



BIRCHAM DYSON BELL

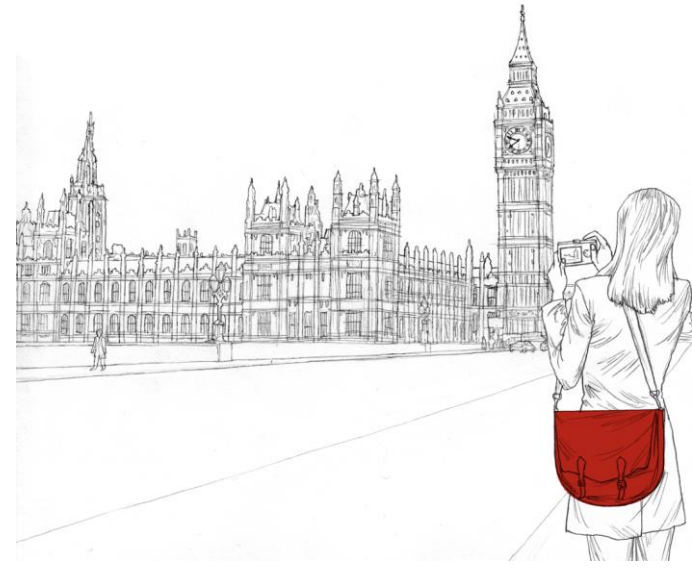
Is there still a place for Hybrid Bills in the 21st century?

Angus Walker

21 October 2014

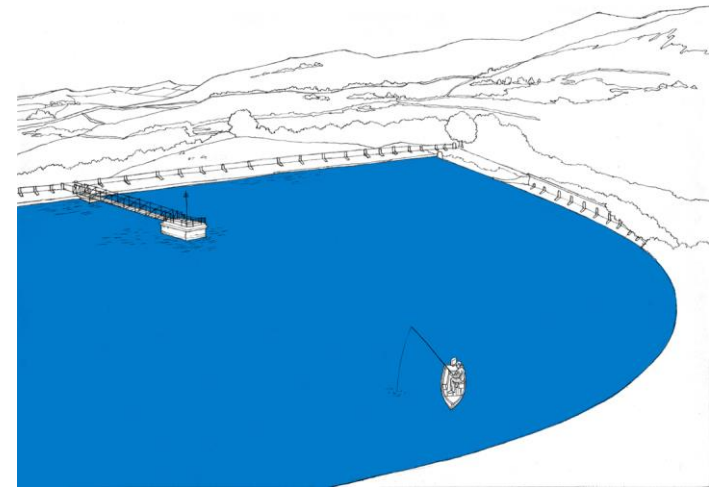
HYBRID BILLS IN THE 21st CENTURY

- 21st century issues:
 - Environmental Impact Assessment
 - Timing
 - Capacity of Parliament
 - Project changes
 - Scrutiny
 - Flexibility
 - Public accessibility



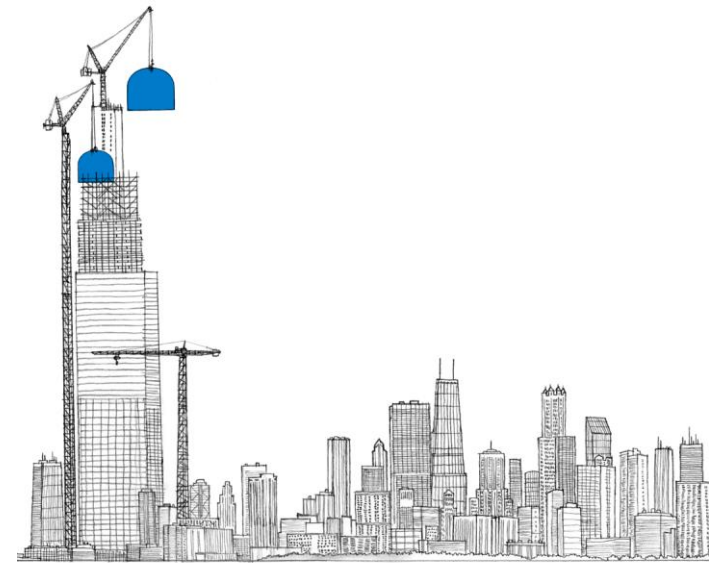
ENVIRONMENTAL IMPACT ASSESSMENT

- Standing Orders and EIA
- Crossrail as an example: separate consultations
- HS2, as a more recent example: 21,833 responses



TIMING

- Planning Act 2008 – about 16 months per application
- Crossrail Act 2008 – 42 months
- HS2 Bill – over two years?



