



BRIEFING PAPER

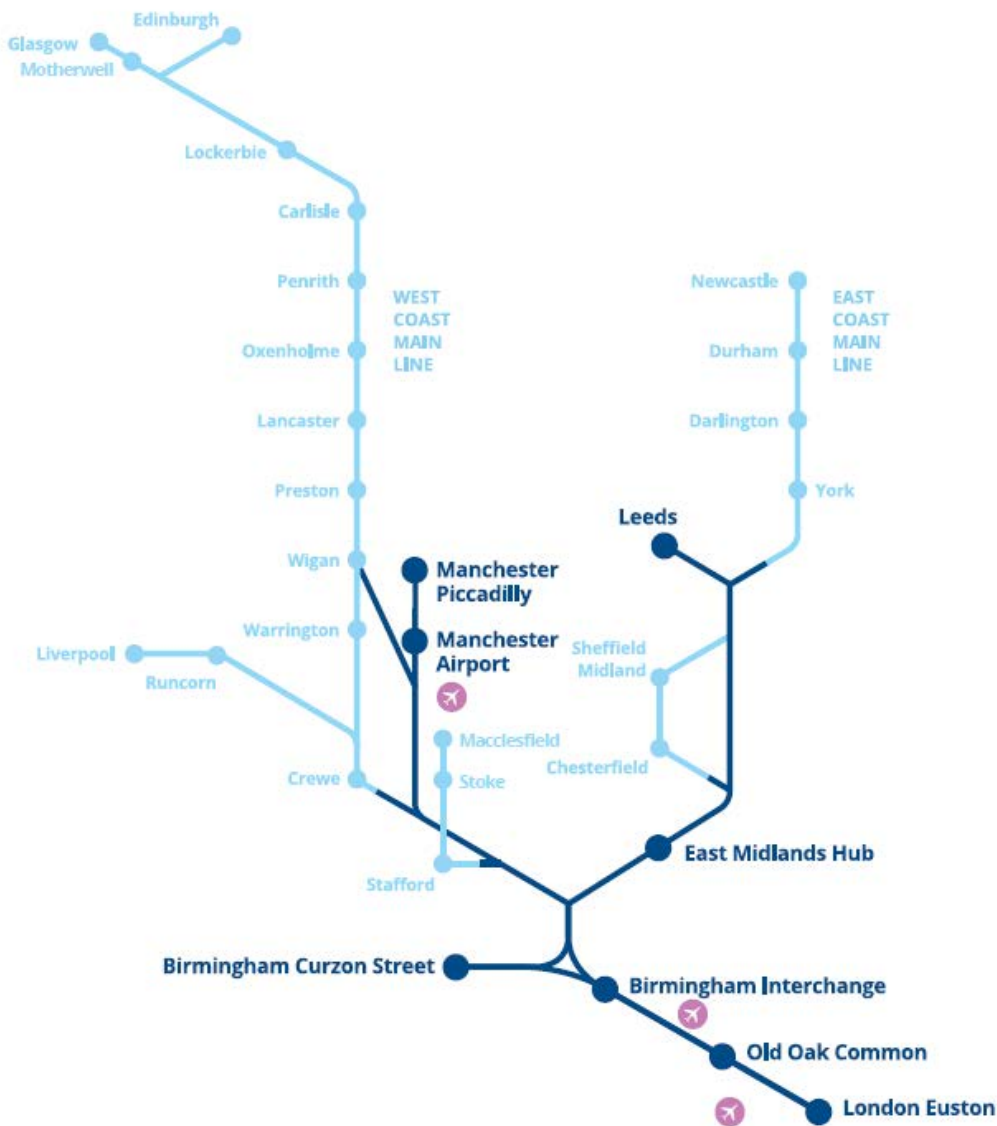
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High Speed 2 (HS2) Phase 2a

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Summary

This paper provides general information on the proposed high-speed rail line between London and the North of England (HS2). It gives a brief overview of the scheme, its costs, compensation arrangements and the Bill, which would give statutory and planning authority for the construction of Phase 2a of the scheme between the West Midlands and Crewe.

HS2 is a proposed infrastructure project to build a high-speed rail line from London to Manchester and Leeds, via Birmingham, to begin operation in 2026 and be completed in 2033. It was supported by the Labour Government after 2009 and has had the support of the Conservatives in government since May 2010.

HS2 is planned to be delivered in three phases:

- **Phase 1** from London Euston to Birmingham Curzon Street and Lichfield with intermediate stations in West London (at old Oak Common) and at Birmingham Airport;
- **Phase 2a** from the West Midlands to Crewe; and
- **Phase 2b** comprising an eastern leg from the West Midlands to Leeds New Lane with intermediate stations in the East Midlands and South Yorkshire; and a western leg from Crewe to Manchester with an intermediate station at Manchester Airport.

In total, the Government has estimated that the scheme will cost £55.7 billion in 2015 prices (including rolling stock).

Despite enjoying widespread support across all parties in Parliament the scheme remains controversial outside, with disagreements regarding the economic and environmental cases for the scheme. Many of those who will be directly affected by the construction of the route are concerned for the future. The scheme has passionate supporters and opponents who, for the past seven or eight years, have argued across a variety of fora, including Parliament, as to whether the scheme would deliver enough in the way of benefits to justify the price tag. These debates continue.

This paper deals with Phase 2a of the HS2 scheme to Crewe. The Government announced its preferred route in November 2015; launched compensation schemes and safeguarded the route. The hybrid bill to authorise the works for Phase 2a was published in July 2017. It received Second Reading in the House of Commons in January 2018, after which it went into a specially convened Select Committee where Petitions against the Bill are heard. On 7 June 2019 the Committee published their third and final report. The Bill was considered in Public Bill Committee on 25 June 2019 and passed without amendment.

A guide to the (recently revised) hybrid bill process can be found in HC Library briefing paper [CBP 6736](#).

Information on Phase 1 and Phase 2b of HS2 can be found in HC Library briefing papers [CBP 316](#) and [CBP 8071](#), respectively. General background information on the HS2 scheme can be found in [RP11/75](#).

Maps showing the Parliamentary constituencies through which HS2 runs can be found attached to the [landing page](#) for this paper.

Further briefings are available on the [Railways Topical Page](#) of the Parliament website.

1. What is HS2?

1.1 Policy background

HS2 is the Government's flagship transport infrastructure project to build a high-speed rail line from London to Manchester and Leeds, via Birmingham, the East Midlands, Sheffield and Crewe, to begin operation in 2026 and be completed by 2033. Thus far there have been two Acts of Parliament¹ and eight [Statutory Instruments](#) providing for the scheme, with a further Bill currently being considered by Parliament.

Supporters claim that the line is urgently needed to meet projected future demand; to tackle the capacity constraints on the West Coast Main Line; and to deliver wider economic and regional benefits. Opponents maintain that these claims are overstated; future demand and capacity requirements can be met via other, cheaper means; and that the ultimate costs of HS2 are far in excess of the official budget.

The scheme that became HS2 was floated separately by the three main parties in 2008-09. In January 2009 Geoff Hoon, then Transport Secretary in the Labour Government, set up HS2 Ltd. with the principal aim of advising the Secretary of State on the development of proposals for a new railway from London to the West Midlands and potentially beyond.² The scheme taken forwards from 2010 was based on the outcome of the work conducted for the Labour Government by HS2 Ltd. It was initially proposed by Labour in its March 2010 command paper and was taken up by the Conservative-led Coalition Government after it assumed office in May of the same year.³

In the May 2010 Coalition Agreement the new Government confirmed its decision to build the new line in two phases, due to "financial constraints".⁴ It was later confirmed that Phase 1 would take the line from London to the West Midlands by 2026 while Phase 2 would take the line from the West Midlands to the north of England by 2032-33.⁵

It was not until January 2013 that a decision was taken as to the configuration of the route from Birmingham north to Manchester (via Crewe) and Leeds (via the East Midlands and Sheffield).⁶ The Government ran a consultation on Phase 2 between July 2013 and January 2014.⁷ In November 2015 the Government announced its intention to bring forward the route to Crewe (now called Phase 2a) before the remainder of the route to Manchester and Leeds (now called 2b). In November 2016 the

More background information and discussion on the HS2 scheme can be found in HC Library briefing paper [RP11/75](#).

¹ [High Speed Rail \(Preparation\) Act 2013](#) and the [High Speed Rail \(London - West Midlands\) Act 2017](#)

² DfT, [The role and funding of High Speed Two Ltd.](#), 14 January 2009

³ DfT, [High Speed Rail](#), Cm 7827, March 2010; and: DfT press notice, "[Proposed high speed rail network North of Birmingham confirmed](#)", 4 October 2010

⁴ HMG, [The Coalition: Our Programme for Government](#), May 2010

⁵ DfT, [High Speed Rail: Investing in Britain's Future – Consultation](#), February 2011, p16

⁶ DfT, [High speed rail: investing in Britain's future – Phase Two: the route to Leeds, Manchester and Beyond](#), Cm 8508, January 2013; [detailed route maps](#) are available on the DfT archive website

⁷ DfT, [High Speed Rail: investing in Britain's future - Consultation on the route from the West Midlands to Manchester, Leeds and beyond](#), July 2013

Government announced its preferred Phase 2b route from Crewe to Manchester and the West Midlands to Leeds.⁸ In July 2017 it issued consultations on the Crewe hub and the eastern leg rolling stock depot; announced decisions on route refinements for Phase 2b and published the Bill for Phase 2a.⁹

Arguments for and against HS2 are based on competing ideas not only about what the country needs in terms of new or improved rail infrastructure, but about how (if needed at all) it should be delivered and what the benefits and costs are of the ideas put forward. The two sides fundamentally disagree with each other's interpretation of the 'facts and figures' about the scheme. A fuller statement of these arguments can be found in HC Library briefing papers [RP11/75](#) and [RP14/24](#).

