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OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Fourth Sitting

Thursday 3 March 2016

(Afternoon)

CONTENTS

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Monday 7 March 2016

STRICT ADHERENCE TO THIS ARRANGEMENT WILL GREATLY FACILITATE THE PROMPT PUBLICATION OF THE BOUND VOLUMES OF PROCEEDINGS IN GENERAL COMMITTEES

The Committee consisted of the following Members:

Chairs: Mr Christopher Chope, †Mr David Hanson

† Anderson, Mr David *(Blaydon)* (Lab)
† Ansell, Caroline *(Eastbourne)* (Con)
† Brown, Alan *(Kilmarnock and Loudoun)* (SNP)
† Burns, Sir Simon *(Chelmsford)* (Con)
Chalk, Alex *(Cheltenham)* (Con)
† Doyle-Price, Jackie *(Thurrock)* (Con)
† Glindon, Mary *(North Tyneside)* (Lab)
† Goodwill, Mr Robert *(Minister of State, Department for Transport)*
† Howlett, Ben *(Bath)* (Con)
† Huddleston, Nigel *(Mid Worcestershire)* (Con)
† Jenkyns, Andrea *(Morley and Outwood)* (Con)
† McDonald, Andy *(Middlesbrough)* (Lab)
McGovern, Alison *(Wirral South)* (Lab)
Mahmood, Shabana *(Birmingham, Ladywood)* (Lab)
† Nokes, Caroline *(Romsey and Southampton North)* (Con)
† Reynolds, Jonathan *(Stalybridge and Hyde)* (Lab/Co-op)
† Vickers, Martin *(Cleethorpes)* (Con)

Neil Caulfield, *Committee Clerk*

† attended the Committee

Public Bill Committee

Thursday 3 March 2016

[Mr David Hanson *in the Chair*]

High Speed Rail (London-West Midlands) Bill

2 pm

The Chair: That hour for lunch was all too brief, but I managed to meet Holywell High School from north Wales—just to get them on the record.

Clause 48

Compulsory acquisition of land for regeneration or relocation

Andy McDonald (Middlesbrough) (Lab): I beg to move amendment 22, in clause 48, page 18, line 8, after

"if the Secretary of State,"

insert "reasonably".

This amendment would require the Secretary of State to reach a "reasonable" decision when deciding whether to exercise his power to acquire sites for regeneration purposes, and would allow the decision to be challenged under this act if not reached reasonably.

The Chair: With this it will be convenient to discuss the following:

Amendment 24, in clause 48, page 18, line 10, after "any land" insert—

"within the Act limits or in the vicinity of any station or depot the construction of which is authorised by the Act".

This amendment would limit the Secretary of State's power to compulsorily acquire land for regeneration purposes to land within the Act limits or in the vicinity of any station or depot, the construction of which is authorised by this Act.

Amendment 25, in clause 48, page 18, line 11, at end insert—

"(1A) Before acquiring land compulsorily under subsection (1) the Secretary of State, following consultation with the relevant local authority, must be satisfied that—

(a) the regeneration or development accords with the relevant development plan; and

(b) that there is no realistic prospect of the local authority exercising powers of compulsory purchase of the land within a reasonable time."

This amendment would require the Secretary of State to be satisfied that any compulsory land acquisition for land regeneration accords with the relevant development plan and that there is no realistic prospect of the local authority exercising powers of compulsory purchase of the land.

Amendment 23, in clause 48, page 18, line 11, at end insert—

"(1A) The Secretary of State must define the term 'an opportunity for regeneration or development' in regulations for the purposes of subsection (1).

(1B) A statutory instrument containing regulations under subsection (1A) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament."

This amendment would require the Government to define the term "an opportunity for regeneration or development" by statutory instrument.

Andy McDonald: Good afternoon, Mr Hanson. I hope that everyone else had a wonderful lunch; I didn't.

The amendment would require the Secretary of State to reach another reasonable decision—the man on that omnibus keeps coming back—so we are proposing to insert "reasonably". Although reasonableness is the Minister's middle name and everything that the Government do, we are told, is reasonable, there appears to be a curious reluctance to deploy the term in the Bill and to make the obligation reasonably clear and obvious. I implore the Minister, at least in this narrow context, to embrace the concept.

