INSTITUTE FOR GOVERNMENT

Hybrid bills

Parliament's role in delivering major infrastructure projects



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About this report

The government has several options available to gain consent for large infrastructure projects, one of which is the hybrid bill process. This report sets out how recent hybrid bills have worked, the key issues with the process and how improved handling of such bills, alongside reforms to procedure, can help the government realise its infrastructure ambitions.

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Summary

The government has set ambitious goals for infrastructure for its first term. The *Plan for Change* sets a goal of 150 planning decisions on major infrastructure by the end of this parliament.[1]

Hybrid bills can be a useful tool to deliver on some of these, particularly on rail. They bring various benefits: granting government certainty on a project at an early stage, allowing for a more flexible approach to a project, bringing in public legitimacy to the authorisation process and providing some protection from judicial review.

While the experience of the recent HS2 hybrid bills has created some nervousness about the procedure, the time taken to pass those bills was a product of that project's complexity as much as the issues with the process itself.

That is not to say the hybrid bill procedure is perfect. Some problems seen over recent parliaments have been due to procedure, some due to the management of past bills. This paper outlines those problems and sets out a series of recommendations for future hybrid bills that would reduce the time spent on the hybrid legislative process, provide more robust parliamentary input, relieve the burden that the procedure can put on MPs and provide a better experience for those affected by the bill when they petition parliament.

Recommendations in brief: how to improve the hybrid bill process

- Prepare bills more thoroughly before they are introduced: government and promoters of hybrid bills should ensure the scheme is developed enough to minimise the need for major changes in the form of additional provisions.
- Be more willing to challenge petitions robustly: the promoter of a hybrid bill should challenge any petitioners who they think are not directly and specifically affected by the bill.
- Engage with petitioners early on: wherever possible, the promoter of a hybrid bill should engage with petitioners and seek to reach accommodation before hearings at the select committee.
- Encourage the use of virtual hearings: both government and parliament should make sure the option to hear petitioners virtually is used to ensure accessibility.

- Commit bills to joint committees to streamline the process and improve scrutiny: government should commit the next hybrid bill to a joint committee reducing the time spent on the process and making the most of the expertise of the Lords and the legitimacy of the Commons at the same time.

- Appoint an assessor of petitions for the hybrid bill select committee: following the model used in the Scottish parliament, Westminster should allow for the select committee to appoint an independent assessor of petitions to support the committee in grouping and hearing petitioners.

- Update the standing orders and guidance for hybrid bills: there should be specific standing orders for hybrid bills, along with accompanying guidance, to make the process more accessible and remove anachronisms.

Most of these recommendations could be implemented with relative ease on the next hybrid bill introduced, and remedy many of the perceived issues with the process.

1. Introduction

As part of its agenda for economic growth, the government has backed major infrastructure projects – including upgrades to energy distribution and the expansion of Heathrow Airport[2] – intended to boost productivity, create jobs and enhance the UK's global competitiveness.

Ministers have several legal routes through which they can pursue major infrastructure projects, each bringing different procedural and political challenges. One option is the hybrid bill procedure,[3] a mechanism that enables parliament to consider and authorise a project with national benefits that will have specific impacts on individuals, communities and businesses, by using a specialised legislative procedure.

The hybrid bill procedure has been used before for infrastructure projects, including the Channel Tunnel rail link and Crossrail (the Elizabeth line). It can be a useful tool for certain kinds of large-scale projects and has a range of benefits. The procedure allows the government to put its weight behind an infrastructure project that is particularly difficult, complex or contentious. By receiving confirmation of a project in principle at second reading, the government can 'lock in' plans for infrastructure at a much earlier stage than for other infrastructure projects.

There are several opportunities for the government to make alterations to its plans after the hybrid bill has been introduced. Special amendments called 'additional provisions' allow the government to augment elements of the proposed scheme in parliament and – because the project is confirmed through an act of parliament – it is possible to amend other legislation that might conflict with the project.

For politically contentious projects, the hybrid bill process allows parliament to consider the concerns of those directly affected by the proposed scheme and can bolster the public legitimacy of a project. Those affected by the works can petition parliament directly and be heard by MPs and peers who sit on special hybrid bill select committees established in each house. Finally, because the project is confirmed directly through an act of parliament, it provides a project with some insulation from certain kinds of judicial review.

There are benefits to the process for parliamentarians too. It allows for parliament to act as the body to make trade-offs between the wider public interest and the private interests of those affected by a bill. It also lets members of the public who might be specifically affected by an infrastructure project to express their concerns directly to parliament.