1.2 Party views

Since the beginning of the project there has been a general consensus that without cross-party backing, the HS2 scheme would be difficult to get through Parliament and that the multi-year funding package and ongoing commitment in terms of resources would be hard to secure.

HS2 has been supported by the Conservatives, Labour and the Liberal Democrats since 2009, in government and opposition.¹⁰ One should note, however, that the parties' proposals initially varied in terms of scope, route alignment and destinations.

In the 2010 Parliament there were MPs in the two main parties who disagreed with the scheme: 41 voted against the HS2 Phase 1 Bill in April 2014; most of these were Conservatives.¹¹ In the 2015 Parliament 42 MPs voted against the Bill at Third Reading; again these were mostly Conservatives but also included Labour MPs and representatives of smaller parties.¹² In the 2017 Parliament 12 MPs voted against the HS2 Phase 2a Bill at Second Reading.¹³

Support for HS2 remains the policy of the **Conservative** Government. There have been various press reports over the past couple of years indicating that the scheme may have some critics in the Cabinet, but this has not to date affected Party policy on the issue.¹⁴

⁸ DfT press notice, "[HS2 route to the East Midlands, Leeds and Manchester set out by the government](#)", 15 November 2016

⁹ All available at: DfT, [HS2: high speed rail](#) [accessed 3 August 2017]

¹⁰ DfT, [Britain's transport infrastructure: High Speed Two](#), January 2009; Conservative Party, [Conservative rail review: getting the best for passengers](#), February 2009; and: Liberal Democrats, [Fast track Britain: Building a transport system for the 21st century](#) (policy paper 85), June 2008

¹¹ [HC Deb 28 April 2014, cc666-9](#)

¹² [HC Deb 23 March 2016, cc1676-9](#)

¹³ [HC Deb 30 January 2018, Division 109](#)

¹⁴ e.g. "PM May will consider scrapping £56billion HS2 in Tory manifesto", *The Express*, 23 April 2017; "[Gove floats scrapping HS2 because he believes it to be a policy with a growing appeal](#)", *Conservative Home*, 2 July 2018; and "[PETER OBORNE: I fear a new cabinet war is looming - over £100 billion HS2 pipe dream](#)", *Daily Mail*, 25 August 2018

After 2010 there was some uncertainty about **Labour's** position on HS2.¹⁵ This uncertainty persisted for a short while after Jeremy Corbyn became Leader of the Labour Party, and particularly with his appointment of John McDonnell as Shadow Chancellor – he voted against the Bill at Second Reading, for reasons related to his constituency in West London.¹⁶ However, the then Shadow Transport Secretary, Lilian Greenwood, said in her September 2015 speech to the Labour Conference: “let’s invest in high speed rail – and let’s make sure it can be run under public ownership, as a public service: an integrated national asset that the country can be proud of”.¹⁷ At the 2017 General Election Labour stood on a manifesto to complete HS2 and extend it to Scotland.¹⁸

The **Scottish National Party (SNP)** generally supports HS2 but is focused on its extension to and benefits for Scotland. The 2015 Spending Review confirmed that Scotland would receive Barnett consequential for HS2.¹⁹ Following reports in March 2016 Transport Scotland, the DfT, HS2 and Network Rail began work on how to best leverage HS2 benefits for Scotland.²⁰ The SNP manifesto for the 2017 General Election said that: “Connecting Scotland to HS2 must be a priority, with construction beginning in Scotland as well as England, and a high speed connection between Glasgow, Edinburgh and the north of England as part of any high-speed rail network”.²¹

The **Liberal Democrats** supported HS2 in government between 2010 and 2015. The party’s manifesto for the 2017 General Election included a commitment to “proceed with HS2, HS3 and Crossrail 2, including development of a high-speed network stretching to Scotland”.²²

Plaid Cymru is generally opposed to HS2 unless benefits can be secured for Wales.²³ The party’s manifesto for the 2017 General Election stated that Wales’ “public transport system is not fit for purpose. All of this while England benefits from next-generation trains and high-speed rail links costing £56 billion” and pledged to “press for our fair share of UK infrastructure spend”.²⁴

¹⁵ e.g. “[The Labour Party cannot – and will not – give the Government a blank cheque for HS2](#)”, *LabourList*, 27 October 2013; “[Labour Party conference: Future of HS2 in doubt as Ed Balls warns of veto](#)”, *The Independent*, 23 September 2013; BBC, [The Andrew Marr Show Interview: Ed Balls MP – transcript](#), 16 March 2014; [HC Deb 23 January 2015, c508](#); and “[Commuters north and south deserve rail fit for purpose](#)”, *ASLEF Journal*, February 2015, p4

¹⁶ [HC Deb 28 April 2014, cc633-5](#)

¹⁷ [Lilian Greenwood, speech to Labour Conference](#), 29 September 2015; Ms Greenwood is now Chair of the all-party Transport Select Committee

¹⁸ Labour Party, [For the Many Not the Few: The Labour Party Manifesto 2017](#), May 2017, p11

¹⁹ HMT, [Statement of funding policy: funding the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly](#), November 2015, Table C.16, p64

²⁰ for further information, see: Transport Scotland, [High Speed Rail](#) [accessed 5 September 2018]

²¹ SNP, [Stronger for Scotland](#), May 2017, p20

²² Liberal Democrats, [Change Britain's Future: Liberal Democrat Manifesto 2017](#), May 2017, p62

²³ e.g. [NDM5505](#), 14 May 2014, Rhun ap Iorwerth AM; Plaid Cymru press notice, “[Devolved administrations should unite on HS2](#)”, 11 June 2015; and “[Further push to get Wales bigger share of HS2 cash](#)”, *BBC News*, 10 December 2015

²⁴ Plaid Cymru, [Action Plan 2017](#), May 2017, p19

The **Green Party** opposes HS2 on environmental grounds and what it believes will be a further skewing of the economy to London.²⁵ The party's manifesto for the 2017 General Election pledged to: "Invest in regional rail links and electrification of existing rail lines, especially in the South West and North of England, rather than wasting money on HS2 and the national major roads programme".²⁶

The **Brexit Party** has not published a full manifesto, but party leader, Nigel Farage has suggested that it would scrap "ludicrous projects like HS2."²⁷

1.3 Brexit

There is no reason why Brexit in and of itself should have a significant impact on HS2. There has been some debate in the past about how far the EU [Technical Standards of Interoperability \(TSIs\)](#) help or hinder HS2 construction (e.g. as regards platform heights).²⁸ HS2 is also intended to be built to accommodate EU 'GC gauge'.²⁹ The Government's Brexit White Paper, published in July 2018, does not state specifically what the UK's plans are for the TSIs and other aspects of EU rail legislation post-Brexit. But it does state:

... the UK will have the flexibility to shape its own domestic railway legislation to meet the needs of its passengers and freight shippers, and reflect the unique characteristics of the rail network within the UK.³⁰

This may indicate an intention to begin disapplying the TSIs, but this is as yet unclear.

The Government had hoped to secure some EU funding for the project. In 2015 the Government secured €39.2 million for ground investigation works for Phase 1 (London to the West Midlands), to be delivered between 2015 and 2019.³¹ The funding comes from the Connecting Europe Facility (CEF). To put it simply, the CEF is the funding instrument for EU transport infrastructure policy, basically supporting the [Trans-European Transport Network \(TEN-T\)](#). HS2 has been included in the TEN-T programme since early planning stages. The EU has made it clear that the UK will no longer be eligible for CEF once it leaves and is planning to legislate to this effect.

The €39.2 million represents half of the cost of ground investigation works along Phase 1. Roughly, at the current exchange rate, the EU contribution is worth about £35.5 million – a tiny proportion of the estimated £27.2 billion cost of Phase 1.

²⁵ ["Voters want "big changes" - and only the Greens can deliver, says party leader Natalie Bennett"](#), *Birmingham Post*, 14 August 2014; and ["High speed rail could be so much better"](#), *Guardian blog*, 4 March 2011

²⁶ Green Party, [The Green Party for a Confident and Caring Britain](#), May 2017, p23

²⁷ [Brexit party will unveil full policies after EU elections, says Farage](#), *Guardian*, 13 May 2019

²⁸ [HL Deb 10 November 2015, HL 3171](#) and [this FOI response from late 2016](#)

²⁹ Section 6 of the [Review of the Technical Specification for High Speed Rail in the UK](#), published in January 2012, explains the decision; see also [HC Deb 1 February 2013, c1011W](#) and [HL Deb 28 October 2015, c4](#)

³⁰ HMG, [The future relationship between the United Kingdom and the European Union](#), Cm 9593, July 2018, para 136

³¹ [HC WPO 31957](#), 24 March 2016

Further funding would now be unlikely. However, this would only ever have represented a small percentage of overall costs – EU contributions to previous high-speed rail projects via the TEN-T stream have equated to between four and six per cent of the overall cost.³²

1.4 HS2 Ltd.

As indicated above, in 2009 the Labour Government set up HS2 Ltd. to advise the Secretary of State on the development of its HS2 proposals.

HS2 Ltd. describes itself as “the company responsible for developing and promoting the UK’s new high speed rail network”. It is an executive non-departmental public body, sponsored by the Department for Transport and funded by grant-in-aid from the Government. It has almost 1,500 employees who are mostly based in Birmingham.³³

HS2 Ltd.’s annual reports and accounts and annual expenditure reports are available on their [website](#)

Non-departmental public bodies

A non-departmental public body (NDPB) is a “body which has a role in the processes of national government, but is not a government department or part of one, and which accordingly operates to a greater or lesser extent at arm’s length from ministers”.