Without doubt, one of the primary benefits of investment in infrastructure projects such as High Speed 2 is the opportunity for transformative redevelopment in affected areas. HS2 has presented a number of opportunities that have been grasped. We also appreciate that projects on the scale of HS2 will be ongoing for a significant time. Not all opportunities for redevelopment of land can feasibly be identified in the early stages, so further opportunities might present themselves over the coming months and years.

In principle, therefore, we support a power for the Secretary of State to acquire land compulsorily for the purposes of redevelopment, but with certain caveats. The clause as drafted will grant the Secretary of State wide-ranging, blanket powers to acquire land, with little accountability or restriction. Our amendments seek to particularise and limit the powers granted and to ensure greater accountability if he or she chooses to exercise the powers. The amendment is self-explanatory. We have had a healthy discussion about reasonableness, but it is also worthy of note that the wording of subsection (1) simply states:

"If the Secretary of State considers that the construction or operation of Phase One of High Speed 2 gives rise to the opportunity for regeneration or development of any land, the Secretary of State may acquire the land compulsorily."

We expect the construction phase to last some 10 years. Earlier, we had a discussion about the good sense of covering contingencies, although the Opposition have failed to convince the Government that such powers should not be totally and utterly open-ended. As drafted, the clear import and effect of the clause is not only on the construction phase, but on the operation of HS2—it states "or operation".

The HS2 project has been planned for the long term. We salute our Victorian forebears for their engineering skill, invention and ingenuity. However, the network and the services on it have run for the best part of 200 years; it will soon be the 200th anniversary of the Stockton-Darlington line, the world's first passenger train. The journey between Stockton and Darlington on Stephenson's Rocket must have been something to behold. It would have been very dramatic with the man with the red flag walking out in front of the train as it made its way; it was not known what effect—

The Minister of State, Department for Transport (Mr Robert Goodwill): I think the hon. Gentleman might find that it was Locomotion No. 1 on the first run.

Andy McDonald: I stand corrected. The Minister is entirely right. The Rocket gets a lot of acclaim; it used to occupy pride of place in Darlington railway station, but it is there no more—there is a mere representation on the wall. I bow to my friend's greater knowledge.

Mr Goodwill: The Rocket, as the hon. Gentleman will no doubt recall, was the successful engine in the Rainhill trials, beating the Sans Pareil, which came second.

The Chair: Order. I remind hon. Members that we are discussing the amendment but also that William Huskisson, a former Secretary of State, was killed by the Rocket on its first day out. I think that is a warning to Members of Parliament to stay away from this area and stick to the amendment.

Andy McDonald: The point is that the man with the red flag was there to slow down the train because it was not known what impact the speeds would have had on the human form. If we do not get rid of the Pacers quickly, I think that man might have a job again. We need to move on.

Mr David Anderson (Blaydon) (Lab): We will keep the red flag flying.

Andy McDonald: Indeed. The point is that the Victorian railway has been around for a very considerable time. We have benefited enormously from Victorian innovation and taken it forward into the next generation of high-speed rail travel. Once completed, phase 1 will surely be in operation for hundreds of years—we all agree that it will be operational for two centuries. That is a wonderful prospect.

However, under the current drafting a Secretary of State will be able to enjoy compulsory purchase powers over the land for the entire duration of phase 1. That is a hugely significant power and I trust that the Minister can see the merit in qualifying that wide-ranging power. The amendment will not inhibit in any way the development or operations of phase 1. It will simply introduce some degree of reasonable objectivity into the Bill, so that in years ahead—we could be talking 50, 75 or 100 years—landowners can be assured that their land and property, left intact until then, is not unfairly or unexpectedly drawn into the operation of compulsory acquisition under the Act.

Thus far, there has been no such qualification. I trust that the Minister will agree with the logic of our position and accept the amendment.

Mr Goodwill: As we have just heard, clause 48 refers to compulsory acquisition of land for regeneration or relocation. It enables the Secretary of State to promote a compulsory purchase order if he considers that the construction or operation of phase 1 of HS2 gives rise to an opportunity for regeneration or development of that land. The clause further enables the Secretary of State to promote a compulsory purchase order to acquire land to relocate all or part of an undertaking where, as a result of the exercise of powers under the Bill, the former site is no longer reasonably capable of being used for the undertaking. Subsection (4) provides that the normal process relating to compulsory orders is to apply.