Despite these advantages, recent hybrid bills have encountered difficulties, some due to the nature of projects they are intended to authorise, some due to the process itself and others because of the approach the government has taken. Hybrid bills are rare: just 14 have been passed since 1979, although as of July 2025 there are

two before parliament. There is no accessible and comprehensive guidance for the hybrid bill procedure, nor are there specific standing orders; they are scrutinised using a mix of the rules for public and private bills. This means that there is often a lack of understanding in government and beyond about how the process works and why it is being used. While there have been some limited reviews of the petitioning procedure for hybrid bills,[4] there has not been a more comprehensive review of how the procedure could work better.

Elements of the hybrid bill procedure are complex and poorly understood, and governments have made mistakes in handling recent hybrid bills. Bills have been introduced before the schemes they propose have been adequately developed, leading to time-consuming amendments and greatly slowing the bills' progression through parliament. These delays, as well as the way that petitions have been managed, mean that demands on parliamentarians, particularly MPs, during the passage of hybrid bills are significant – the first High Speed 2 (HS2) bill spent nearly two years in committee stage alone.

The scrutiny process is unusually challenging for parliamentarians, who must preside over quasi-judicial hearings between the petitioners and promoters of a bill, adjudicating in areas where they may lack expertise, and making decisions that may lead to tens of millions of pounds of additional spending.

When learning lessons from past hybrid bills, it is worth distinguishing between the challenges that hybrid bills in general pose and the challenges of large rail infrastructure projects specifically. While there are problems with the hybrid bill process, the difficulties of past hybrid bills are also a reflection of the fact they have been used almost exclusively for very difficult and technical projects. Apart from one, all hybrid bills in the UK parliament have been large rail projects.*

Alternative consenting regimes – such as the Nationally Significant Infrastructure Project (NSIP) process – have not been used to deliver rail projects of a comparable size and it is likely that a hybrid bill on a much more limited project would receive far fewer petitions and move much faster than the recent HS2 bills.** The government has indicated a desire to reform how infrastructure is delivered with the Planning and Infrastructure Bill. This paper does not seek to prescribe how government should secure backing for its infrastructure plans, but to ensure that one of the approaches at its disposal – the hybrid bill procedure – works as well as possible. Hybrid bills have an important role within the infrastructure ecosystem and there is space for significant improvements to the way such bills are managed by government and handled by parliament.

* The exception is the Holocaust Memorial Bill, which, as of July 2025, is at its final stages in parliament. Unlike other recent hybrid bills that have received royal assent, it is not a works bill.

** A recent example of rail routed through a development consent order is the East–West rail connection stage 3, which began non-statutory consultation in 2019, and statutory pre-application consultation in 2024.

This paper sets out where the hybrid bill procedure sits within the different options that the government has to deliver large infrastructure projects. It breaks down how the hybrid bill procedure works – including its distinctive features – and, drawing on experience with recent hybrid bills, it makes recommendations for improvements to the procedure and government handling of hybrid bills. Many of the changes proposed in this paper are within the remit of government, and could be implemented during the passage of the next hybrid bill that is introduced, greatly improving the speed and scrutiny of the bill.

The paper draws on interviews with academics, civil servants, parliamentary staff, parliamentary agents and other legal experts, infrastructure experts and those who have worked on recent hybrid bills. The recommendations were shaped by a roundtable held with government and parliamentary officials, infrastructure experts and parliamentary agents.



2. Government options for delivering infrastructure projects

When the government seeks to bring forward an infrastructure project, there are a range of options available to it. The most appropriate option for the government will depend on the type and scope of the project and funding for it. Broadly, there are four key routes for major infrastructure projects in England:

- The Town and Country Planning Act 1990
- The Transport and Works Act 1992
- The Nationally Significant Infrastructure Project (NSIP) regime through the Planning Act 2008
- The hybrid bill procedure.

Each route, but particularly the NSIP and hybrid bill processes, requires a significant amount of pre-application work (compiling the required documentation, conducting consultations on the project and so on), which can take a lot of time.

Table 1 **Routes for infrastructure projects**

Regime	Example projects	Decision maker
Transport and Works Act 1992 regime	Docklands Light Railway extension	Secretary of state
NSIP regime	Hinkley Point C nuclear power plant	Planning Inspectorate; secretary of state
Hybrid bill procedure	Crossrail; HS2	Parliament

Source: Institute for Government analysis.

Town and Country Planning Act 1990

The Town and Country Planning Act 1990 is primarily used for *local* developments – recent governments have not used this process for major infrastructure projects.