NDPBs have different roles, including those that advise ministers and others which carry out executive or regulatory functions, and they work within a strategic framework set by ministers.³⁴

DfT and HS2 Ltd. have signed a Development Agreement and a Framework Document:

- The 2017 **HS2 Development Agreement** governs the relationship between the Secretary of State for Transport and HS2 Ltd. for the delivery of the HS2 project. It sets out HS2 Ltd.’s role in developing, building and operating the new railway and the DfT’s role as sponsor and funder;³⁵ and
- The 2018 **Framework Document** deals with matters relating to HS2 Ltd., the Secretary of State for Transport’s role as shareholder of the company, the company’s relationship with the department, and accountabilities and governance.³⁶

HS2 Ltd.’s Chairman is [Allan Cook](#), who is also chair of WS Atkins Plc, Leonardo UK, and Deputy Chair of Marshalls Group. He took on this role in December 2018 after the high-profile resignation of former Chair, Sir Terry Morgan.³⁷ Its current chief executive is Mark Thurston.³⁸

There have been a series of issues related to various aspects of HS2’s operations, which have been reported in the press and discussed in Parliament. The most high-profile are:

³² DfT, [HS2: Outline Business Case - Section 4: Financial Case](#), March 2014, para 78

³³ HS2 Ltd., [About us](#) [accessed 6 September 2018]

³⁴ Cabinet Office, [Public bodies transformation programme](#), 27 April 2016

³⁵ [Development Agreement between the Secretary of State for Transport and HS2 Ltd relating to the High Speed Two project](#), 17 July 2017

³⁶ [Framework document between the Secretary of State for Transport and High Speed 2 Limited](#), 23 May 2018

³⁷ [Sir Terry Morgan resigns as chairman of Crossrail and HS2](#), *Guardian*, 5 Dec 2018

³⁸ HS2 Ltd., [Our governance](#) [accessed 6 September 2018]

- HS2 Ltd. remuneration:** Following reports in 2015 and 2016 about the levels of executive remuneration at HS2 Ltd.,³⁹ in August 2018 *The Times* ran an investigation piece on the back of an FOI request looking in more depth at the issue. It found that about a quarter of HS2 Ltd.’s staff received remuneration in excess of £100,000 in 2017/18 (including pension contributions). HS2 Ltd.’s chief executive Mark Thurston, who joined the company in March 2017, received total remuneration in 2017/18 of £601,979.⁴⁰
- HS2 Ltd. redundancy payments:** The issue of HS2 Ltd. making unauthorised redundancy payments to staff emerged in Summer 2017 with the qualification by the Comptroller and Auditor General of HS2 Ltd.’s accounts.⁴¹ The Public Accounts Committee subsequently produced a critical Report into the Accounts.⁴² The Government’s response, published in a Treasury Minute of March 2018, stated that it agreed with all of the Committee’s recommendations and that new governance and training was in place to prevent a recurrence.⁴³ Dame Cheryl Gillan established with a WPQ in January 2018 that the overpayments would have to be absorbed by HS2’s existing budget.⁴⁴
- HS2 Ltd. overspends:** In June 2018 *The Sunday Times* reported that Doug Thornton, a whistleblower who worked for HS2 Ltd. as head of property, had claimed that HS2 Ltd. staff had been pressured to “falsify figures, mislead parliament and cover up “petrifying” overspends” with regards to the budget for buying land and buildings.⁴⁵ This reportedly prompted the Transport Minister, Nusrat Ghani, to write to Mark Thurston to ask if he had “full confidence in the robustness of the numbers” provided by HS2 for its spending on land and property and to make clear that “no MP, select committee or DFT minister has been misled” over costs.⁴⁶
- CH2M and HS2 Ltd.:** As stated above, HS2 Ltd.’s current chief executive is Mark Thurston, who succeeded interim Chief Executive Roy Hill in March 2017.⁴⁷ Both Mr Thurston and Mr Hill worked for the US engineering company [CH2M](#), which raised questions about conflicts of interest given the company’s involvement in the HS2

³⁹ e.g. “[46 HS2 staff earn more than the prime minister’s £150,000 salary](#)”, *Financial Times*, 24 November 2015; and [High Speed 2 Railway Line: Written question – 46394](#), 10 October 2016

⁴⁰ “[Chris Grayling under fire for letting HS2 pay soar](#)”, *The Times*, 8 August 2018

⁴¹ NAO press notice, “[Report of the Comptroller and Auditor General on the 2016-17 Accounts of High Speed Two \(HS2\) Limited](#)”, 19 July 2017; the full Report is available on the [NAO website](#)

⁴² PAC, [High Speed 2 Annual Report and Accounts](#) (Tenth Report of Session 2017–19), HC 454, 15 December 2017

⁴³ HMT, [Treasury Minutes: Government response to the Committee of Public Accounts on the Fourth to the Eleventh reports from Session 2017-19](#), Cm 9575, March 2018, pp26-28; a [letter](#) from the Permanent Secretary at DfT, Bernadette Kelly, stated that, having taken legal advice, there was no evidence of fraud or misfeasance in office on the part of then Chief Executive, Simon Kirby

⁴⁴ [High Speed Two: Redundancy Pay: Written question – 123162](#), 24 January 2018

⁴⁵ “[HS2 ‘covered up petrifying overspends’](#)”, *The Sunday Times*, 17 June 2018

⁴⁶ “[HS2 chief called to account over ‘robustness’ of budget](#)”, *Financial Times*, 20 June 2018; this letter does not appear to be in the public domain. An [FOI request](#) has been made to HS2 Ltd. for the letter and for Mr Thurston’s response, due for answer by 25 September

⁴⁷ HS2 Ltd. press notice, “[HS2 announces new CEO](#)”, 26 January 2017

project.⁴⁸ CH2M has also received millions of pounds from the taxpayer in its capacity as development and engineering delivery partner for HS2.⁴⁹ When CH2M withdrew from an HS2 contract in March 2017 this provoked further concerns.⁵⁰ In April 2017 the Transport Select Committee questioned the Secretary of State, Chris Grayling, and the then Chairman of HS2, Sir David Higgins, about the relationship between HS2 Ltd. and CH2M.⁵¹

⁴⁸ [CH2M Hill: Written question – 63303](#), 9 February 2017

⁴⁹ *ibid.*

⁵⁰ “[HS2 scraps contract over conflict of interest claims](#)”, *Financial Times*, 29 March 2017

⁵¹ Transport Select Committee, [Oral evidence: HS2 - CH2M contract](#), HC 1140, 19 April 2017; it also published associated [written evidence](#)

2. Business case, costs and spending

The business case, costs and spending related to all phases of HS2 has been covered more comprehensively in the House of Commons Library briefing paper [‘High Speed 2: the business case, costs and spending’](#) that was published in June 2019. The information below is taken from the summary. For more detailed information, including source documents, please see that paper.

The strategic case for HS2

At the heart of the strategic case for HS2 is the desire to address capacity constraints on the north-south rail links in England. In the strategic case, the Government found that even with the train improvements and enhancements that it had already budgeted for, the capacity issue – particularly on the West Coast Main Line – would unlikely improve going forward without major capacity interventions.

The Government also found that there were connectivity issues across the country, which relates to the volume and length of time for journeys between cities.

Beyond the immediate transport concerns, the gap in productivity and economic growth between the South-East and other parts of England was recognised in the strategic case. The Government were of the view that the Core Cities outside London needed to be better connected to thrive and achieve higher levels of growth and to close the gap with the South-East.

The Government looked at several rail and other transport alternatives to address these issues. It took the view that the alternatives to HS2 did not address the long-term capacity challenge, nor did it provide a step change in north-south connectivity.

Capacity constraints

No other scheme can provide the step-change in capacity of HS2, whilst delivering the journey time improvements for passengers.

However, the analysis in the paper shows that much of the capacity constraints on the network, from a passenger crowding point of view, only occur during the peak periods of the day and on confined parts of the network. During most other periods of the day, trains are travelling at less than half of their capacity.

From a passenger crowding point of view, the additional capacity provided by HS2 on the West Coast Main Line appears to be over and above what is required to meet capacity pressures for several decades.

While the strategic alternatives to Phase 1 do not provide this same step-change, the increase would have been enough to ensure that there is sufficient capacity on the network during the busiest periods of the day. They can also be delivered at a much lower cost, and in the case of the West Coast Main Line constraints, they can be addressed for between 20 and 25% of the cost of HS2.

Some have questioned whether it makes sense for such a surplus of capacity to be delivered on one part of the network when other sections remain capacity constrained, particularly the lateral connections in the North of England as observed by the House of Lords Economic Affairs Committee.

The economics of HS2

The economic appraisal for HS2 captures the costs, benefits and changes in revenues for the whole of the rail network – not just those associated with the HS2 infrastructure. The latest business case estimates net transport benefits of £74.6 billion to be delivered from the full Y-network. Most of the benefits are delivered through journey time savings. Although most users of HS2 would be leisure passengers, around two thirds of the quantified transport benefits are forecast to accrue to business users, with 40% of all benefits accrued to passengers starting their journeys from London.

A comprehensive breakdown of the costs for the full Y-network of HS2 has not been published since 2013. The most commonly used estimate of the costs for HS2 is the £55.7 billion for the full Y-Network. It is important to note that this is not a cost estimate, but rather a funding envelope that was determined by the Government at the time of the 2015 Spending Review. The former is an estimate of how much needs to be spent, the latter relates to what is available to spend.

The Government remains committed to delivering the scheme within this envelope. It stated at the time of the 2015 Spending Review in a Written Ministerial Statement that:

The cost of HS2 has not changed since the Spending Review 2013. The Spending Review 2015 confirmed an overall budget of £55.7bn in 2015 prices. This is consistent with the £50.1bn (in 2011 prices) set in 2013, but has been updated to take account of inflation.

