

Guide to Select Committee stage

This note sets out in brief the role and work of the Select Committee on the High Speed Rail (Crewe - Manchester) Bill.

For guidance on other aspects of the bill process, please refer to the following briefing notes:

- Overview of the bill process
- Guidance on petitioning
- Guidance on right to be heard
- [Guide to hybrid bills](#)

All guidance documents not linked to above can be found on the [Committee's website](#), as can the petition template to be used when drafting a petition.

Petitions against the Bill and the Additional Provision can be submitted using the portals available by following [this link](#).

Establishment of the Committee

After the [High Speed Rail \(Crewe - Manchester\) Bill](#) received its second reading in the House of Commons on 20 June 2022, a select committee was established to oversee the Bill's petitioning period and consider petitions against the Bill.

The Committee is to consist of a group of seven Members of Parliament representing both Government and opposition parties, including a Chair. Members of the Committee are chosen because they do not have personal or constituency interests in the Bill.

Membership of the committee on the High Speed Rail (Crewe - Manchester) Bill will be confirmed in due course, and will be listed on the [Committee's website](#).

Role and remit of the Committee

The High Speed Rail (Crewe - Manchester) Bill Select Committee has been appointed to consider petitions submitted to the House of Commons against the Bill (and against any Additional Provisions). It provides individuals and bodies directly and specially affected by the Bill with the opportunity to object to the Bill's proposals and to seek its amendment. You can find out more about petitions against a bill in the guidance listed above.

The Committee will hear the cases made by petitioners against the Bill and by the promoter of the Bill (the Secretary of State for Transport) to determine whether any amendments should

be made to the Bill or whether any assurances or undertakings need to be given by the promoter before the Bill can proceed.

The Committee can:

- make decisions on a petitioner's right to be heard;
- visit sites of relevant interest;
- take evidence from the promoter;
- request information from the promoter, HS2 or petitioners;
- request assurances from the promoter on certain points, or request that the promoter commit to certain undertakings;
- publish reports on specific petitions or issues;
- make amendments to the Bill.

The [motions agreed by the House](#) after second reading on 20 June 2022 included two instruction motions:

- that the Committee will make an assessment as to whether the Bill's provisions will affect the integrity of the conservation objectives of certain sites, under the [Conservation of Habitats and Species Regulations 2017](#);¹
- that the Committee will amend the Bill to remove the link, as included in the Bill as introduced, between the HS2 rail line at Hoo Green in Cheshire and the existing West Coast Main Line at Bamfurlong ('the Golborne Link'), and will accordingly not hear petitions relating to the Golborne Link.

It is not within the Committee's remit to consider the principle or underlying policy of the Bill—whether the new train line should be built, or its broad route alignment. The Committee cannot request that the route be changed, or that new additional stations or spurs be built.

Before a hearing

All petitions received by the Private Bill Office will be sent to HS2 Ltd, who will contact petitioners on behalf of the promoter of the Bill (the Secretary of State for Transport) to start to attempt to resolve their objections. The promoter may offer assurances or undertakings to petitioners to address or mitigate their concerns (see more below), and petitioners may then choose to withdraw their petitions on this basis. Petitioners wishing to withdraw a petition must contact the Private Bill Office in writing to do so.

The promoter will also provide petitioners with a Promoter's Response Document (PRD), which provides a formal response to each of the issues raised in their petition.

All petitioners with a right to be heard (see separate guidance referenced above) and who do not withdraw their petition are entitled to appear before the Committee to present their case. Hearings take place in a committee meeting room on the Parliamentary estate in Westminster.

Appearances before the Committee will be arranged by the programme manager appointed by the Committee. The programme manager will be petitioners' primary point of contact

¹ Accordingly, the Committee will consult with Natural England and/or Scottish Natural Heritage.

during this process. Only once the Committee membership is confirmed and the Committee has met to appoint a programme manager will petitioners be contacted about any future appearance dates. This is expected to take place in the Autumn.

The Committee's programme of meetings will be organised so that petitioners on similar issues or from the same area are heard together and in a logical order, and will be made available on the Committee's website. Once a petitioner's appearance before the Committee has been programmed it is considered fixed, with changes only agreed in exceptional cases and with sufficient notice.

The Committee will typically hear any right to be heard challenges before proceeding to hear from petitioners against the Bill. The Committee will usually meet multiple times a week to hear from petitioners and, depending on the number of petitions received, this phase of the process can take a significant amount of time.

At the hearing, both the petitioner and the promoter have the opportunity to present witnesses to speak to their case and present evidence (known as 'exhibits') to the Committee to support their case. Exhibits can take the form of, amongst other things, photos, maps or correspondence. Exhibits will be made available to the Committee, the petitioner and the promoter during hearings through a digital evidence display system, and all written evidence will be published on the Committee's website.

Both petitioners and the promoter are required to exchange copies of their exhibits by 5pm at least two working days in advance of the relevant evidence session,² as well as to disclose the names of any witnesses that they may be calling to support their case. Petitioners should send their exhibits and the names of their witnesses by email to PetitionerExhibits@hs2.org.uk.

During the hearing

The appearance of petitioners before the Committee is very different in process to the appearance of witnesses before a standard select committee.