Use of the Act for major infrastructure projects has been largely superseded by the Planning Act 2008. The last Labour government cited the eight-year public inquiry required to gain consent for the construction of Heathrow Terminal 5 under the Town and Country Planning Act 1990 as a reason for the introduction of the 2008 Act.[5] So while the Town and Country Planning Act 1990 remains on the statute book, it is unlikely to play a role in future major infrastructure projects that the government brings forward.

Transport and Works Act 1992

Specific types of infrastructure projects can be authorised through the Transport and Works Act 1992. This Act allows the promoters of an infrastructure project to submit a request to the relevant secretary of state for the powers and permissions needed to complete the project.[6] This process was introduced to replace the private bill procedure for some local projects. It includes canal, tramway and rail projects that would not qualify as 'nationally significant' under the NSIP regime.[7] The regime generally relates to the expansion, maintenance and operation of parts of rail or roads.[8] Large transport projects such as HS2 cannot be authorised under this scheme.

NSIP regime and the Planning Act 2008

Most major infrastructure projects that the government or private corporations build in England and Wales are delivered through the NSIP regime, implemented through the Planning Act 2008 and updated through the Localism Act 2011. This regime is a route to authorise large public or, since 2013, business and commercial infrastructure projects deemed to be 'nationally significant'. NSIPs tend to be large-scale development projects related to:

- energy (power-generating stations or nuclear plants)
- transportation (railways, airports, roads)
- waste (waste facilities)
- water and wastewater (reservoirs, wastewater treatment plants).[*,9]

These must reach specific thresholds. For instance, the construction or alteration of a railway line must be wholly in England and be more than 2km of continuous length.[10]

Projects developed under this process require a 'development consent order', which grants the extensive consents that would be required for development. The examining authorities, appointed in practice by the Planning Inspectorate, examine applications for these orders and ultimately the relevant secretary of state grants them in line with 'national policy statements' (which set out the government's objectives for the development of nationally significant infrastructure).[11]

As of April 2025, 236 projects have applied to the NSIP regime and the vast majority of projects where a decision has been made have been successful.[12] But withdrawals do happen – the development consent order was withdrawn during the application process for 11 projects before April 2022, and seven projects had applications for a development consent order refused outright.[13]

Hybrid bill procedure

The fourth route for an infrastructure project is through the hybrid bill procedure, which we focus on in the rest of this paper.

[*] Commercial projects can also be directed through the NSIP regime under section 35 of the Planning Act – for example, large-scale data centres.

3. What is a hybrid bill?

An alternative option for a government wishing to advance an infrastructure project is the hybrid bill procedure. The government can use this procedure to consent to infrastructure projects directly through parliament, by passing a project-specific bill.

These bills are 'hybrid' because while they have a broadly public purpose, they also have a specific impact on particular individuals, groups or areas. Hybrid bills, therefore, incorporate elements from both of parliament's two types of legislative procedure: the public bill procedure (for legislation affecting the general population) and the private bill procedure (for legislation affecting specific interests).[14]

Hybrid bills are relatively rare – only four have received royal assent since the Transport and Works Act 1992 and just 14 since 1979.[15] As of July 2025, there are two hybrid bills before parliament. While there is capacity for hybrid bills in the devolved legislatures, there has been only one example (in Scotland), and the procedure does not exist in most other Westminster systems.* Typically there will be no more than one hybrid bill before parliament at any one time (although there is no barrier to having more than one).**

Hybrid bills tend to be used for large-scale infrastructure projects, especially linear projects such as railway lines, given that these projects span a number of local authorities and have implications for various stakeholders along the route. The procedure has most recently been used to legislate for the High Speed 2 (HS2) railway. This has been done through three high speed rail hybrid bills, London–West Midlands (Phase 1), West Midlands–Crewe (Phase 2a) and Crewe–Manchester (Phase 2b). The project was originally designed to connect London with Birmingham, Manchester, East Midlands Parkway, Leeds and York (although the then prime minister, Rishi Sunak, cancelled the northern leg in October 2023, resulting in a rail line that will run from London to the West Midlands).

But the procedure is not solely for infrastructure projects – for example, the Holocaust Memorial Bill was introduced to parliament in 2023 to remove restrictions on certain land that had prevented the construction of a Holocaust memorial and learning centre.

* Singapore has provisions for hybrid bills, with the procedure being used for what became the Cross-Border Railways Act 2018.