It seems the estimated costs for the full Y-network of HS2 had risen and have been estimated in this paper to be around £65 billion at the time of the 2015 Spending Review. This estimate is derived using figures published by the National Audit Office (NAO) and the Department for Transport (DfT) in 2016 and 2017 about the estimated scale of efficiency savings that would be required to keep the project within the funding envelope.

Since then, HS2 Ltd and the DfT have sought to reduce the costs of the infrastructure for Phase 2b by around 40% from the 2015 Spending Review estimate, with the total savings ambition for Phase 2 of the scheme at around £12.8 billion (in 2015 prices). As at November 2016, £7.14 billion of these savings had been embedded in the Phase 2b cost estimate.

The revised cost estimate for the full Y-network, based on efficiency targets set out in the July 2017 financial case, is therefore £52.6 billion. This assumes that all anticipate savings are delivered. It should be noted that the NAO has expressed some uncertainty as to the deliverability of these savings, although the DfT are confident of achieving at least a high proportion of them.

In terms of spending, a March 2019 letter from HS2 Ltd Chief Executive Mark Thurston to the House of Lords Economic Affairs Committee stated

that £4.3 billion had been spent. This figure was based on HS2 Ltd's 2018 Annual Reports and Accounts. A report from *The Times* in February 2019 suggested that a more recent estimate of spending was around £5.5 billion, which accounted for the purchase of land and property, legal fees, staffing, consultants and other overheads.

Speculation continues around HS2's costs and its future deliverability. The House of Lords Economic Affairs Committee concluded in May 2019 "that the costs do not appear to be under control" and the scheme "needs a rethink".

A full business case for Phase One, with an updated cost estimate is expected later in 2019, which will inform what is called a 'Notice to Proceed'. This is the formal contractual process that enables each Phase One supplier to move from design and development to construction.

3. Compensation

There is a guide to the available compensation schemes on the [Gov.uk website](#),⁵² with information on eligibility and how to apply. In summary they are as follows:

- In a safeguarded area: [Express Purchase Scheme](#) and [Need to Sell Scheme](#)
- In a rural support zone: [Cash Offer or Voluntary Purchase Scheme](#) and [Need to Sell Scheme](#)
- In a homeowner payment zone: [Homeowner Payment Scheme](#) (Phase 1 only) and [Need to Sell Scheme](#)
- Outside the zones: [Need to Sell Scheme](#)
- Rent Back: It is possible to [apply to rent and continue living in the property](#) if it is sold to the government under one of these schemes.

For Phase 2a the relevant [property scheme maps](#) showing compensation zones are available on the HS2 Ltd. website.

3.1 Overview

Petitioners to the HS2 Phase 1 Bill Committee and Members of Parliament were concerned about the adequacy of the proposed compensation arrangements for those affected by the HS2 line since they were first announced in 2012. Those concerns continue, particularly as the compensation settlement for Phase 1 are the model for Phase 2.⁵³ In his 30 November 2015 statement, the Secretary of State said:

The Government are committed to assisting people along the HS2 route from the west midlands to Crewe [... I therefore propose] to implement the same long-term property assistance schemes for phase 2a as we have for phase 1. As with phase 1, the Government propose to go above and beyond what is required by law, including discretionary measures to help more people. HS2 will deliver economic growth for this country, not just in the immediate future but for the long term, and that is why we continue to commit to this essential project.⁵⁴

A consultation on compensation for Phase 2a was launched at the same time. It was based on the existing package available to owner-occupiers affected by the Phase 1 route. In addition to receiving the unblighted value of their home, eligible owner-occupiers can expect to receive a home loss payment of 10% of the value of their home (up to £53,000) and reasonable moving costs.⁵⁵ The Government published the outcome to the consultation in May 2016, announcing that it had decided to implement the

Further information on the development of the HS2 compensation schemes can be found in HC Library briefing paper [CBP 316](#) on Phase 1 of HS2

⁵² DfT, [Claim compensation if your property is affected by HS2](#) [accessed 6 September 2018]

⁵³ plaintiffs were successful in a legal case challenging the first consultation on the compensation scheme; the Government decided not to appeal and reran the consultation in line with the judge's finding, see: DfT, [HS2 judicial review the challenges explained](#), 15 March 2013, and DfT press notice, ["High court rejects legal challenges to HS2 in landmark victory for the government"](#), 15 March 2013

⁵⁴ [HC Deb 30 November 2015, c23](#)

⁵⁵ DfT press notice, ["Property consultation launched as HS2 route from West Midlands to Crewe confirmed"](#), 30 November 2015; and [HS2 Phase Two: West Midlands to Crewe Property Consultation 2015](#), 30 November 2015

package of compensation and assistance schemes for owner-occupiers along the Phase 2a route that had previously been applied to Phase 1.⁵⁶

3.2 HS2 residents & communities

The [HS2 Residents' Charter](#) came into being on 16 January 2015. It is intended to “ensure that residents are treated in a fair, clear, competent and reasonable manner”.⁵⁷

To date, the Residents' Commissioner, Deborah Fazan, has published [nine reports](#), the most recent dated 8 June 2018. In terms of the operation of the various compensation schemes the report said that as at 30 April 2018:

- 825 properties had been acquired by HS2 Ltd. under different property schemes;
- 635 blight notices in the Express Purchase Zone had been accepted, and a further 15 were being assessed. Over 400 applications from Phase 2b had been received (although no construction work in this phase is expected to begin before 2023);
- 431 Rural Support Zone applications had been received, of which 325 had been accepted and 89 were being assessed. The majority of applications (305) came from Phase 2b;
- 631 Need to Sell scheme applications had been received, of which 234 had been accepted and a further 74 were waiting for a decision. The acceptance rate for Phase 2b remained low at about 31%, particularly when compared with acceptance rates on applications from Phase 1 and 2a, which averaged 56%;
- 739 applications to the Phase 1 Homeowner Payment scheme had been received, of which 654 had been accepted and a further 32 were in progress. Over 615 applicants had received payments.⁵⁸

In November 2015 the Parliamentary and Health Services Ombudsman (PHSO) found serious failings in HS2 Ltd.'s engagement with a community in Staffordshire. In its report it stated that:

We found that overall HS2 Ltd's actions fell below the reasonable standards we would expect, so much so that they constituted maladministration ... We have found that by failing to engage with the residents or their proposals reasonably, HS2 Ltd unnecessarily prolonged the uncertainty that the residents were experiencing.⁵⁹

HS2 Ltd. subsequently apologised, made a number of payments to those affected totalling £10,500, and made some improvements to how it interacts with the public. It also commissioned Ian Bynoe to publish an independent report into its complaints handling and community engagement. This was published in April 2016.⁶⁰

⁵⁶ DfT, [Decision Document HS2 Phase Two: West Midlands to Crewe Property Consultation 2015](#), Cm 9286, 26 May 2016, p3

⁵⁷ Commons HS2 Bill Phase 1 Committee, [“High Speed Rail Bill Select Committee: Statement by the Promoter and by the Chair”](#), 20 January 2015

⁵⁸ HS2 Ltd., [HS2 Residents' Commissioner Report 9 – May 2018](#), 8 June 2018

⁵⁹ PHSO, [Report on an investigation into complaints about High Speed Two Limited](#), HC 620, 26 November 2015, p3

⁶⁰ HS2 Ltd., [Report on HS2 Ltd's complaints handling and community engagement](#), 21 April 2016

The Public Administration and Constitutional Affairs Committee followed up the PHSO's report with its own in March 2016. PACAC concluded that on the basis of a "large body of evidence" it had received, it was "unconvinced that the necessary fundamental changes have taken place". The Committee urged "those in senior positions to recognise that this is a matter of primary importance".⁶¹

In September 2017 HS2 Ltd. published its Community Engagement Strategy, which set out its approach to community engagement with those who live or work within the communities along the HS2 route.⁶²

⁶¹ PACAC, [Follow up to PHSO Report of an investigation into a complaint about HS2 Ltd](#) (sixth report of session 2015–16), HC 793, 23 March 2016, p3

⁶² HS2 Ltd., [HS2 Ltd's Community Engagement Strategy](#), 28 September 2017

4. Phase 2a route development

4.1 Higgins reports, 2014

In November 2013 the then Secretary of State for Transport, Sir Patrick McLoughlin, announced that he had asked the then Chairman of HS2 Ltd., Sir David Higgins, to report on how to reduce the cost of HS2; how its benefits could be delivered earlier and at a lower cost; and how to ensure that HS2 delivers benefits like jobs and growth.⁶³ Sir David published his report in March 2014. He made two key recommendations affecting Phase 2, one of which was that the line north of Birmingham should be extended to a new regional transport hub at Crewe by 2027, six years earlier than planned.⁶⁴

Sir Patrick welcomed the report. He announced that the Government would ask HS2 Ltd. and Network Rail to undertake work looking at how the Crewe section of Phase 2 might be completed by 2027, alongside the construction of a new integrated hub station at Crewe, and at how planning for Phase 2 might be aligned with planning for Control Period 6 (2019-24).⁶⁵

In October 2014 Sir David published a follow-up report. He proposed a North West hub at Crewe on the grounds that it “is the best way to serve not just the local region, but also provide services into the rest of the North West, North Wales and Merseyside” and its delivery should be accelerated to 2027 instead of 2033.⁶⁶ He addressed the question as to why Crewe was preferable as a hub location compared to elsewhere, particularly Stoke-on-Trent:

Stoke-on-Trent continues to mount a strong case and clearly, it is easy to understand why it would like an HS2 station. But the decision is about more than the merits of a particular destination, however strong those are. Crewe has been a major railway intersection since Victorian times. Its *raison d'être* was to offer connectivity from the North-South artery to North Wales, Merseyside, Staffordshire and the North West in general. Stoke, in contrast, offers more limited connectivity at a higher cost and has significant geological and engineering difficulties.

