in this context is different from a normal petition to the House of Commons, a campaign petition or even an e-petition requesting a debate in Parliament. It is a document, in

a particular format, in which you explain how you will be affected by the Bill and why you think parts of it should not be proceeded with, or how you would like it to be altered. The format is important, but any ordinary person will be able to write one if they follow the instructions referred to below. It is not possible to petition in favour of the Bill or additional provisions.

The Government has announced that there may be different plans for Euston from those in the Bill. What should I do?

If the Bill changes to allow for a different design you will have the chance to petition separately on that. There may also be a further consultation on its environmental impact.

Can I petition for a change to the route?

The instruction to the Committee agreed to by the House on 29 April 2014 includes a statement that the principle of the Bill (which the Committee cannot change) will include the broad route alignment of the railway set out in the deposited plans. This means the Committee will have some discretion to consider changes to the route. Therefore, if you wish to argue for changes to the route that are within what could be described as the broad alignment of the route, you should do so. You will still need to say why the currently proposed route would have a direct and special effect on you.

If I want to petition in different capacities can I sign more than one petition?

Yes, provided you are not attempting to make exactly the same case twice over. You can sign, for example, one petition as an individual setting out your individual complaint, and another as a member of an affected body explaining the cumulative effect on a group of people.

Age of Petitioner?

There are no age restrictions on petitioners.

What are Roll A and Roll B agents, and do I need a solicitor or legal advice?

Roll A agents promote Bills and are professional specialists in parliamentary bill procedure. You do not have to employ a Roll A agent. The two legal firms acting as Roll A agents for the HS2 Bill are Winckworth Sherwood and Eversheds. Because they are promoting the Bill they cannot act for petitioners. Other Roll A agents, who can act for petitioners, are listed in the petitioning kit. Alternatively, you might wish to consult a different lawyer or other source of advice to assist with your petition.

A Roll B agent is someone else who represents a petitioner and presents their case before the select committee. Anyone you think can put your case effectively can apply to be a Roll B agent and act on your behalf. If you want someone who is not named on the petition or a member or officer of your organisation to represent you, and that person is not a Roll A agent, they will need to become a Roll B agent and (unless they are themselves a lawyer)

obtain a certificate of respectability from a Member of Parliament, Justice of the Peace, solicitor or barrister.

Both types of agent can sign and deposit petitions on your behalf and represent you before the select committee on the Bill.

The forms for appointed Roll B agents are in the petitioning kit. These should be deposited along with your petition. It is not possible to apply to be a Roll B agent in advance, so please do not send Roll B applications in advance of petitioning.

Can I appoint a second agent?

No, but if your agent is ill or incapacitated you can appoint an alternative at short notice by contacting the Clerk of Private Bills.

Can I be a Roll B agent for several different people and/or bodies?

Yes, and you only need only complete one Roll B application form. However, you will need separate forms of authority from each person or body you represent.

Will my Roll B agent need to re-apply for Session 2014–15?

No. the house agreed on 29 April 2014 that applications would roll over both to Session 2014-15 and to Session 2015-16.

Can I petition for a change to the route?

The draft instruction to the Committee tabled by the Government includes a statement that the principle of the Bill (which the Committee cannot change) will include the broad route alignment of the railway set out in the deposited plans. This means the Committee will have some discretion to consider changes to the route. Therefore, if you wish to argue for changes to the route that are within what could be described as the broad alignment of the route, you should do so. You will still need to say why the currently proposed route would have a direct and special effect on you.

What happens after I have deposited my petition?

Your petition will be copied and sent to the promoter of the bill (in this case, the Department for Transport). Petitions will be published online, on the HS2 hybrid bill select committee webpage, as soon as possible after deposit. Your petition will match the number on your receipt.

Provided the petition explains how you are specially and directly affected and establishes a valid objection, you will be called to make your case to the select committee.