** As of July 2025, there are two hybrid bills before parliament: the High Speed Rail (Crewe–Manchester) Bill and the Holocaust Memorial Bill. Since the government has confirmed that HS2 is being limited to its – Phase 1 – London to Birmingham route, the role of the HS2 Phase 2b Bill is being revised.

Table 2 **Hybrid bills that have received royal assent since 1992**

Title of Act	Purpose	Date of introduction	Date of royal assent	Days to royal assent
High Speed Rail (West Midlands–Crewe) Act 2021	To make provisions for Phase 2a of HS2.	Jul, 2017	Feb, 2021	1,305
High Speed Rail (London–West Midlands) Act 2017	To make provisions for Phase 1 of HS2.	Nov, 2013	Feb, 2017	1,186
Crossrail Act 2008	To make provisions for the construction of Crossrail.	Feb, 2005	Jul, 2008	1,246
Channel Tunnel Rail Link Act 1996	To make provisions for the construction and operation of a railway between London and the Channel Tunnel.	Nov, 1994	Dec, 1996	756
Forth Crossing Act 2011	To give Scottish ministers the power to construct a new bridge over the Firth of Forth and to construct and improve associated roads and structures.	Nov, 2009	Jan, 2011	430

Source: Institute for Government analysis of Searle C and Coleman C, 'Hybrid bills receiving royal assent since 1979', House of Commons Library, 2023. Notes: As of July 2025, there are two hybrid bills before parliament: the Holocaust Memorial Bill, which was introduced in February 2023 to remove restrictions for the construction of a Holocaust memorial and learning centre at Victoria Tower Gardens near parliament, and the High Speed Rail (Crewe–Manchester) Bill, which was introduced in January 2022 to make provisions for Phase 2b of HS2. The Firth of Forth Act 2011 is an Act of the Scottish parliament.

4. The legislative process for a hybrid bill

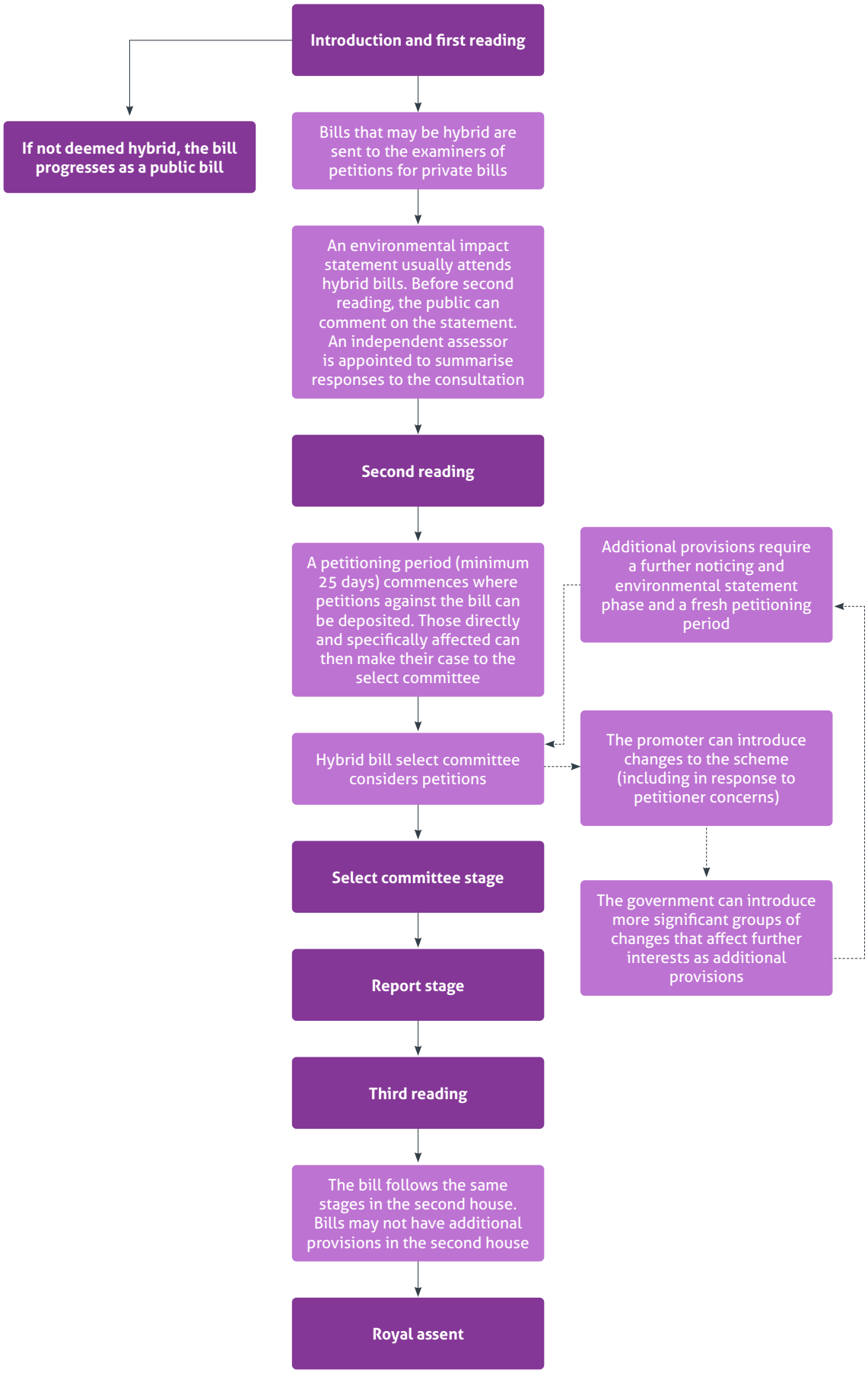
Unlike the Scottish parliament and the Senedd in Wales, Westminster lacks a dedicated standing order for hybrid bills that sets out procedure. Instead, the existing standing orders for both public and private bills govern hybrid bills. Hybrid bills can be introduced in either the House of Commons or the House of Lords, but in recent decades they have been exclusively initiated in the House of Commons. Hybrid bills go through an augmented version of the public bill procedure, moving through the usual parliamentary stages in both houses, but there are two areas where the procedure differs notably:

- **Additional introductory steps.** Hybrid bills are subject to private bill standing orders, which can require additional steps such as giving notice of the bill's proposals. The standing orders will also typically require an environmental statement to be deposited after the bill's first reading.

- **Hybrid bill select committee.** After the bill's second reading, which confirms the proposed scheme in principle, a petitioning period commences where those affected by the bill can lodge objections to particular aspects of the proposed scheme that affect them or their interests. A special select committee is subsequently formed to hear the cases that petitioners and the promoter of the scheme put forward. While the principle of the bill is agreed at second reading, the committee – which sits in a quasi-judicial fashion – will hear from petitioners and the promoter of the scheme in turn, deciding on whether adjustments to the scheme are required. Petitioners and the promoter have a right to call witnesses and submit evidence, and the promoter can cross-examine petitioners and any witnesses. It is during this special select committee that the government can deposit 'additional provisions', which can contain a package of amendments to the scheme that affect the interests of other individuals.

After the conclusion of the hybrid bill select committee, the bill is committed to another committee (typically a public bill committee) and follows the path of a public bill. During the House of Lords stage of the bill's process, there is another petitioning period and special select committee that can hear from petitioners and the bill will then be instructed to a committee of the whole house or a Grand Committee. For further details on some of the particular aspects of the hybrid bill procedure, see Annex 1.

Figure 1 **The hybrid bill process**



Source: Institute for Government analysis.

5. Who is involved in the hybrid bill process?

There are three core interests that are involved in the hybrid bill procedure:

- **The promoter champions the hybrid bill and the proposed scheme.** They must ensure that the bill is in compliance with relevant standing orders and they defend the proposed scheme at the hybrid bill select committee. The promoter of a scheme is usually the secretary of state from the department that introduced the bill. For the HS2 bills, the transport secretary was the promoter, while the secretary of state for housing, communities and local government is the promoter of the Holocaust Memorial Bill. Often, the promoter will appoint a public body – like HS2 Ltd – as nominated undertaker, which is tasked with overseeing and eventually constructing the proposed scheme.[16]

- **Petitioners are individuals or groups who are 'directly and specifically affected' by the scheme the bill proposes.** While they cannot object to the principle of the bill (which is established at second reading), they can object to provisions that affect their private interests – for example, if property in the path of a railway line is subject to compulsory purchase. While anyone can deposit a petition – provided they go through the proper administrative procedure and pay the £20 fee – the promoter can challenge a petitioner's 'right to be heard' at the outset of the select committee proceedings.