Crewe, therefore, remains my strong recommendation and I remain absolutely convinced of the merits of delivering a hub by 2027, rather than 2033 as originally planned.⁶⁷

In a statement to Parliament Sir Patrick said that “the Government’s consideration of the evidence so far indicates that routing the western leg via Crewe would be the right strategic option. That is still to be confirmed. But we will work on ways to accelerate delivery of the section to Crewe, pending a decision on the route in 2015”.⁶⁸

⁶³ DfT press notice, “[Sir David Higgins to drive down cost of HS2](#)”, 4 November 2013

⁶⁴ HS2 Ltd., [HS2 Plus: A report by David Higgins](#), March 2014

⁶⁵ [HC Deb 17 March 2014, cc53-54WS](#)

⁶⁶ HS2 Ltd., [Rebalancing Britain: from HS2 towards a national transport strategy](#), October 2014, pp8 & 28

⁶⁷ *Ibid.*, p28

⁶⁸ [HC Deb 27 October 2014, c8WS](#)

4.2 Government announcement, 2015

In November 2015 Sir Patrick announced that Phase 2 would be divided into Phase 2a (Fradley in the West Midlands to Crewe) and 2b (Crewe to Manchester and the West Midlands to Leeds).⁶⁹ Phase 2a would be delivered by 2027. It would require a separate hybrid bill to be brought before Parliament. The accompanying Command Paper stated that this change would be deliverable and desirable as it:

- is a relatively straightforward section of line to construct from an engineering point of view with only 1.8 kilometres of tunnel and 6.5 kilometres of viaduct, not passing through any major urban area;
- does not require the delivery of any new stations;
- does not require additional rolling stock;
- connects directly with Phase 1, meaning that high speed trains could continue to run all the way to Crewe from London on a dedicated high speed network as soon as the line is built;
- connects with the West Coast Main Line (WCML), bringing benefits to other locations in the North West; and
- allows passengers travelling to or from a wide range of places to connect onto HS2 services given that Crewe is already a major hub on the rail network, with regional and long distance connections to the wider North West, East Midlands, and North and South Wales.⁷⁰

It further stated that Phase 2a would:

- offer journey time savings of up to 13 minutes between London and Crewe;
- relieve pressure on bottlenecks on the WCML at Colwich Junction and around Stafford;
- more than cover the costs of acceleration through additional revenue and inflation savings, compared with construction in 2033 as originally planned;
- offer value for money as a stand-alone scheme, with a BCR of 1.3 [actually 'low' value for money – see section 2.4, above];⁷¹ and
- offer potential further efficiency savings and a smoother work profile by continuing construction from Phase 1.⁷²

Atkins looked at rail alternatives to Phase 2a and concluded that none provided the same level of journey time improvements.⁷³

⁶⁹ [HC Deb 20 November 2015, c23](#)

⁷⁰ DfT, [High Speed Two: East and West: The next steps to Crewe and beyond](#), Cm 9157, 30 November 2015, para 4.3, pp55-6; more details on the strategic case can be found in: DfT, [HS2 Phase 2a: strategic case](#), 30 November 2015

⁷¹ for more details, see: DfT, [HS2 Phase 2a: economic case](#), 8 January 2016, and [supporting documentation](#)

⁷² op. cit., [High Speed Two: East and West: The next steps to Crewe and beyond](#), para 4.6, p56; MPs representing Stoke were disappointed by the announcement, see. e.g. Tristram Hunt: [HC Deb 30 November 2015, c23](#)

⁷³ Atkins for DfT, [HS2: rail alternatives to Phase 2a](#), 30 November 2015

4.3 Safeguarding & design refinements, 2014-17

In November 2014 the Government published a consultation document on safeguarding the route between Fradley, near Lichfield, and Crewe.⁷⁴ In November 2015 it published its response to the consultation, along with safeguarding directions for a 120-metre-wide corridor of land to protect this part of the route from conflicting development.⁷⁵

The issuing safeguarding directions meant that owner-occupiers in the safeguarded area (usually 60 metres either side of the line of route) could serve a blight notice, asking the Government to purchase their property (see section 3, above).

In September 2016 the Government published three consultations on working drafts of an environmental impact assessment (EIA) report and equality impact assessment (EqIA) report for Phase 2a, and design refinements.⁷⁶

The design refinement consultation concerned three changes:

- south of Crewe, to extend the **Crewe tunnel** shown in the November 2015 design south by approximately 2,100m and re-site the tunnel portal south of the A500 and Weston Lane;
- south of Crewe to move the **spur lines** that connect HS2 to the WCML further south and to extend their length; and
- near **Stone**, to build a temporary construction facility (railhead) in-between the proposed HS2 route and the M6, which has the potential to subsequently become a permanent maintenance facility to replace the Infrastructure Maintenance Depot (IMD) currently shown at Crewe.⁷⁷

In July 2017 the Government set out its decision to proceed with all of these changes and include them in the route to be safeguarded as part of the hybrid bill (see below). The most controversial of the three was the construction facility near Stone in Staffordshire.⁷⁸ It also stated that later in 2017 the Secretary of State would issue new safeguarding directions to safeguard the land shown on the plans deposited with the Bill.⁷⁹

In September 2017 the Secretary of State for Transport, Chris Grayling, announced his intention to update the safeguarding directions for Phase 2a.⁸⁰ At the same time the Government published an impact assessment for

The relevant [property scheme maps](#) are available on the [Gov.uk website](#)

⁷⁴ DfT press notice, "[Safeguarding consultation on HS2 route to Crewe launched](#)", 4 November 2014

⁷⁵ op. cit., [High Speed Two: East and West: The next steps to Crewe and beyond](#), para 5.28, p69; and DfT, [HS2: government response to the Phase 2a safeguarding consultation](#), Cm 9172, 30 November 2015

⁷⁶ [HC Deb 13 September 2016, cc19-21WS](#)

⁷⁷ DfT, [High Speed Two Phase 2a: West Midlands to Crewe: Design Refinement Consultation](#), Cm 9285, 13 September 2016

⁷⁸ DfT, [High Speed Two Phase 2a: West Midlands to Crewe Government Response to the Design Refinement Consultation](#), Cm 9478, 17 July 2017

⁷⁹ *Ibid.*, p4

⁸⁰ [Chris Grayling letter to Lilian Greenwood](#), 27 September 2017 and [HC DEP 2017-0561](#)

safeguarding of the HS2 Phase 2a route⁸¹ as well as maps, broken down by area, showing the [Phase 2a safeguarding area](#).

4.4 Crewe hub consultation & outcome, 2017-18

In July 2017 the Government published a consultation on a new hub station at Crewe. The Secretary of State for Transport, Chris Grayling, told the House:

... the HS2 business case has always included two trains per hour stopping at Crewe. The phase 2a Bill includes the interventions needed to support that, but I know that there is a strong ambition to achieve even more. Today, I am therefore launching a consultation on options to develop a Crewe hub. This work shows how such a service pattern could support an HS2 service to Stoke-on-Trent and bring benefits to places like Chester, north and south Wales, Shrewsbury and Derby. Future decisions will be subject to affordability and value for money. Funding the broader vision for a Crewe hub will require national and local government to work together, but I believe that there is the potential to deliver even more benefits.⁸²

The consultation sought views on:

- The vision for a hub station at Crewe, as recommended by Sir David Higgins in 2014 (see section 4.1, above);
- Providing 400m platforms at Crewe station in 2027 which could enable longer HS2 trains to and from London to split and join at Crewe, meaning other destinations, such as Stoke-on-Trent, could be served by a high speed service;
- Providing a junction north of Crewe station to connect the West Coast Main Line (WCML) and the high-speed line, in 2033 as part of HS2 Phase 2b. This could enable northbound high speed connectivity from Crewe, providing more seats between Crewe and London;
- Levels of future freight growth that should be considered in planning a Crewe Hub;
- Levels of growth in local and regional passenger services that should be considered in planning a Crewe Hub; and
- The role the local area could play in realising a Crewe Hub, including by way of local funding contributions and evidence for potential levels of growth.⁸³

The paper restated the underpinning assumptions in the HS2 business case of two HS2 services stopping at Crewe station each hour, in each direction, providing services to London, Preston and Liverpool. However, “no further changes to the HS2 stopping service patterns at Crewe station have been assumed with the expected opening of Phase 2b in 2033”.⁸⁴ It also warned:

⁸¹ DfT, [HS2 Phase 2a safeguarding impact assessment](#), 27 September 2017

⁸² [HC Deb 17 July 2017, c662](#)

⁸³ DfT, [Crewe Hub Consultation](#), Cm 9477, 17 July 2017, p7

⁸⁴ *Ibid.*, para 2.6

The lines between Crewe and Manchester and between Crewe and Weaver will be nearing full capacity between 2027 and 2033, with existing freight, new HS2 trains, and conventional rail services. This will limit options for growth between 2027 and 2033, prior to Phase 2b infrastructure releasing capacity on these lines by providing an alternative route (the preferred route for the Western Leg of Phase 2b passes Crewe under tunnel).⁸⁵

HS2 Ltd. specified three scenarios to demonstrate the potential value for money of developing a Crewe Hub:

- Scenario 1 – Crewe Hub route serving Stoke-on-Trent (through splitting and joining one train per hour);
- Scenario 2 – Crewe Hub route serving Stoke-on-Trent and upgrading capacity (through splitting and joining two trains per hour); and
- Scenario 3 – Crewe Hub with a new northern junction (which is in addition to Scenario 2).⁸⁶

While the scenarios were intended to inform development of options for infrastructure at Crewe, train services themselves were not a subject of the consultation as these would be matters for the new West Coast Partnership franchise.⁸⁷

Scenario 3 – the junction with the West Coast Main Line (WCML) north of Crewe – and the right infrastructure at Crewe itself could enable additional HS2 services to stop at Crewe in 2033.⁸⁸ It stated:

Combined with the option to split and join two trains ... this scenario would see Crewe receive five HS2 trains per hour from the south and up to seven trains per hour from the north (seven as a result of splitting and joining).