The power is included in the Bill because Ministers wish to maximise the potential economic benefits from phase 1 of HS2 to ensure that local areas make the most of the opportunities that the railway will provide and to support relocation of businesses. It is considered that phase 1 of HS2 will give rise to significant opportunities to promote or facilitate regeneration development. However, assembling a coherent and developable site is an essential part of bringing forward such development and that would not be possible without the ability to have recourse to the powers of compulsory purchase.

As we say in information paper C11, we see this as a backstop power. It would normally be for local landowners and local authorities to come together to assemble land to bring forward regeneration. However, that may not be possible in some cases and regeneration opportunities could be lost. Ebbsfleet is a good example because development, although now under way, has been much delayed and such powers could have enabled more effective land assembly earlier.

Of course, all that does not mean that phase 1 of HS2 will be able to take land wherever it wants. All the measure does is enable the Secretary of State to promote a compulsory order when the construction or operation of phase 1 creates regeneration or development opportunities. Such an order would then need to go through the normal process, including a local inquiry, if there were objections.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I think I get the gist of what the Minister is saying. When a regeneration project, perhaps in Manchester or on another part of the line, is connected to the benefits that HS2 will bring, does he expect the normal process of land accumulation and scheme formation to occur? Is this measure a reserved power should there be a legal problem in assembling the site? "Backstop power" was the phrase he used. Does he envisage that the normal process would apply for regeneration work to occur in a local area?

Mr Goodwill: The hon. Gentleman is right. The owners of land close to HS2 stations or areas where HS2 will have an economic benefit will be grasping such opportunities with both hands. The land will have achieved an uplift in value and the opportunities will be fantastic. Problems might include a particular landowner not wanting to co-operate or another acquisition problem. This is not just about land development, but the relocation of businesses, and I can think of one or two such examples. We need to be sure that we can bring forward viable opportunities for businesses to be relocated, which will protect those particular jobs.

To promote a compulsory purchase order successfully, the Secretary of State would need to demonstrate three things. First, that a private purchase is not possible, so the land should be taken compulsorily. Secondly, that there is a reasonable prospect of the proposed development coming forward—in other words, that there is no obvious reason why planning permission would not be granted if has not been already. Thirdly, that there is a compelling public-interest need for the land. Taking an individual's land interferes with their fundamental human rights, so it is only right that significant protections should be in place. The power does not change those protections at all. Although it extends beyond the construction period into operation, checks and balances will continue to be in place.

Although local authorities already have the power to make compulsory purchase orders, it does not always happen. The power is there to ensure that development does happen, and we would expect local authorities to take the opportunity to lead development in their areas.

[Mr Goodwill]

However, in certain circumstances local authorities might be unable to do so, either because regeneration opportunities straddle local authority boundaries or because a local authority does not have the specialist resource to undertake the compulsory purchase order process. In such circumstances, if development is not coming forward in a timeframe that maximises the opportunity, the Government will be able to use this power to accelerate the process, following consultation with the relevant local authority.

Of course, there are safeguards to protect landowners. Planning permission for any developments would need to be obtained in the usual way, and the compulsory purchase order would be made only if there was a reasonable prospect of obtaining planning permission and the compulsory acquisition could be justified as being in the public interest.

I turn to the amendments. The purpose of clause 48(1) is to ensure that the development and regeneration opportunities that HS2 presents are maximised in a timely manner. However, it is a backstop power. We expect local authorities or landowners to be able to capitalise on any opportunities. Indeed, that is already happening. For example, Birmingham City Council has already published its plans for the development of the Curzon Street area, and we support it on that. However, in the event that there are issues that impede development, such as effective land packaging, regeneration areas straddling different local authority boundaries and so on, we will have the ability to step in and to help the development progress. Any such developments that require land outside the Bill limits would require the promotion of a compulsory purchase order and, as I have explained, the rules are tightly drawn and must be adhered to.

2.15 pm

Amendment 22 is unnecessary. The Secretary of State will always behave reasonably. As I said earlier, we have sought not to legislate unless necessary. Amendment 23 would also represent an unnecessary complication and restriction. We all want to see the benefits that the HS2 line will bring in regeneration opportunities, but a definition would add no help.

Amendments 24 and 25 were also proposed by the London Borough of Camden during the HS2 Select Committee process. The Select Committee considered the changes and declined to accept them. Instead, the Committee accepted amendments proposed by the promoter requiring the Secretary of State to consult local authorities before exercising any compulsory purchase of land under clause 48(1) of the Bill. The cross-party Select Committee agreed that course of action.