- **Parliament has a key role to play in overseeing the procedure and scrutinising the bill.** Parliamentary staff play an important role throughout the process, including in the classification of bills as hybrid and in supporting the select committee. But backbench MPs and Lords provide an important scrutinising function in their respective houses through participation in the special hybrid bill select committees. As discussed in detail below, the select committee is a key aspect of the procedure, but it can be a particularly arduous process for those who sit on it. Alongside these interests, parliamentary agents – solicitors with specialist knowledge on parliamentary bill procedure – can advise petitioners and the promoter of a hybrid bill, but many petitioners will not be able to access such services due to costs.[17]

6. Why might the government use a hybrid bill?

While the government has options for how it could advance large-scale infrastructure projects, there are four clear advantages in opting for the hybrid bill procedure, especially when compared with the NSIP route:

- The government can put its weight behind a project and be more directly involved in the consenting process.
- The hybrid process facilitates a more flexible approach to developing the proposed scheme.
- The process helps legitimise what can be politically charged projects and it allows the promoter to address petitioner concerns directly.
- The process provides some protection from judicial review.

The government can put its weight behind a project and be more directly involved in the consenting process

By opting for a parliamentary process, the government is able to pin its flag to large-scale transformative infrastructure projects like HS2 and Crossrail. The procedure can also give the government more direct influence to secure a project at a relatively early stage. While the government has a high degree of influence in NSIP projects – by virtue of the role that secretaries of state play in setting national policy statements and signing off on project applications – in the hybrid procedure the principle of a project is confirmed at second reading. This means that the proposed scheme is essentially 'locked in' at a relatively early stage and it cannot be overturned easily. While the hybrid bill process can change the overall shape of the project, parliament settles the principle of scheme. This does not guarantee that the project will be delivered in itself: the second leg of HS2 was cancelled by the then prime minister, Rishi Sunak, in October 2023 after one of the relevant bills had been passed.[18] But by establishing the principle of a scheme at an early stage, the promoter is in a better position to begin preparations for the project to progress once the bill has passed.

The hybrid process facilitates a more flexible approach to developing the project

A key benefit of the hybrid bill process for the promoter is that it provides a significant degree of flexibility, with opportunities to amend the proposed project while parliament is considering the legislation. This is particularly useful for large-scale linear infrastructure projects such as railways, which have an impact on many individuals and corporations along a proposed route, because it builds in public engagement after the principle of the scheme has been agreed.

The primary mechanism for major alterations to a scheme that affect further interests is the use of 'additional provisions'. While the principle of the project is secured at second reading, additional provisions can introduce significant alterations that go beyond the powers of the initial bill. Additional provisions can be used for a range of reasons, including to accommodate:

- alterations to the promoter's designs
- amendments the select committee has made
- changes in response to petitioner requests or arbitration.[19]

For instance, as part of an additional provision to the High Speed Rail (London–West Midlands) Act 2017, the Heathrow Express depot was relocated from Old Oak Common to Langley, near Slough, and a grade-separated flyover was agreed for the Great Western Main Line – these changes addressed issues that petitioners had raised.[20]

Hybrid bills also provide greater flexibility by allowing the government to use the bill to amend, repeal or disapply existing legislation, which may be necessary for the proposed scheme. Where the construction of HS2 would have conflicted with existing laws, the hybrid procedure allowed for them to be altered so that construction could proceed. For HS2 Phase 1, authorised by the High Speed Rail (London–West Midlands) Act 2017, sections of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Ancient Monuments and Archaeological Areas Act 1979 were allowed to be modified or disapplied.[21]

The process helps legitimise what can be politically charged projects and it allows the promoter to address petitioner concerns directly

The hybrid bill process allows those who are adversely affected by the bill to petition against elements of the proposed scheme to parliament itself. The routes for consultation and redress are direct to the hybrid bill select committee, which can help bolster the legitimacy of a project. This is important as hybrid bills tend to be used for large-scale linear infrastructure projects, which require high levels of public funding. This, and the fact that these projects can cause disruption for many people, groups and organisations along the proposed route, means that they can become highly politicised.