HS2 Ltd has the right to object to a petition being heard (including petitions against additional provisions) if the petition does not demonstrate a direct and special effect by the Bill on the petitioner. If it is going to make any objection of this type it must do so by notice to the Private Bill Office, copied to the petitioner, at least five days before the start of the

Select Committee petition hearings. The Committee will then hear each side's case on this issue and reach a decision.

HS2 Ltd will send an acknowledgment to every petitioner to confirm that it has received a copy of the petition from the Private Bill Office. After that, you may be contacted by HS2 Ltd or its parliamentary agents (Winckworth Sherwood and Eversheds) with a view to possible settlement of your objections to the Bill. Alternatively, or in addition, they may (at the request of the Select Committee on the Bill) contact you to start arranging times for you to appear before the Committee. This is normal hybrid bill practice and is designed to try to accommodate petitioners as much as possible.

If you are going to appear before the Committee (i.e. if you do not withdraw or settle your case), you will receive a formal invitation letter including a statement that you agree to observe the rules and procedures of the House of Commons. You will also receive a formal written response document from HS2 Ltd setting out its position in relation to your petition. On the day you appear, you will need to tell our staff in the Committee Room who will be making your case, and you will need to take an oath or make a statement or affirmation that your evidence will be true.

The Committee will endeavour to hear petitions against additional provisions together with other petitions for the areas to which those petitions relate.

You can call witnesses and cite evidence to support your case. We need to know about any witnesses and receive any evidence you intend to produce by 5pm, two clear working days before you appear so that this information can be forwarded to the Committee members and to HS2 Ltd, and be uploaded for display during the hearings. You will receive HS2's relevant evidence in advance as well.

If you are appointing an agent and have not already finalised your arrangements for doing so you can do this at any time. The agent will need to make an appointment with the Private Bill Office and appear in person with the relevant forms. If you think this requirement may cause problems, please contact the Private Bill Office on 020 2719 3250 or prbohoc@parliament.uk. You should do the same if at any point you want to change your agent.

What further information can I get now?

The House of Commons Clerk of Private Bills handling the HS2 legislation is Neil Caulfield. Contact details for the Private Bill Office of the House of Commons are:
Telephone: 020 7219 3250
Email: prbohoc@parliament.uk



**THE PALACE OF WESTMINSTER
AND THE
PARLIAMENTARY ESTATE**

Directions by Public Transport

- By Rail**
Nearest stations are Charing Cross, Victoria and Waterloo (20 - 30 minutes walk).
- Underground**
Westminster (Circle, District and Jubilee Lines).
- By Bus**
Buses 3, 11, 12, 24, 53, 87, 88, 148, 159, 211, 453, N2, N3, N11, N87, N136, N155, N159 & N381 all stop nearby.
- Use of public transport is advised as the Abingdon Green car park is often full and meter parking is expensive and scarce.**
- Barclays Cycle Hire Docking Station**
Abingdon Green - Great College Street

KEY	
(A) NORMAN BHWY NORTH	(1) CURTIS GREEN (VEHICLES ONLY)
(B) 1 DERRY GATE	(2) CANNON ROW PASS OFFICE
(C) 1 CANNON ROW	(3) PARLIAMENTARY BOOK SHOP
(D) NORMAN BHWY SOUTH	(4) PORTCULLIS HOUSE MAIN ENTRANCE
(E) PORTCULLIS HOUSE	(5) CARRIAGE GATES
(F) 1 PARLIAMENT STREET	(6) MEMBERS ENTRANCE
(G) PALACE OF WESTMINSTER	(7) CHROMWELL GREEN VISITOR ENTRANCE
(H) 7 OLD PALACE YARD	(8) ST STEPHENS ENTRANCE
(J) FIELDEN HOUSE	(9) PRESS ENTRANCE
(K) MILLBANK HOUSE	(10) BLACK RODS GARDEN PASS OFFICE
(L) 7 MILLBANK	(11) MILLBANK HOUSE MAIN ENTRANCE
(M) 14 TOTBILL STREET	(12) FIELDEN HOUSE