I hope that, having heard the points I have made, the hon. Member for Middlesbrough will withdraw his amendment and not press the others to a Division. What the Government are proposing is reasonable to all, whether they are on a Boris Routemaster or even an Enviro400 produced by those wonderful people, Alexander Dennis, in my constituency.

Andy McDonald: I may have misunderstood, Mr Hanson. I thought that we were paying our attention exclusively to amendment 22. I realise that the Minister has spoken to others as well.

The Chair: I said that the other amendments were grouped with amendment 22. The hon. Gentleman may speak to all amendments and vote on them individually.

Andy McDonald: I am grateful. I will touch on the Minister's remarks about the description of the backstop power. I fully understand the way in which he is presenting that and it appears eminently sensible to me. He set out a good case for that approach.

My only concern is that the measure is unlimited in time. I have said to the Minister that the HS2 operation will run for a considerable time, well in excess of 100 years, and my concern is about the principle of that power hanging around for that length of time. However, he has given me certain assurances on that.

Amendment 24 deals with geographical limit. My point is a similar one. I do not know whether the Minister can provide clarification, but at the moment there is no such geographical limit in the description of "any land", which concerns the Opposition.

Mr Goodwill: Relocation of businesses might not be limited to areas close to the line. Indeed, I can think of one business that needs a railhead, so any relocation could be to a different place in the region to enable continued access to a railhead.

Andy McDonald: That is helpful insofar as it goes, but in the Bill the implication is much wider. I understand that land could be identified for development in London or Birmingham, but the Bill will allow the Secretary of State to acquire land in the Outer Hebrides or the constituency of the hon. Member for Kilmarnock and Loudoun; he might welcome such acquisitions, but I am not sure that was ever the intent. I ask the Minister to think about whether there should be some qualification because, as the Bill stands, the Secretary of State could acquire compulsorily land that had absolutely no connection whatever with the HS2 project.

On amendment 25, the Minister gave a very full answer about the way in which local authorities can be engaged. If he is not going to accept the amendment, as he indicated he will not, he should understand that it does speak to some important issues. There is the method of local authority engagement that he described, which I welcome, but there is a risk of conflict between settled local development plans and the Secretary of State's coming along to exercise these powers. They could find themselves directly in conflict.

If I heard the Minister correctly, he outlined how that engagement might take place and how matters might be resolved. Nevertheless, as it stands, the clause would give the Secretary of State pre-eminence over the wishes of the local people expressed through their representatives by way of their development plan or its equivalent.

Everyone in this place favours increased and greater devolution in one form or another. Unamended, the clause has the potential to drive a coach and horses through the principles of devolution and local accountability and power, because the pre-eminence is with the Secretary of State. The Minister has already commented, so I hope he will forgive my asking him to consider those remarks. I do not seek to press the amendment to a vote. The Minister might be able to offer some words of

reassurance: that the Government do intend to work with local authorities in the full spirit of co-operation that we referred to earlier.

Amendment 23 deals with the better definition of the term "opportunity for regeneration or development". I am not sure we have had that better defined today. The Minister has said there is no need for that to happen, but I can foresee circumstances where an objection would be raised. Might it not be better to have that settled as a definition, so that there can be no doubt once land has been identified for regeneration on those terms?

I do not intend to press these matters to a vote, but I would be grateful for further comments from the Minister.

Mr Goodwill: By all means. I have been trying to think of situations where land may need to be purchased a distance away from the line. I can think of two in particular. One involves businesses. There is a large car dealership, for example, at Old Oak Common; we will work with them to relocate so that the other development can take place. I am also thinking of the Hillingdon outdoor activity centre, which has been a particularly difficult community enterprise that we are seeking to relocate. It could be that the alternative site would be some distance away from the boundaries of the line.

The other issue is depots. Some of the work we are doing means that depots for other rolling stock facilities have to be displaced some distance away. In the case of businesses, the company might want to relocate tens of miles away, if that is convenient, although we would generally need to work with businesses that wish to retain their workforce and, therefore, not move particularly far away.

On timing, I am pleased the hon. Gentleman is confident that the line will run for several centuries. It is important to remember that local authorities already have compulsory purchase order powers and they could promote an order at any time. The clause, as drafted, would not create any additional uncertainty.