Under this option, Crewe would have direct HS2 services to key destinations including London, Old Oak Common, Birmingham, Manchester Airport, Manchester Piccadilly, Preston, Liverpool, Glasgow and Edinburgh.

There could be options in the future for potentially combining services to Manchester from Birmingham via Crewe with future Northern Powerhouse Rail ambitions for better connectivity between the northern cities.⁸⁹

However, the interventions necessary to deliver these services were not included or funded within the existing scope of the HS2 programme.⁹⁰

The Government published the outcome to the consultation in March 2018.⁹¹ The Government announced its support for the 'Crewe Hub vision'. To that end, it stated that plans for Phase 2a would be modified to include:

⁸⁵ Ibid., para 2.8

⁸⁶ Ibid., p30

⁸⁷ For more information on the West Coast Partnership, see section 6 of HC Library briefing paper [CBP 316](#) on Phase 1

⁸⁸ Op cit., [Crewe Hub Consultation](#), para 5.19

⁸⁹ Ibid., paras 5.23-5

⁹⁰ Ibid., para 5.26

⁹¹ DfT press notice, "[Government confirms commitment to Crewe Hub vision](#)", 9 March 2018

- provision of 400m platforms, extending Platform 5, to allow for the splitting and joining of HS2 services, which also opens opportunities to serve Stoke-On-Trent via HS2
- a more efficient design for the proposed platform on the Manchester independent lines, incorporating a transfer deck to the main station
- a change to the design of the southern connection from HS2, so that HS2 joins (and takes over) the central two lines on the existing network [...]
- a junction north of Crewe, enabling HS2 trains to call at Crewe and then re-join the HS2 main line, as part of Phase 2b
- completing the full transfer deck across the station to Weston Road and potentially to Gresty Road with new entrances to support local regeneration ambitions and further improve the passenger experience.⁹²

It further stated that Network Rail “continues to evaluate whether, as part of its renewal design, reinstatement of platform 13 would be an affordable alternative to the independent lines platform. If so, this would be a further improvement for transferring passengers and freight”.⁹³

It also said that these interventions, “if combined with a junction north of Crewe”, could in future allow Crewe station to support “5–7 HS2 trains per hour calling at Crewe and frequencies of 3-4 trains per hour on each of the regional links”.⁹⁴

⁹² DfT, [Crewe Hub: Consultation Response](#), CM9574, 9 March 2018, paras 3-4

⁹³ *Ibid.*, para 5

⁹⁴ *Ibid.*, para 6

5. High Speed Rail (West Midlands - Crewe) Bill 2017-19

On 17 July 2017 the Government published and formally deposited the [High Speed Rail \(West Midlands - Crewe\) Bill 2017-19](#) along with the accompanying documentation, including Explanatory Notes and the Environmental Statement. There have been two Additional Provisions, which were published in March 2018 and February 2019 respectively. The Committee stage is now complete and the latest version of the Bill with Committee amendments is [available here](#).

This is a hybrid bill, the second such Bill to provide for the construction of the HS2 rail line from London to the North of England. A third Bill, for Phase 2b from Crewe to Manchester and from Birmingham to Leeds, is expected by the end of 2020.⁹⁵

5.1 What is a hybrid bill?

'Hybrid' bills are so called because they have characteristics of both public and private bills. What this means, in its simplest terms, is that while a bill may be of general application, its contents would significantly affect the interests of particular individuals or organisations. In effect, it is a public bill with, in this case, a planning process attached. This sort of Bill is most often used for big infrastructure projects. In the past 25 years there have been three: the Channel Tunnel Rail Link (HS1) in 1994-96, Crossrail in 2004-08 and HS2 Phase 1 in 2013-17.⁹⁶

The procedures followed in Parliament in considering hybrid bills incorporate aspects of both public bill and private bill procedures. Promoters of hybrid bills do not need to prove the need for their bill (as promoters of private bills do), the principle of a hybrid bill is endorsed through it being given a Second Reading. Between a hybrid bill's introduction and Second Reading, time is provided for members of the public to comment on the Environmental Statement published with the Bill and for a review to be prepared for consideration by MPs.

Following Second Reading, hybrid bills are committed to a select committee to allow those directly and specially affected by the Bill to petition against aspects of the Bill to which they object. It can amend the Bill to address particular affects the Bill places on those who petitioned against it. After the select committee has reported, a hybrid bill is considered in Committee, on Report and debated at Third Reading, like a public bill.

There was widespread criticism of the hybrid bill process during consideration of the HS2 Phase 1 Bill.⁹⁷ In its final report the HS2 Phase 1, the Select Committee raised some concerns about the functioning of the

For full details of what a hybrid bill is and how it progresses through Parliament, please refer to HC Library briefing paper [CBP 6726](#)

⁹⁵ Previously 2019; see: "[Manchester section of HS2 'delayed by a year'](#)", *Manchester Evening News*, 5 September 2018

⁹⁶ For details see: HC Library briefing papers [SN267](#) for HS1; [SN876](#) for Crossrail and [SN316](#) for HS2 Phase 1

⁹⁷ See, e.g. [HC Deb 3 April 2014](#), c1005 (Cheryl Gillan), c1013 (Christopher Pincher), and cc1016-17 (Michael Fabricant) and op cit., [HS2 Plus: A report by David Higgins](#), p16

hybrid bill process, which form part of an ongoing Parliamentary review of hybrid bill procedure.⁹⁸

As part of the first phase of the review's implementation, ahead of petitioning for Phase 2a, the House agreed to changes to the Private Business Standing Orders to allow electronic petitioning and for a petitioner to allow anyone to represent them without that person having to provide a certificate of respectability and sign the Private Bill Office's Roll B register. The Standing Order changes also give Members of Parliament the right to petition, as well as providing an explicit mechanism for setting the petitioning period and dealing with late petitions.

5.2 What does the Bill do?

This Bill provides the powers and authorisation required for the construction of the proposed high-speed rail line between a junction with Phase 1 of HS2, near Fradley Wood in Staffordshire, and a junction with the West Coast Main Line near Crewe in Cheshire:

Phase 2a ('the Proposed Scheme'), is the western section of Phase Two between the West Midlands and Crewe, comprising approximately 36 miles (58 kilometres) of HS2 main line (including the section which would connect with and form the first part of Phase 2b) and two spurs (approximately 4 miles, 6 kilometres) south of Crewe that will allow trains to transfer between the HS2 main line and the West Coast Main Line (WCML). It will connect with Phase One at Fradley, to the north-east of Lichfield, and connect to the WCML south of Crewe, enabling high speed trains to call at Crewe Station, and to provide onward services beyond the HS2 network, to the north-west of England and to Scotland.⁹⁹

As such, it speaks to both the principle of the scheme ('should we build HS2') and its details ('where and how it will be constructed'). The official cost estimate, published alongside the Bill, is for £3.479 billion.¹⁰⁰

The Bill is (unsurprisingly) similar in structure and content (aside from detailed works) to the HS2 Phase 1 Bill. There are five main elements of the Bill:

- The **authorisation of necessary works** to construct and maintain Phase 2a of the HS2 line (powers to carry out these works are conferred on the 'nominated undertaker');
- The **power to acquire land** (and limited rights in land) necessary for the works to be carried out;
- The **deeming of planning permission** to be granted for the works;
- The **deregulation of works** on HS2 (the disapplication of certain powers contained in other legislation); and

⁹⁸ HS2 Bill Committee, [Second Special Report of Session 2015–16](#), HC 129, 22 February 2016, paras 348-401; and UK Parliament, [Review of petitioning procedures on Hybrid Bills in the House of Lords: views sought](#), 2016

⁹⁹ DfT, [High Speed Rail \(West Midlands - Crewe\) Environmental Statement, Volume 5: Technical appendices Working Draft Environmental Impact Assessment Report: Consultation Summary Report](#) (CT-008-000), 17 July 2017, p1

¹⁰⁰ HS2 Ltd., [Estimate of Expense for HS2 Phase 2a](#), 17 July 2017

- **Railways matters**, essentially the application of existing legislation to HS2 and the future regulatory regime for the line.

There are also powers to enable works to connect and ensure compatibility with the existing railway and the conventional network; applying the Act to other high-speed rail networks; rights of entry; application to the Crown and other matters.

The Bill extends to the whole of the UK, even though the scheme provided for in the Bill is situated entirely within England. This mirrors the extent of previous hybrid bills. Unlike the HS2 Phase 1 Act, this Bill contains at initial publication no provisions that trigger the Sewel Convention.¹⁰¹ None of the provisions in the Bill would have an impact on matters which have been devolved to Scotland, Wales or Northern Ireland.¹⁰²

A detailed clause-by-clause analysis can be found in the [Explanatory Notes](#) to the Bill. In addition, the Department for Transport and HS2 Ltd. have published a series of [information papers](#) to aid in understanding the various parts of the Bill. Further [policy information papers](#) are available on equality, diversity and inclusion; skills and employment; the education programme; and the National College for High Speed Rail.