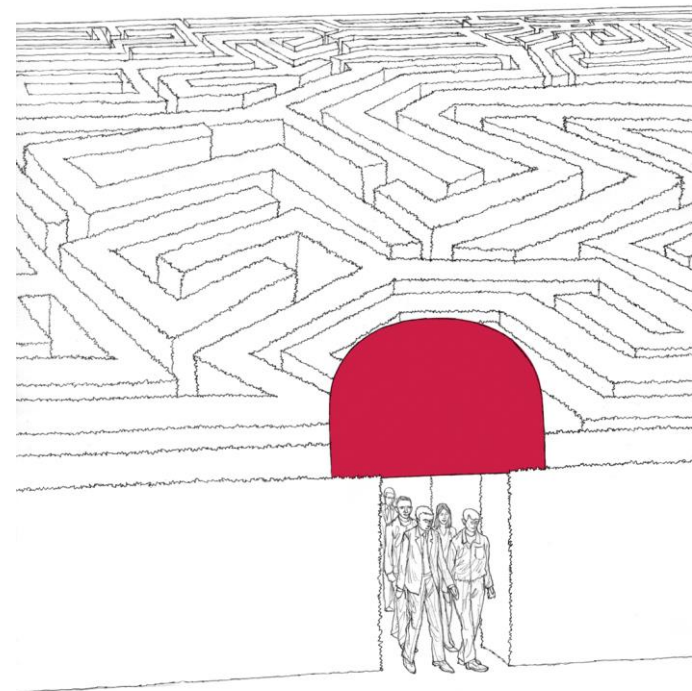
CAPACITY OF PARLIAMENT

- 1866: 362 local acts of parliament (658 MPs)
- 2014: capacity seems to be one hybrid bill per five year session of parliament (650 MPs)
- Why the reduction in capacity of 1/1800?



PROJECT CHANGES

- Select committees can require project changes mid-consideration against the promoter's wishes
- Changes to Planning Act 2008 projects are very difficult even if desired by the promoter, perhaps impossible if not supported by the promoter



SCRUTINY

- Select committee chair and lead examining inspector take on the main responsibility for scrutiny
- Panel of inspectors usually all present
- Select committee members usually down to quorum



FLEXIBILITY

- Acts of Parliament are the ultimate in flexibility
- Development consent orders are constrained by the *vires* of the Planning Act 2008
- Requirement for detail appears to be greater for the latter than the former
- No judicial review



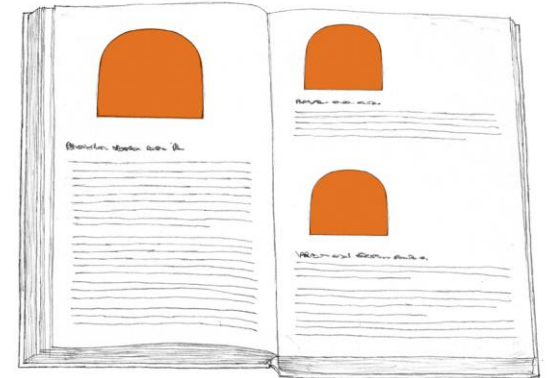
PUBLIC ACCESSIBILITY

- 19th century procedure
- Quantity of documentation



CONCLUSION

- Hybrid bills do have a place in the 21st century
- The process has advantages over other routes
- It does need to be updated:
 - EIA compatibility
 - Capacity of Parliament
 - Level of scrutiny





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Thank you – any questions?