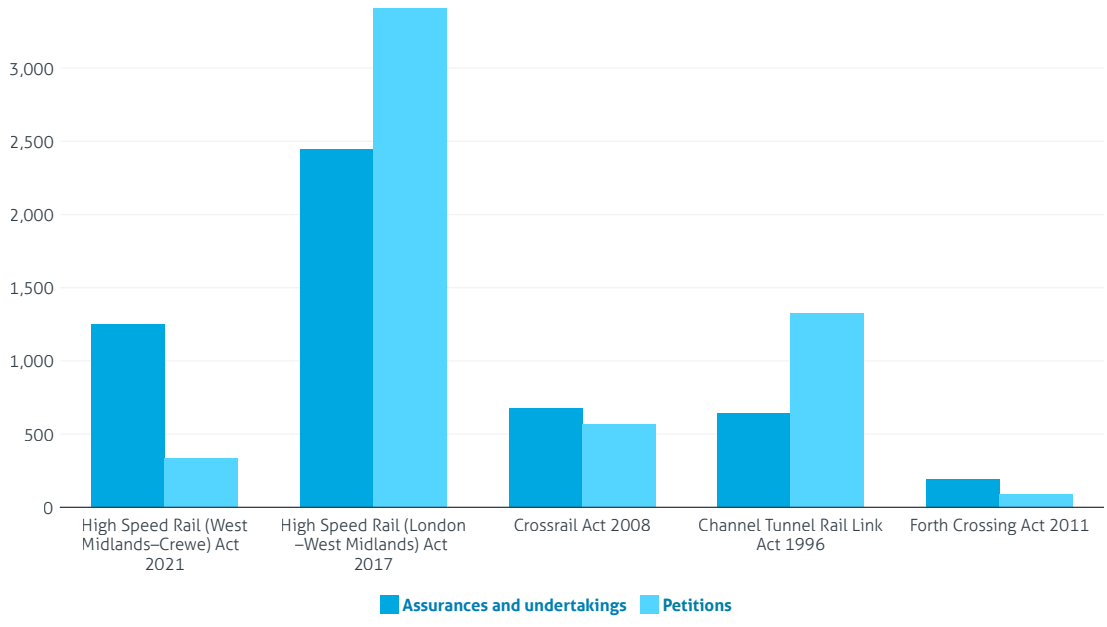
As the report of the hybrid bill committee for the High Speed Rail (London–West Midlands) Act 2017 observed, MPs in particular are well placed to understand the political dimensions of such projects. MPs have experience in dealing with constituents' concerns, which can make them effective for understanding the needs of petitioners.[22]

More broadly, where there is conflict between a national interest and private interests in relation to rare large-scale projects, there is an argument that parliament is the correct forum for this to be debated, and is better placed to consider trade-offs than other decision making bodies.

The process also provides real opportunities for petitioner concerns to be addressed. The hybrid bill select committee can make amendments based on petitioner concerns, but the procedure allows the promoter and petitioners to come to an agreement outside of the committee context: the promoter can directly address petitioner concerns by issuing an 'undertaking' or an 'assurance' to parliament that can address or accommodate petitioner concerns.* We heard of many cases where the promoter and petitioners were able to come to agreements – including in parliament itself when petitioners had come to make their case before the select committee. In this way, the procedure has tools that allow the promoter to deal with petitioners' concerns directly and, in doing so, helps reduce uncertainty on behalf of the petitioners and the promoter.[23] But space for arbitrating between parties becomes more difficult as the proposed scheme becomes more fixed over time.[24]

Beyond the special procedures for hybrid bills, they also authorise projects directly through legislation. An act of parliament inherently brings public legitimacy to a project in that it is directly authorised by parliamentarians rather than a secretary of state.

Figure 2 **Number of assurances/undertakings and petitions for hybrid bills that have received royal assent since 1992**



Source: Assurances and undertakings obtained from relevant registers of assurances and undertakings. Details on petitions obtained from relevant hybrid bill select committee reports. Notes: The Forth Crossing Act 2011 is an Act of the Scottish parliament. In Scottish hybrid bill procedure, petitioner/petition is known as objector/objection, while assurances are known as commitments.

* An 'undertaking' is either a commitment given to parliament or a commitment that is legally binding and thus enforceable in the courts, while the more common 'assurance' describes any other commitment.

The process provides some protection from judicial review

The current government has argued that judicial review – a type of court proceedings where a judge can review the way a public body has made a decision – is an excessive blocker of infrastructure plans.[25] It has introduced the Planning and Infrastructure Bill, which includes the explicit intention of reducing the options for meritless judicial reviews of development consent orders.[26]

Compared with other planning routes, hybrid bills are more insulated from judicial review. Parliament has authorised projects that are legislated for through the hybrid bill process, which means that, barring direct conflict with the European Court of Human Rights or the Human Rights Act 1998, the method by which the decision was taken cannot be challenged.[27] By contrast, projects under the NSIP regime can be challenged based on the decision making process.