On geographical location, the compulsory order checks and balances would, of course, provide appropriate limitations. It would need to be demonstrated that the land did need to be purchased under CPO powers. Indeed, it could be argued that if the site were challenged by the landowner, they could come forward with alternative concerns.

I am pleased that we managed to react to the points the hon. Gentleman sensibly raised in amendments 24 and 25. Following the proceedings in the Hybrid Bill Committee, the Secretary of State is required to consult local authorities.

The co-operation and engagement of local authorities, particularly in the great cities of the north that will primarily benefit from this, have been outstanding. I pay tribute to the hon. Gentleman's colleagues in those Labour administrations that have engaged with us so effectively. They understand the importance of this for the north.

Andy McDonald: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 48 ordered to stand part of the Bill.

Clause 49

POWER TO CARRY OUT REINSTATEMENT WORKS

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 49 applies to the power to carry out reinstatement works. It allows the nominated undertaker to carry out reinstatement works within the Bill limits in relation to property, including a business or facility that has been discontinued or substantially impaired, in whole or in part, arising from the exercise of any power under the Bill. The clause aims to assist those affected by the construction of HS2 by providing an efficient mechanism for moving properties such as businesses and reducing the requirement for extinguishment, thus protecting jobs.

Subsection (4) allows the Secretary of State to direct that the deemed planning permission under clause 20(1) does not apply in relation to particular reinstatement works. That will enable the Secretary of State to grant deemed planning permission for the development, subject to conditions to be discharged by the local planning authority.

Question put and agreed to.

Clause 49 accordingly ordered to stand part of the Bill.

Clause 50

ENFORCEMENT OF ENVIRONMENTAL COVENANTS

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: I am particularly enthusiastic about clause 50, which relates to the enforcement of environmental covenants. It enables the Secretary of State to ensure that following the construction of the scheme, he may impose conditions on land released where such land contains environmental mitigation for HS2. This is to ensure the maintenance of mitigation measures, upgrades to the mitigation if required and prohibition on uses of the land where such uses would detrimentally affect the measures in place.

The clause binds successors in title into any covenant agreed with previous landowners. The Secretary of State or an authorised person may enforce the agreement.

Question put and agreed to.

Clause 50 accordingly ordered to stand part of the Bill.

Clause 51

WORKS IN SCOTLAND FOR PHASE ONE PURPOSES

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 51 gives Scottish Ministers an order-making power relating to carrying out works in Scotland for phase 1 purposes. As phase 1 of HS2 will also operate classic compatible trains, some services will continue north from Birmingham at conventional speed to Scotland. Some existing infrastructure in Scotland may, therefore, need alteration—for example, platform lengthening or amendments to depots where the classic compatible rolling stock will be stabled.

[Mr Goodwill]

Subsection (2) sets out that specified provisions relating to section 1 of the Transport and Works (Scotland) Act 2007 also apply to an order made under the clause.

Andy McDonald: I rise to take the opportunity to highlight the fact that phase 1 will ultimately be running further north into Scotland on conventional lines once HS2 is completed through to Manchester and Crewe. Scotland will directly benefit from this investment, which will considerably reduce times back on to the conventional lines from HS2 when it is completed.

Mr Goodwill: Yes, the plan is that there will be two types of rolling stock on the line. There will be the high-speed captive trains, which can operate only on the new lines, but classic compatible trains will also run through. From day one, trains will be running through to Glasgow and possibly beyond. Crews will be placed in Scotland on day one manning those trains as they leave to come down and seamlessly transition on to the high-speed line to complete their journey. HS2 will be very good news for the north of England—and Scotland, that very important part of our country.

2.30 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): I welcome that example of Scottish Government forward planning for high-speed operation. This is just a reminder, but between Crewe and Scotland the trains will actually run slower than they do at present. Overall the journey time will reduce, but this is a wee reminder to the Minister that we need to look at some improvements on the existing line between Crewe and the border in order to try to allow compatible trains to run fast as well. I appreciate that overall there is an shorter journey time, and I do welcome that.

Question put and agreed to.

Clause 51 accordingly ordered to stand part of the Bill.

