

High Speed Rail (Crewe – Manchester) Bill

Northern Powerhouse Rail: Manchester Connection Information Paper

B11: Additional Provisions

This paper outlines the process used for making amendments to the High Speed Rail (Crewe – Manchester) Bill through the promotion of additional provisions.

Content will be maintained and updated as considered appropriate during the passage of the Bill.

HS2 Ltd's Rail Development Directorate are acting on behalf of the Secretary of State for Transport to develop and promote the Bill. If you have any queries about this paper or about how it might apply to you, please contact the Helpdesk in the first instance.

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1 Introduction

- 1.1 Northern Powerhouse Rail (NPR) is the government’s plan to provide more reliable and frequent services between key economic centres in the North of England. NPR forms the transport backbone of the Northern Growth Strategy and will deliver a “turn-up-and-go” railway linking Liverpool, Manchester, Leeds/Bradford, Sheffield and York, with regular onward services to Newcastle, Hull and Chester for North Wales connections.
- 1.2 NPR will be delivered in three phases:
- (1) early upgrades and electrification east of the Pennines (Leeds–Bradford, Sheffield-Leeds, Leeds–York);
 - (2) a new Liverpool–Manchester route via new stations at Warrington Bank Quay (Low Level) and Manchester Airport; and
 - (3) further cross-Pennine enhancements beyond the Transpennine Route Upgrade, including Manchester-Leeds, Manchester-Bradford and Manchester-Sheffield.
- 1.3 The first phase of NPR prioritises the upgrades to existing lines east of the Pennines. The adapted High Speed Rail (Crewe- Manchester) Bill, (hereafter ‘the Bill’) has been taken forward as part of the second phase of NPR to obtain the necessary powers to deliver the NPR route into Manchester via Manchester Airport (the Proposed Scheme). The Bill, formerly designed to deliver the route between Crewe to Manchester, has been adapted to retain only the section of route from the Parish of Millington and Rostherne to Manchester Piccadilly, via a new station at Manchester Airport (also known as NPR’s ‘Manchester Connection’). For further information about the development of the Bill, please see information paper A1.
- 1.4 The government has also confirmed its intention to ultimately complete a new line between Birmingham and Manchester. This is not included in this Bill and this would be progressed following the delivery of the three stages of NPR.
- 1.5 The work to produce the Bill includes an Equalities Impact Assessment and an Environmental Impact Assessment (EIA), the results of which are reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State for Transport has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme. For more information on the EMRs please see Information Paper E1: Control of environmental impacts.

- 1.6 The Secretary of State for Transport is the Promoter of the Bill through Parliament. The Promoter will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill. Following Royal Assent this body will be the 'nominated undertaker'. There may be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Bill, and the policies and commitments established in the EMRs, including any commitments provided in the information papers.
- 1.7 HS2 Ltd is a non-departmental public body and their Rail Development Directorate is responsible for developing and promoting these proposals for the purposes of the Bill. The company works under the terms of a Development Agreement entered into with the Secretary of State for Transport.
- 1.8 These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the Proposed Scheme have been reached.
- 1.9 When they were originally published, the information papers for the Bill were consistent with the policies, schemes and standards that had been applied for HS2 Phase 1 and 2a, as the Proposed Scheme was intended to be part of that project. They have now been updated and republished to reflect the changes to the Bill. In light of the origin and continuation of the Bill, the information papers continue to generally reflect the policies and commitments originally set out for the Bill before it was adapted relating to the control of impacts on the environment and on property owners, communities and businesses. This includes adopting a version of the HS2 Environmental Policy for the purposes of this Bill. This reflects the Bill's advanced progress through Parliament; the Bill has been taken forward on the basis that these policies and commitments will apply and the government intends to honour them for reasons of fairness towards those affected or concerned.
- 1.10 This approach reflects the particular circumstances of this Bill, and the commitments set out in these Information Papers do not set, and should not be considered as setting, any precedent for future proposals connected to the NPR programme, or any other future rail scheme. The policies and commitments offered in relation to future schemes will need to be considered in the context of any applications for consent on their own merits.

2 Overview

- 2.1 This paper outlines the process used for proposing amendments to a hybrid Bill through the promotion of additional provisions.
- 2.2 An Additional Provision (AP) is a proposed amendment to extend powers of the Bill which affect private interests. They typically involve the acquisition or use of land outside of the current limits of the Bill, additional access rights or other extensions of the powers conferred by the Bill.
- 2.3 APs are a normal part of the hybrid Bill process and a number of APs may come forward during the passage of a Bill in response to further design development work and/or to address the concerns of directly affected stakeholders or in response to the Select Committee's decisions. Previous hybrid bills have had several APs - the Act for Phase One of HS2 had five APs and the Act for Phase 2a of HS2 had two APs.

3 Process for promoting an Additional Provision

3.1 The process used for promoting an AP is as follows:

- Documents describing the changes are prepared, similar to those prepared for the original Bill deposit. These include the proposed written amendments to the Bill and, as appropriate to the AP, Plans and Sections, a Book of Reference (identifying landowners and tenants of land affected by the AP), an Estimate of Expense (identifying the costs associated with the additional powers being sought), and any supplementary environmental information associated with the changes. The supplementary environmental information will take the form of an AP Environmental Statement (AP ES). The AP ES reports any likely significant environmental effects arising from any additional powers sought.
- The documents describing the proposed changes are deposited in Parliament and at publicly accessible locations in affected areas. Such areas include local authority offices and libraries, and the deposit of the documents is advertised in accordance with the requirements in the Standing Orders for Private Business of both Houses of Parliament. Landowners and tenants of property affected by compulsory powers over land sought by the proposed change, are notified in accordance with the requirements of the Standing Orders.
- After deposit, the AP ES is subject to a public consultation and the issues raised in the consultation response are reported on by an independent assessor appointed by Parliament.
- In addition, there is a petitioning period during which anyone with property or interests directly and specially affected by the provisions contained in the AP, may submit petitions against them. The duration of the petitioning period is defined in accordance with Standing Orders and publicised in newspaper notices for the relevant areas.
- Petitions against the AP are heard by the Select Committee in the normal way. Anyone whose petition has already been heard, but who is affected by the AP, is entitled to petition again, and to be heard again (no further petitioning fee is payable). Where possible, petitioners will be scheduled so that they need only appear before the Select Committee once.
- Although APs are promoted by the Secretary of State, they are not formally accepted as amendments to the Bill unless the Select Committee, having heard petitions submitted against them, decides to accept them.
- All proposed amendments accepted by the Committee are made formally to the Bill when the Select Committee reports the Bill to the House at the end of its proceedings.

- 3.2 In addition to the AP ES, supplementary environmental information may also be produced in the form of a Supplementary Environmental Statement (SES). A SES reports on any likely significant environmental effects arising from other changes to the scheme which are within existing Bill powers and limits. Whilst both an AP ES and an SES are subject to public participation in accordance with Standing Orders, there is no right to petition against an SES.

4 More information

- 4.1 More detail on the Bill and related documents can be found at <https://www.gov.uk/guidance/northern-powerhouse-rail-manchester-connection>.