5.3 Additional Provisions

The Department for Transport deposited the [first additional provision \(AP1\)](#) in March 2018. This covered the following:

... a minor change in the alignment of the Phase 2a route near Stone. Other changes relate to ongoing design discussions with utility companies, to highway works on junctions to address traffic and safety issues, and requirements for additional land for environmental mitigation works. In some cases, these changes affect land some distance from the line of route.¹⁰³

The Department for Transport deposited a [second additional provision \(AP2\)](#) to the Bill in February 2019. This proposed several changes to the powers in the Bill for Select Committee's consideration. The main changes in the Additional Provision were as follows:

- The lowering of the viaduct at Kings Bromley which reduces environmental effects such as visual impact;
- A revised and more simple Handsacre junction layout, where Phase One connects to the West Coast Main Line;
- A new traction power connection, requiring over 7 km of high voltage electricity lines, from the HS2 line at Newlands Lane to the east of the route. This change ensures the necessary resilience and redundancy required for traction power on a high speed railway;
- Temporary and permanent power supply routes to the Whitmore and Madeley tunnels, to support the operation of

¹⁰¹ [Bill 006 EN 2017-19](#), paras 12-13; for more on the Sewel Convention see HC Library briefing paper [SN2084](#)

¹⁰² *Ibid.*, para 14

¹⁰³ [High Speed Rail \(West Midlands - Crewe\) Bill: Additional Provision: Written statement - HCWS581](#), 26 March 2018

the tunnel boring machines during construction and later, the operation of the tunnels;

- A southward extension of the southern end of the tunnel at Whitmore, to avoid the need for complex surface works where the A53 crosses the route; and
- Works at and around Crewe station including the extension of platform 5 to accommodate 400m HS2 trains. These changes support the realisation of the Crewe Hub vision.
- The Additional Provision also includes works and powers related to utilities following detailed discussion with utility companies. Other changes relate to highway safety and capacity improvements.¹⁰⁴

5.4 Environmental Statement

The Environmental Statement (ES) is a key part of the overall package which accompanies the Bill. Parliamentary Standing Orders require a formal report on environmental impact to be submitted alongside the Bill.

The ES is a large collection of documents, which detail the likely significant environmental impacts along the route and measures to avoid, manage and reduce these. There is a non-technical summary, five volumes, a glossary and several map books and appendices:

If you want an overview of the whole report, the Non-Technical Summary is a useful place to start.

Non-Technical Summary – This provides a summary in non-technical language of the Phase 2a route, the likely environmental effects of the new railway, and how we propose to avoid, reduce or manage these effects.

Volume 1: Introduction and methodology – This provides:

- a description of HS2 and Phase 2a, the impact assessment process and our approach to consultation and engagement
- details of the permanent features of the planned new railway and generic construction techniques
- a summary of the scope and methodology for the environmental topics
- a summary of the strategic, route-wide and route corridor alternatives to the planned new railway and local alternatives considered prior to November 2015.

This volume is supported by a glossary to explain terms that appear frequently in the rest of the reports.

Volume 2: Community area reports This consists of five reports, together with maps, which provide a description of the planned new railway, divided into five community areas – see the box opposite.

Volumes 3 and 4: Route-wide and off-route effects

Volume 3 describes the impacts and effects likely to occur at a geographical scale greater than the community areas in Volume 2.

The Environmental Statement and all its relevant documents and maps can be found on the [Gov.uk website](https://www.gov.uk).

¹⁰⁴ [Second Additional Provision to the High Speed Rail \(West Midlands – Crewe\) Bill: Written Statement - HCWS1324](#), 12 February 2019

Volume 4 describes any impacts and effects identified beyond the immediate areas surrounding the proposed line of route. This volume includes a map book that illustrates our proposals in this area.

Volume 5: Technical appendices This consists of supporting information, and the specific assessments that have been conducted to establish the environmental effects of the route. It includes information organised by environmental topic and by community area, as well as map books relevant to individual reports.¹⁰⁵

The Government consulted on a draft ES in 2016.¹⁰⁶ Alongside the Bill on 17 July 2017 it published the final ES for consultation. The consultation closed on 30 September.¹⁰⁷ On 20 November the House of Commons published the HS2 Independent Assessor's (Golder Associates) summary of issues raised by comments on the environmental statement. In total, 16,768 responses were received by the Assessor (compared to almost 22,000 for the Phase 1 Bill, which covered a longer length of route and two heavily populated urban centres, including London). The Assessor highlighted three key concerns raised in multiple responses:

1. The impact of the proposed line on the loss of Ancient Woodland on the route, in particular Whitmore Wood;
2. Adverse impacts on farming and rural businesses, even possibly leading to a threat to future viability; and
3. Proposals for the railhead near Stone to support route construction and possibly become a permanent feature.¹⁰⁸

Some respondents also raised concerns about the configuration of the route through **Crewe and the Crewe hub**:

Two spurs are proposed south of Crewe to transfer between the HS2 mainline, north to the West Coast Mainline (WCML) and south, to London. To facilitate the connection of the spurs to the West Coast Main Line modifications will be required to the existing West Coast Main Line infrastructure in the South Cheshire area (CA 5).

[...] Comments specifically mentioning the WCML discussed the potential for HS2 to release capacity on the line and the opportunity for the project to support freight growth. The routing of the line through Crewe was mentioned as key in this regard. Support was given by freight operatives for the railhead at Stone (to replace the IMD at Crewe) but with a note of caution to secure additional capacity of the WCML to enable effective growth.

Concerns were raised by freight operatives who suggested opportunities to create an integrated hub Crewe station to support a higher performing network were missed.¹⁰⁹

Alongside the first Additional Provision, the Government published a [Supplementary Environmental Statement](#) (SES) in March 2018. The SES reports on the likely significant environmental effects of changes that are

¹⁰⁵ DfT, [A guide to the HS2 Phase 2a environmental statement](#), 17 July 2017

¹⁰⁶ DfT, [HS2 Phase 2a \(West Midlands to Crewe\) Working Draft Environmental Impact Assessment Report](#), 13 September 2016

¹⁰⁷ DfT, [HS2 Phase 2a \(West Midlands – Crewe\) hybrid Bill environmental statement](#), 17 July 2017

¹⁰⁸ [High Speed Rail \(West Midlands - Crewe\) Bill: summary of issues raised by comments on the Environmental Statement](#), HC 597, 20 November 2017, executive summary

¹⁰⁹ *Ibid.*, pp27-8

new, but are within the existing scope of the Bill. These changes include: new and updated environmental baseline information (e.g. as a result of further surveys completed); changes to the design and construction assumptions; and corrections to the main ES.¹¹⁰ This was subject to public consultation. The independent technical assessor's report on the consultation was published on 7 August 2018.¹¹¹

Further changes and amendments to the Phase 2a scheme were proposed in the second Additional Provision. The environmental assessment of these changes and amendments are presented in the [Supplementary Environmental Statement 2 and Additional Provision 2 Environmental Statement](#). The independent technical assessor's report on the consultation was [published](#) on 22 May 2019.

5.5 Parliamentary stages

Commons early stages

The Bill received First Reading in the Commons on 17 July 2017.

The next stage was for the bill to be formally declared a 'hybrid', and not a 'public' bill. This process is undertaken by the Parliamentary Examiners of Petitions for Private Bills. In the case of a bill that is thought to be hybrid, the Examiners are required to determine whether the Standing Orders relating to private bills should apply to the Bill. Their determination is based on the test of whether the Bill affects particular private interests of individuals or organisations differently from others in the same class or category.¹¹² Until the Examiners report, the Bill is described as prima facie hybrid. Typically, a bill relating to the construction of a new railway would meet that test, owing to the different effects of the railway on similar categories of person

On 12 September 2017, the Examiners reported that for the HS2 Phase 2a Bill certain Standing Orders had not been complied with. Their report was referred to the Standing Orders Committee.¹¹³ In such a case the Standing Orders Committee considers whether Standing Orders that have not been complied with can be dispensed with to allow the Bill, or a portion of it, to be proceeded with. On 20 November 2017, the Standing Orders Committee agreed that the Standing Orders could be dispensed with.¹¹⁴

The Bill received Second Reading on 30 January 2018 by 295 votes to 12.¹¹⁵ The House also agreed the instruction to the Select Committee to treat as the principle of the Bill (i.e. 'not be at issue during proceedings of the Committee') the following:

¹¹⁰ HS2 Ltd, [A guide to the HS2 Phase 2a Additional Provision and Supplementary Environmental Statement](#), 23 March 2018

¹¹¹ For the consultation, report and associated documents, see: DfT, [HS2 Phase 2a Supplementary Environmental Statement and Additional Provision Environmental Statement Consultation \(March 2018\)](#), 7 August 2018

¹¹² House of Commons, [Standing Orders of the House of Commons – Private Business, 2017](#), November 2017, Standing Order 224

¹¹³ House of Lords and House of Commons, [Examination Of A Public Bill Which Is Prima Facie Hybrid: High Speed Rail \(West Midlands – Crewe\) Bill](#), 12 September 2017

¹¹⁴ [House of Commons Votes and Proceedings](#), 20 November 2017

¹¹⁵ [HC Deb 30 January 2018, cc720-786](#) and [Division 109](#)

(a) the provision of a high speed railway between a junction with Phase One of High Speed 2 near Fradley Wood, in Staffordshire, and a junction with the West Coast Mainline near Crewe in Cheshire,

(b) in relation to the railway set out on the plans deposited in July 2017 in connection with the Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons, its broad route alignment, and

(c) the fact that there are to be no new stations on, or additional spurs from, the railway mentioned in sub-paragraph (b);¹¹⁶

This was very similar in structure to the instruction given to the relevant select committee prior to the committal of the HS2 Phase 1 Bill. The issuing of instructions to the Select Committee can be a critical stage, as the nature and contents of those instructions steer the Committee in its deliberations. Instructions can prevent the Committee from amending certain provisions or allow it to make alterations to infrastructure provided for in the Bill.¹¹⁷

Finally, the House agreed a carry-over motion, which would allow for the Bill to continue to be considered in a new session of Parliament, should it not receive Royal Assent in the current session.¹¹⁸