Clause 52

POWER TO APPLY ACT TO FURTHER HIGH SPEED RAIL WORKS

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 52 gives powers to apply the Act to further high-speed rail works; possibly the sort of works that the hon. Member for Kilmarnock and Loudoun referred to. It allows the use of a Transport and Works Act 1992—TWA—order to gain the necessary provisions for extensions or additional works relating to phase 1 of HS2, beyond the works outlined in the Bill. That relates to relatively minor transport works, such as an additional track to connect to rail sidings. This power would not be used to promote future phases of HS2. Those would be subject to the hybrid Bill process. A TWA order cannot apply the provisions of the Bill that enable the Secretary of State to extend the time limit for the exercise of compulsory purchase powers or the provisions relating to listed buildings or ancient monuments.

Question put and agreed to.

Clause 52 accordingly ordered to stand part of the Bill.

Clause 53

RIGHTS OF ENTRY FOR FURTHER HIGH SPEED RAIL WORKS

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 53 concerns rights of entry for further high-speed rail works. It allows a person authorised by a justice of the peace or sheriff, for residential properties, or by written consent from the Secretary of State, for non-residential properties, a right of entry to properties within 500 metres of the centre line of future high-speed rail phases or projects, for the purposes of undertaking surveys or environmental assessment.

For future HS2 phases or other high-speed rail projects, this power is exercisable only if the Secretary of State has proposed to introduce a Bill promoting a high-speed railway by means of a Command Paper. The power is exercisable only within five years of the publication of that Command Paper. It does not apply to a railway wholly in Scotland.

The clause makes it clear that a warrant may be issued or authorisation given only where it appears that there is a genuine need to enter the land relating to the construction of the high-speed railway line, and all reasonable attempts have been made to obtain consent to enter the land.

The Secretary of State may, by order, change the distance of 500 metres. The order is subject to the affirmative resolution procedure, unless it provides a different distance only in relation to a specified category, such as noise surveys, in which case the order is subject to the negative resolution procedure.

Question put and agreed to.

Clause 53 accordingly ordered to stand part of the Bill.

Clause 54

EXERCISE RIGHTS OF ENTRY

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 54 relates to exercise of rights of entry. It sets out the process for exercising the rights of entry under clause 53 and provides safeguards for property owners.

The validity of any warrant obtained under clause 53 is time-limited to six weeks from the date issued. A right of entry under clause 53(1) is exercisable at any reasonable time. A person authorised under clause 53 to enter land must ensure that the property owner is given at least 14 days' notice before entry is sought. If a person wilfully obstructs any authorised person exercising this right of entry, they are committing an offence.

Andy McDonald: We had a lengthy discussion about time limits. On the face of it, this proposal of six weeks for validity of the warrant seems curtailed and short. I do not know whether that is how such things are ordinarily done, but can the issue be returned to and subsequent warrants sought if it is not exercised in the six-week period?

Mr Goodwill: May I explain why we have to do this? While we were developing route options for the stage that is under consideration at the moment, a number of landowners did not allow access to land. That gave us some very real problems, particularly in the way that we surveyed some of the ancient woodland and environmental features. It was only when we subsequently could survey the land that we understood the problems in more detail. The proposal would also apply to some of the noise modelling that we need to do, because it is often important to be able to do that work.

We also have a particularly intractable problem in the London borough of Hillingdon. In the Hillingdon outdoor activities centre, we want to go into the lake to carry out some boring to see how a viaduct that we wish to construct in the lake can be done, and the London borough has prevented us from going on to that land. That is very disappointing indeed, because the organisation concerned—the charity that runs this fantastic activities centre—will lose the money that we were going to give them for the disruption that the work would cause, which is between £20,000 and £40,000. It will also mean that we cannot get access to that land until the Bill gets Royal Assent, so we will not be able to draw up as detailed a viaduct design as we would like. We want these viaducts to be designed in an exciting way, so it is disappointing that this has happened. With these powers, it will be possible in future cases to get on to the land to carry out the surveys, whether for engineering, construction or environmental reasons.

The short answer to the hon. Gentleman's other question is yes: another warrant can be applied for, but an explanation for why the initial warrant was not exercised would need to be given.

Question put and agreed to.

Clause 54 accordingly ordered to stand part of the Bill.

Clause 55

GRANTS FOR AFFECTED COMMUNITIES AND BUSINESSES ETC

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 55 allows the Secretary of State to award grants to add benefit over and above committed mitigation and statutory compensation to local communities and economies that are demonstrably disrupted by the construction of HS2.

