

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (CREWE – MANCHESTER) BILL

Monday, 27 February 2023 (Afternoon)

In Committee Room 8

Evidence can be found [here](#)

Watch the proceedings [here](#)

PRESENT:

Andrew Percy (Chair)

Dr Lisa Cameron

Antony Higginbotham

Grahame Morris

Holly Mumby-Croft

Martin Vickers

FOR THE PROMOTER:

Timothy Mould KC, Lead Counsel, Department for Transport

FOR THE PETITIONER:

Jeffrey Wong and Rebecca Clutton

IN PUBLIC SESSION

INDEX

Subject	Page
Right to be heard hearing: Jeffrey Wong Statement by Mr Mould	3

(At 4.15 p.m.)

1. THE CHAIR: Good afternoon, everyone. Thank you for attending this afternoon's Committee. I'll start just with some introductions. I'm Andrew – Andrew Percy. I chair the Committee. Around the table here we've got other members of the Committee and our Committee clerks and staff. Obviously, today we're hearing this right to be heard petition.

2. We do things very informally at this Committee so we've got Tim Mould on behalf of the promoters; and then we've got Jeffrey Wong, who is the petitioner; and Rebecca Clutton, who is representing Jeffrey this afternoon, from the Parliamentary Bar Association, isn't it? So we'll be using first names, as I say—very relaxed in this environment this afternoon. So I'm going to open first of all with Tim, Tim Mould, on behalf of the promoters, and then, Rebecca and Jeffrey, we can hear from you two.

3. So if everyone's settled and ready, I'll hand over to Tim.

Statement by Mr Mould

4. MR MOULD KC (DfT): Thank you very much indeed, Chair. Can we put up P14(1)? As the Committee knows, there are a small number of so-called standing challenges that the Committee is going to hear over the course of the next seven or eight days. In order to introduce you to those challenges, I've prepared a very short note, which just sets out the very basic principles that we operate under. I do need to get this on to the record at some point. I'm very happy to leave that until next week. The reason I say that is because we've had very profitable discussions with Jeffrey Wong and with my learned friend Rebecca Clutton, and I think it's fair to say that we won't be asking you to make a decision on Jeffrey Wong's petition. I'm going to read into the record an assurance that the promoter of this Bill has offered to Jeffrey Wong and then, obviously, Rebecca Clutton will address you on his behalf in relation to where that leaves his petition.

5. So I'm happy to read this in now, but if you think it would be more helpful to go straight into Mr Wong's petition and leave this until next week, I –

6. THE CHAIR: I think we'll probably leave this until next week, if the Committee agrees, and then we'll just go to Jeffrey's petition and this can inform us from next

week. So if we do that next week, and then if you move on to the thing you've agreed with Rebecca and Jeffrey.

7. MR MOULD KC (DfT): Thank you very much. Shall I read this now?

8. MS CLUTTON: Yes, please, yes.

9. MR MOULD KC (DfT): So, if we can put up P16(1), Sir, on the screen is a letter addressed to Mr Wong from the promoter of this Bill, dated 27 February 2023. What I'm going to read out is the assurance that is set out in italics in this letter, which is in the following terms: 'The Secretary of State recognises that he owes a duty under the Equality Act 2010 to persons who share a relevant protected characteristic. Having due regard to the need to advance equality of opportunity, and the need to take such steps as appropriate to meet the needs of persons who share a relevant protected characteristic where they differ from members of the general public, the Secretary of State will require the nominated undertaker to provide Mr Wong with a single nominated point of contact who will engage, as appropriate, with Mr Wong in connection with matters relating to the construction and operation of the proposed scheme, insofar as such matters may affect any protected characteristics of Mr Wong. This assurance does not cover matters relating to the design of the railway, other than for the purpose of mitigating the effects of its construction, and is offered in response to the duty that exists under the Equality Act 2010.'

10. That completes the terms of the assurance that has been offered to Mr Wong. You will have noted that there was a very minor typographical error in the fourth line. I think it would be grammatically correct if that read 'persons who share a relevant protected characteristic', rather than characteristics. So we'll convert the plural to the singular.

11. THE CHAIR: Sure.

12. MR MOULD KC (DfT): But subject to that, those are the terms of the assurance that the promoter has offered to Mr Wong.

13. THE CHAIR: Excellent, alright, thank you for that. Rebecca, Jeffrey, I'll hand over to you now.

14. MS CLUTTON: Yes, so I can confirm as well, on behalf of Jeffrey, that in view of the assurance that has been offered, Jeffrey won't be pursuing his petition any further. So, we are both grateful to both Tim and to the rest of the team at HS2 for securing that assurance with which we're content.

15. THE CHAIR: Excellent, all right; thank you. Do any Members wish to add anything, say anything? No. Jeffrey, did you want to say something?

16. MR WONG: No; peace sign.

17. THE CHAIR: Peace sign, excellent. Good, that's a happy sign. That means you're happy, right? So anybody wish to say anything? No. Well, I think on that basis then, I think it's great that you've come to an agreement. Jeffrey, thanks for taking the time to come down. Obviously, you'd raised concerns and issues, which were really important to you. So I thank you for your time in coming down to see us today. I hope you've had a chance to look round the building a bit as well. If not, have a look on the way out. There's lots of history in this building. But also thank you to Tim Mould, and to Rebecca, for joining us this afternoon and for coming to an agreement there, which I hope satisfies all parties.

18. So, on that basis, the Committee's meeting again later, at 5 pm, so I'll just, again, thank you all for coming today. Thank you for the agreement you've reached and I'll suspend the Committee until 5 pm.

Sitting suspended.