Commons Select Committee

The Commons Committee has [five members](#): James Duddridge (Chair), Conservative; Sandy Martin, Labour; Mrs Sheryll Murray, Conservative; Martin Whitfield, Labour; and Bill Wiggin, Conservative. The Committee's role is:

... to hear petitioners who wish to petition against the scheme contained in either the Bill or Additional Provisions or both. The Committee may also invite the Secretary of State for Transport, represented by Counsel to respond to the petitioners' points. The Committee will then make decisions based on the evidence heard, which may mitigate or compensate for the adverse impact of the Bill's provisions on petitioners.¹¹⁹

There were 187 petitions against the Bill. The Secretary of State challenged the right to be heard of 26 of those petitioners.¹²⁰ The Committee received a further 33 petitions against the Additional Provision (AP) – see section 5.4, above.¹²¹

The Committee published its First Report in May 2018. It decided “in principle” to reject the proposal for a single tunnel between Whitmore Heath to Madeley. It also rejected the proposal for the Infrastructure Maintenance Base-Railhead to be built at Aldersey's Rough. It said:

Both options are costly and the Committee would prefer to see resources redirected to the affected and wider communities in the form of road network improvements, environmental and community

¹¹⁶ *Ibid.*, cc789-90

¹¹⁷ For example, the select committee considering the *Crossrail Bill* was instructed to treat the principle of the bill as including the termini of the railway and certain intermediate stations [[HC Deb 19 July 2005 c1218](#)]

¹¹⁸ [HC Deb 30 January 2018, cc790-91](#)

¹¹⁹ *Op cit.*, [First Special Report of Session 2017–2019](#), para 6; in June 2018 the Committee published a short guide to effective petitioning, available on the [Parliament website](#)

¹²⁰ *Ibid.*, para 7

¹²¹ *Ibid.*, para 10

benefits. The height of the viaduct at Kings Bromley was a concern of petitioners and we welcome the assurance given by given by HS2 to Staffordshire County Council and Lichfield District Council that discussions are underway.¹²²

Between May and June the Department for Transport published assurances to the National Farmers Union, the Country, Land and Business Association and Staffordshire County Council about various aspects of the scheme.¹²³

On 25 June the DfT and HS2 Ltd. published the Promoter's response to the First Report. It stated:

The extension to the southern portal of the Whitmore tunnel, and an associated lowering of the River Lea viaduct, will be included in an Additional Provision to the Bill, which is expected to be deposited around the turn of the year. The Promoter will produce and publish an updated cost of the lowering of the viaduct and extension of the southern portal of the Whitmore tunnel, over and above the cost of the original proposals in the Bill, when it deposits the Additional Provision.¹²⁴

It also promised:

- £2 million [Woodland Fund](#) to help local landowners create native, broadleaf woodlands and restore ancient woodland sites;
- £6.5 million [Road Safety Fund](#) to help to improve traffic and pedestrian, cycle and equestrian safety along the whole route;
- Alterations to roads along the route; and
- A [Phase 2A Planning Forum](#) in Summer 2018 comprising the two local highway authorities, Highways England and the Department for Transport.¹²⁵

In its Second Report, published in July 2018, the Select Committee observed that the Promoter had not, in its response, "suggested any improvements to engagement with those members of the community without access to information technology", but that this has been partially remedied on 2 July in relation to residents of Whitmore Heath.¹²⁶

The Second Report announced a series of decisions to "give direction to HS2 in a small number of cases where we feel that it is right to do so at this stage. This will enable HS2 to begin work to give effect to the decisions in Additional Provision 2".¹²⁷ These are site specific and local in nature. The Committee also made several general recommendations on route-wide issues. In brief, these were as follows:

- **Access to land purchased under compulsory purchase orders:** directed the Promoter to look at the issue of farmers being asked to pay for maintenance costs of access tracks across land that had been

¹²² Op cit., [First Special Report of Session 2017–2019](#), summary, p3

¹²³ DfT, [HS2 Phase 2a: Assurances given during Select Committee](#), 9 May 2018

¹²⁴ DfT/HS2 Ltd., [Promoter's response to the Select Committee's First Special Report of Session 2017–19](#), 25 June 2018, para 11

¹²⁵ Op cit., [Second Special Report of Session 2017–19](#), para 7

¹²⁶ Ibid., para 8

¹²⁷ Ibid., para 25

compulsorily purchased by HS2 Ltd. so that petitioners and others are not disadvantaged;

- **Accessibility:** recommended that HS2 Ltd. work with the Plain English Society to ensure that more attention is paid to providing letters with the recipient in mind and to consider attaching a picture or flow diagram to the letter to make the process clearer to the reader. It also directed it to engage at a local level, listening to local landowners and residents;
- **Approach:** recommended that HS2 Ltd. ensure that farms and businesses are not disadvantaged by the compensation process and dialogue on timing of any compensation payments is taken into account;
- **Right of entry:** recommended that where a possession is for any period of longer than a week or for any purpose which will seriously alter the use of the land, farmers should be given advance warning of the quarter of the year during which that possession is likely to be taken and notice should be not less than three months prior to that quarter;
- **Communication:** said that there should be a process where community liaison officers identify where specialists are required and set up meetings. If there is a reason why HS2 Ltd. is not able to supply people with the specialist knowledge then it should be communicated to those along the route the reason why;
- **Highways and access routes:** directed HS2 Ltd. to widen the bridge at Yarnfield Lane to ensure better safety for all users; hold discussions with Staffordshire County Council about improving access through Ingestre during the construction works; exceed the guidelines issued by the British Horse Society and promote a greater standard on its route; and look at the safety of Den Lane;
- **Mental health issues:** directed HS2 Ltd. to commission an ongoing epidemiological report to address community health and wellbeing, draw on international best practice in this area, and provide, fund and integrate an additional mental health service; and
- **Residents' Commissioner and the Construction Commissioner:** directed that individuals affected by the scheme have a dedicated single point of contact or case officer within HS2 Ltd. to ensure that any messages between the organisation and the individual or family or business remain clear and constant and personal.¹²⁸

On 13 November 2018 the Government published their response to the Select Committee's second report.¹²⁹

Following publication of the second Additional Provision, the Select Committee received petitions in February and March 2019¹³⁰ and

¹²⁸ Ibid., pp13-17; there were also issues raised as regards the way compensation applies in some particular cases that came to the Committee's attention, see paras 76-83

¹²⁹ DfT, [Promoter's response to the Select Committee's Second Special Report of Session 2017 - 2019](#), 13 November 2018

¹³⁰ High Speed Rail (West Midlands - Crewe) Bill Select Committee, [Deposit of the Second Additional Provision \(AP2\) and dates for petitioning announced](#), 8 February 2019

undertook public sessions through to May 2019.¹³¹ On 7 June 2019 the Committee published their third report.¹³² In this report the Committee outlined their decisions and conclusions in relation to AP2.¹³³ On 24 June 2019 the government published its response to the Select Committee's report.¹³⁴

Public Bill Committee stage

The Bill was considered in Public Bill Committee on 25 June 2019. Several additional amendments were tabled by Shadow Transport Minister Rachel Maskell, including provisions for the Secretary of State to:

- prepare a report on the use of rail transport during the scheduled works;
- prepare a report on any disruption likely to be caused to cyclists and walkers;
- make provision for a scheme to compensate tenants adversely affected by the scheduled works;
- prepare a report on the relative merits of using slab track and track laid on sleepers in the scheduled works;
- publish quarterly reports on the scheduled works throughout the period in which those works take place; and
- make provision for ongoing public engagement about the scheduled works.¹³⁵

None of them were agreed and the Bill was passed without amendment.¹³⁶

What happens next?

The Government published a [Command Paper](#) on 24 June 2019 setting out its overview of the case for HS2 Phase 2a and its environmental impacts, in advance of the Bill receiving its Third Reading.

The Bill is scheduled for Report and Third Reading on 15 July 2019. As at 10 July 2019, three amendments had been tabled by the opposition frontbench requiring the Secretary of State to:

- publish quarterly reports on the scheduled works throughout the period in which those works take place;
- make provision for a scheme to compensate tenants adversely affected by the scheduled works; and

¹³¹ High Speed Rail (West Midlands - Crewe) Bill Select Committee, [Committee announces start date for AP2 petition hearing](#), 21 March 2019

¹³² High Speed Rail (West Midlands - Crewe) Bill Select Committee, [Third Special Report of Session 2017–19](#), 7 June 2019

¹³³ The full texts of each petition and the transcripts of each hearing are available on the [Committee's website](#).

¹³⁴ DfT, [HS2 Phase 2a: promoter's response to select committee's third special report](#), 24 June 2019

¹³⁵ House of Commons, [Public Bill Committee Proceedings – High Speed Rail \(West Midlands – Crewe\) Bill, As Amended in Select Committee](#), 25 June 2019

¹³⁶ Ibid

- commission a peer review of the High Speed Rail (West Midlands to Crewe) project, to be carried out by independent experts.¹³⁷

After consideration in the Commons, the House of Lords will take the Bill through the same stages as the Commons with people specially and directly affected having their petitions heard by a Bill Select Committee in the House of Lords.

Once the legislation introduced by the Government passes through all stages in both Houses it receives Royal Assent. This gives outline planning consent to proceed with the proposed rail link and the detailed design of the proposed railway can begin.¹³⁸

Progress can be tracked on the [Bill page of the Parliament website](#).

¹³⁷ House of Commons, [Consideration of Bill \(Report Stage\) – Notice of Amendments](#), 10 July 2019

¹³⁸ High Speed Rail (West Midlands - Crewe) Bill Select Committee, [Third Special Report of Session 2017–19](#), 7 June 2019, p9

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