As announced in October 2014, the Department introduced the Community and Environment Fund and the Business and Local Economy Fund and allocated £30 million in total towards those funds to support local businesses and employment, or to improve local community facilities or the environment. Those funds will allow local communities who know their areas best to implement what they think will work for them. Further details are outlined in the HS2 information paper C12, which was published in November 2015.

Question put and agreed to.

Clause 55 accordingly ordered to stand part of the Bill.

Clause 56

APPLICATION OF POWERS TO CROWN LAND

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 56 permits the authorised works to be carried out by the nominated undertaker on Crown land, or Crown land to be entered with the consent of the relevant Crown authority.

Question put and agreed to.

Clause 56 accordingly ordered to stand part of the Bill.

Clause 57

HIGHWAYS FOR WHICH SECRETARY OF STATE IS HIGHWAY AUTHORITY

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 57 relates to highways for which the Secretary of State is the highway authority—the strategic road network springs immediately to mind. It provides that the powers conferred on the nominated undertaker with respect to works may be exercised in relation to roads under the responsibility of the Secretary of State, subject to his agreement. Subsection (2) states that the Secretary of State can impose conditions in such an agreement.

Question put and agreed to.

Clause 57 accordingly ordered to stand part of the Bill.

Clause 58

CROWN ESTATE

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 58 applies provisions of the Crown Estate Act 1961, which contains limitations on the powers of disposal of the Crown Estate Commissioners. The limitations are removed in relation to Crown Estate land within the Bill limits that appears to the Crown Estate Commissioners to be required for phase 1 purposes. Similar provisions were included in the Crossrail Act 2008.

Question put and agreed to.

Clause 58 accordingly ordered to stand part of the Bill.

Clause 59

ROYAL PARKS

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 59 will enable the Secretary of State, with the approval of the Secretary of State for Culture, Media and Sport—the Minister responsible for Royal Parks—to grant a lease or right over Royal Park land where that is required for phase 1 of HS2.

Question put and agreed to.

Clause 59 accordingly ordered to stand part of the Bill.

Clause 60

"Deposited plans" and "deposited sections"

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: This clause is not the most exciting one. It makes provision regarding the terms "deposited plans" and "deposited sections" for the purposes of the Bill.

Question put and agreed to.

Clause 60 accordingly ordered to stand part of the Bill.

Clause 61

Correction of deposited plans

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 61 contains provisions for correcting the plans or book of reference to the plans that have been deposited in Parliament with the Bill, should that be required. There are similar provisions in the Crossrail Act 2008 and the Channel Tunnel Rail Link Act 1996.

Andy McDonald: I rise to comment on the deposited plans. The Minister and I visited Camden a short time ago, where we saw a centre devoted to communicating information to the local area and local community. What mechanisms are in place to ensure that any amendments or corrections to the plans are properly communicated to the people in the local area affected by them?

Mr Goodwill: The majority of people access plans using the internet. Of course, when corrections are made, they will immediately appear on those online plans. This is not about making changes but about making corrections where mistakes have been made. There have been more instances than I would have cared for where we have made minor mistakes on the plans, but if one looks at the extent of environmental information and the amount of mapping, it is almost inevitable that some mistakes will be made. The clause will ensure that those mistakes can be corrected after the plans have been deposited in Parliament.

Question put and agreed to.

Clause 61 accordingly ordered to stand part of the Bill.

Clause 62

Environmental Impact Assessment Regulations

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: Clause 62 provides that where a building not forming part of the phase 1 works authorised in the Bill—for example, a building over a station—is built to replace a building demolished or substantially demolished under the Bill, the planning application for that replacement building must be accompanied by an environmental assessment subject to certain conditions set out in subsection (1). It is a very sensible provision.

Andy McDonald: I am grateful to the Minister for supplying me with the weighty tome of the environmental impact assessment. To show that I have started to read it, I should tell the Minister that I noticed that the assessment came about because of a European Union directive dealing with matters such as damage to the environment and air quality. That was a very welcome intervention by the European Union in protecting our environment.

Mr Goodwill: There has been debate as to how far the Government have complied with the Aarhus convention with regard to some of our environmental considerations. The Aarhus convention is separate from the European Union, although I have to agree with the hon. Gentleman —as someone who believes Britain is better in the European Union than out of it—that much of the EU's environmental legislation is protecting people's health here.