Petitioners appear before the Committee (either in person or through a representative) to present their case as outlined in their written petition—how they are to be affected by the Bill's proposals and what they wish to be done. They appear alongside a representative of the Bill's promoter (usually legal counsel), who will respond to the petitioner's case and the issues raised. As outlined above, both the petitioner and the promoter have the opportunity to present witnesses, question each other's witnesses, and present exhibits to support their case. Exhibits are referred to during hearings by the unique reference codes assigned to them.³

A typical order of proceedings may be the following, although the Committee will determine its own way of working:

- Swearing in/affirmation of witnesses (if any);

² i.e. by 5pm on Wednesday if the hearing is on the following Monday, by 5pm on Thursday if the hearing is on the following Tuesday, by 5pm on Friday if the hearing is on the following Wednesday, and by 5pm on Monday if the hearing is on the following Thursday.

³ Petitioner exhibits will be marked A [number], Promoter exhibits P [number] and reference material R [number].

- Petitioner's oral outline of relevant background facts (sometimes assisted by the promoter) and their main arguments, as expressed in their petition (the written petition should have included all the objections the petitioner wishes to make—a petitioner will not be able to raise new matters before the Committee if they were not referred to in the initial written petition);
- Evidence from petitioner's witnesses (if any), followed by questioning from both petitioner and promoter;
- Outline of the promoter's position and response to the arguments made by the petitioner;
- Evidence from promoter's witnesses (if any), followed by questioning from both promoter and petitioner;
- Closing statements from promoter and petitioner, if necessary.

Members of the Committee may ask questions of the petitioner or the promoter, but hearings do not take the same 'question and answer' format as other select committee evidence sessions.

Any witnesses appearing on behalf of either a petitioner or the promoter appear on oath, and will be required to swear an oath or make an affirmation before the hearing. Representatives of the promoter, who usually appear for the promoter in several hearings before the Committee, will swear or affirm prior to their first appearance. Petitioners do not appear on oath and are not required to swear or affirm.

You may wish to watch previous committee meetings to see how they differ from typical select committee evidence sessions. Recordings of meetings of the previous HS2 Bill Committee (on the West Midlands - Crewe Bill) can be viewed on [this link](#).

The motion agreed by the House after second reading which established the Committee stated that hearings with petitioners will take place in person "unless exceptional circumstances apply". It will be for the Committee to decide what constitutes 'exceptional circumstances'. If a petitioner believes that exceptional circumstances apply to them and therefore wishes to appear before the Committee remotely, they must inform the programme manager and the Private Bill Office at the earliest opportunity.

After a hearing

Based on the cases presented by both the petitioner and promoter, the Committee may choose to take some action on the petitioner's case. The Committee could request further information from either party, or request assurances or undertakings from the promoter to address some of the petitioner's concerns.

Undertakings are binding agreements between the promoter and petitioner or to Parliament, while assurances are written commitments made by the promoter. All undertakings and assurances given to petitioners and to Parliament are recorded in a [register published on the Government's website](#). Following the Bill receiving Royal Assent, the nominated undertaker appointed to construct and maintain the Crewe - Manchester phase of HS2 will be contractually obliged to comply with all relevant undertakings and assurances made by the promoter.

Any decisions made by the Committee are unlikely to be made or announced on the same day as the petitioner's hearing.

Once the Committee has heard from all petitioners (against both the Bill and any Additional Provisions) it will report its views on the Bill to the House of Commons. The Committee can make amendments to the Bill or require assurances on certain points from the promoter. The Committee may also publish reports on specific petitions or discrete issues before it finishes hearing from petitioners.

Once the Committee has reported, the Bill progresses through the usual bill stages in the House of Commons before being passed to the House of Lords. During its passage through that House, there will be another petitioning period during which individuals and organisations can petition again against the Bill as introduced to the House of Lords. Petitions are considered by a select committee of the House of Lords.

General information about appearing before the Committee

Hearings take place in public and will be available to watch (live and recorded) through parliamentlive.tv. A written transcript will also be uploaded to the Committee's website. If petitioners have any information relevant to their submissions which is sensitive or confidential, they should write to the Clerk of the Committee who will be able to advise on appropriate handling.

Petitioners, witnesses and counsel will be advised to speak in layman's terms whenever possible. If there is a need to use technical or complex language, those appearing before the Committee should be prepared to explain any unfamiliar terms.

When addressing members of the Committee, Members of Parliament should be referred to as Mr/Mrs/Sir etc as appropriate. The Chair of the Committee should be referred to as 'Chair'.

Information on how to get to the Houses of Parliament, including transport links, security guidance and accessibility arrangements, can be found on the following link: www.parliament.uk/visiting/access/. When arriving and going through security, petitioners should say that they are appearing before the HS2 Bill Select Committee and ask for directions to the committee corridor. Petitioners should leave sufficient time to pass through security (which typically takes 20-30 minutes) and should seek to arrive outside the committee room 30 minutes before the start of proceedings.

In the case of any queries about the work of the Committee, the Private Bill Office can be contacted in the following ways:

- By email: hs2committee@parliament.uk or prbohoc@parliament.uk
- By phone: 020 7219 3250
- By post or in person: Private Bill Office, House of Commons, SW1A 0AA

For any queries relating to the construction or underlying policy of HS2, as opposed to the work of the Committee, please contact HS2enquiries@hs2.org.uk or view www.gov.uk/government/organisations/high-speed-two-limited.