When representatives from the Commission came to the UK and saw the extent of our environmental work and consultation, they were very happy indeed that we were fulfilling all our obligations. A number of people have said that it is difficult to build anything in this country because of all the environmental legislation, but I think it is important that we protect our environment. Some of the areas through which we are building the line have particularly sensitive ecosystems. I am therefore proud that we have managed to do this with no net environmental loss, which is fantastic, and that 2 million trees will be planted, which will further enhance the environment.

Question put and agreed to.

Clause 62 accordingly ordered to stand part of the Bill.

Clause 63

Arbitration

Question proposed, That the clause stand part of the Bill.

2.45 pm

Mr Goodwill: The clause sets out how disputes are to be dealt with by arbitration under the Bill. Similar provisions were included in the Crossrail Act 2008.

Question put and agreed to.

Clause 63 accordingly ordered to stand part of the Bill.

Clause 64

Notices and other documents

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: The clause relates to serving notices or other documents on any person where required or authorised under the Bill. The clause allows a document to be served by email or other electronic means where the recipient has agreed to that electronic means of service. However, a notice seeking a right of entry for the purposes of further high-speed rail works under clause 53 cannot be given by electronic means.

Question put and agreed to.

Clause 64 accordingly ordered to stand part of the Bill.

Clause 65

"Phase One purposes"

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: The clause defines "Phase One purposes" as used in the Bill. The hon. Member for Middlesbrough asked earlier why the definition had been drafted to include references to further stages of the HS2 project and expressed concerns that the power to acquire land for phase 1 purposes under clause 4(1) might be extended to lands and plans that have not been specified at this stage.

Paragraphs (b) and (c) of the definition have been included to refer to things that need to be done as an integral part of phase 1, to enable HS2 trains to use the HS2 route as a whole or to continue on to the existing rail network, such as the provision of sidings in Manchester; or to ensure that ancillary works provided for phase 1, such as signalling and electrification works, have sufficient capacity to cater for the wider route. The purposes under clause 4(2) for which land acquired may be used therefore include the construction of ancillary works that are designed to cater for both phase 1 and further phases of the HS2 route.

I can reassure the hon. Gentleman, however, that the power to acquire land is tightly constrained, because the power under clause 4(1) applies only to land within the Bill limits—that is, land within the boundaries shown on the plans deposited with the Bill. Most of the land within the limits are also within the limits of deviation from the works specifically described in schedule 1 to the Bill. Any additional land within the Bill limits required for ancillary works, accesses, construction sites and other ancillary purposes is identified in schedules 5, 7, 8, 11, 12 and 16, together with the purpose for which the land is required.

Andy McDonald: I thank the Minister for that thorough and comprehensive explanation. The definition was a matter of concern, although it might have been my interpretation of the drafting. It struck me that "Phase One purposes" had an elasticity that we would not ordinarily expect to see, but I fully accept the explanation given by the Minister. It is entirely logical and sensible, and I support the clause.

Question put and agreed to.

Clause 65 accordingly ordered to stand part of the Bill.

Clause 66

Interpretation

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: The clause defines various terms used throughout the Bill.

Question put and agreed to.

Clause 66 accordingly ordered to stand part of the Bill.

Clause 67

Financial provision

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: The clause is a standard one that appears in Bills to provide for the expenditure of public money—the careful expenditure of public money. It simply provides that any expenditure incurred by the Secretary of State under the Bill shall be paid out of money provided by Parliament.

Question put and agreed to.

Clause 67 accordingly ordered to stand part of the Bill.

Clause 68

Commencement and short title

Question proposed, That the clause stand part of the Bill.

Mr Goodwill: The clause is a standard one that appears in Bills. The provisions of the Bill will come into force on Royal Assent, except for clause 11 and schedule 14, which will come into force under regulations made by the Secretary of State after the Housing and Planning Bill comes into force.

Andy McDonald: I thought that the Minister might propose to the Committee that the name be changed to the Elizabeth II line. I am disappointed that it will stay so boring and business-like, but be that as it may.

Question put and agreed to.

Clause 68 accordingly ordered to stand part of the Bill.

Ordered, That further consideration be now adjourned. —*(Jackie Doyle-Price.)*

2.51 pm

Adjourned till Tuesday 8 March at twenty-five minutes past Nine o'clock.