Box 1: Judicial review of development consent orders

The now discontinued project for a new motorway near Stonehenge received a development consent order in 2020.[28] This decision was challenged in the courts and overturned, as the impact assessment for the project had not been conducted in accordance with the relevant national policy statement. A further development consent order for the same project, approved in 2023, was challenged again. This time the courts dismissed the challenge, but campaigners took the case to the court of appeal. By the time the judicial review was completed, there was a general election and the new Labour government announced it would scrap the project entirely.[29]

The fact that a hybrid bill specifies the contents of a project in legislation also reduces the likelihood of certain kinds of judicial review. A hybrid bill is clear on what powers it is conferring, what land can be acquired, and what it will be used for. When parliament's intent is highly specified, it is much less likely that a bill can be challenged in the courts for diverging from parliament's intent. The hybrid bill procedure also allows for the amendment and disapplication of other acts during the later stages of the bill. This again reduces the risk of the project conflicting with other legislation.

These characteristics of hybrid bill procedure do not insulate a bill fully from judicial review: there were still 14 judicial review challenges of HS2, but only three were successful.[30] Challenges to the authorisation of the project were all unsuccessful, largely for reasons outlined above. But any large and complex infrastructure project cannot be completely specified in legislation, and some aspects of the implementation may be subject to judicial challenge. For example, Patentes Talgo in 2021 and Siemens in 2023 challenged the HS2 procurement process over manufacturing and supplying trains for the project.[31]

7. How the process and management of hybrid bills limit their usefulness

Despite the benefits of the hybrid bill process, hybrid bills bring their own complications and the government rarely uses them. In fact it will go out of its way to avoid them, especially if speed is a key consideration. A recent example is the Steel Industry (Special Measures) Act 2025, which granted the secretary of state for business the ability to nationalise the Scunthorpe steel plant via a direction, rather than doing so directly in legislation. The secretary of state, Jonathan Reynolds, stated that this had been done to avoid hybridity as it "would be a far more complex procedure. With the clock being run down, that was not an available option."[*,32]

Hybrid bills can also be challenging for parliament, and recent hybrid bills have suffered from a range of problems, including the following:

- The hybrid bill process is unnecessarily difficult to comprehend due to the lack of dedicated standing orders and comprehensive guidance.
- Hybrid bills have been introduced without adequate preparation, leading to long delays to the procedure.
- There has been an inconsistent approach to challenging petitions from the promoter, which has elongated the process.
- Hybrid bills can be burdensome for members who sit on the special hybrid bill select committee.
- Members of hybrid bill select committees will often lack specialised expertise, resulting in poor scrutiny.
- Taking part in the petitioning process is made more difficult by accessibility issues.

All these issues combine to create a complex and long process that can create unintended consequences in terms of the proposed scheme and its budget and prove unsatisfactory for the promoter, parliamentarians and petitioners.

* The Delegated Powers and Regulatory Reform Committee has criticised government avoidance of hybridity in the past. In 2019 it described the delegated powers in the Rivers Authorities and Land Drainage Bill as "a ploy to avoid having to pass a hybrid bill". (Delegated Powers and Regulatory Reform Committee, *Rivers Authorities and Land Drainage Bill: 54th Report of Session 2017–19*, (HL 370), The Stationery Office, 2019. https://publications.parliament.uk/pa/ld201719/ldselect/lddelreg/370/370.pdf

The process for hybrid bills is complex and inaccessible

Outside of a small group of experts, hybrid bills are little understood. In part this is a result of their relative rarity, but it also due to a lack of clarity on how they function. There are no standing orders specifically for hybrid bills, and so a mix of the public and private standing orders must be used, which not only complicates the process, but can also build in inefficiencies.

Private bills have a range of rules for depositing plans, serving notices and publishing information. These are not always compatible with how hybrid bills work in practice. For example, private bill standing orders require private bills to be deposited before 27 November in a given parliamentary session. If a public bill is introduced and subsequently deemed to be hybrid after 27 November then it is in breach of these standing orders and requires a dispensation by the Standing Orders Committee to proceed. Hybrid bills often come into conflict with these standing orders, which have had to be waived on several occasions, including for the deposit of additional provisions on the High Speed Rail (Crewe–Manchester) Bill[33] and the publication of notices for petitions on the Holocaust Memorial Bill.[34] It is clear that the procedural idiosyncrasies introduced by virtue of some private bill standing orders cannot accommodate the reality of the hybrid bill process.

Confusion over the process caused by the absence of dedicated standing orders for hybrid bills is compounded by the lack of clear and accessible guidance for how the hybrid bills process functions. This makes understanding how the process works more difficult for government, MPs and members of the public who want to engage with the hybrid bill process. Without clarity over how the process works, when mistakes are made they can be ascribed to the process itself, rather than poor bill management or issues with the project the bill is seeking to consent.

Bills are introduced when projects are underdeveloped

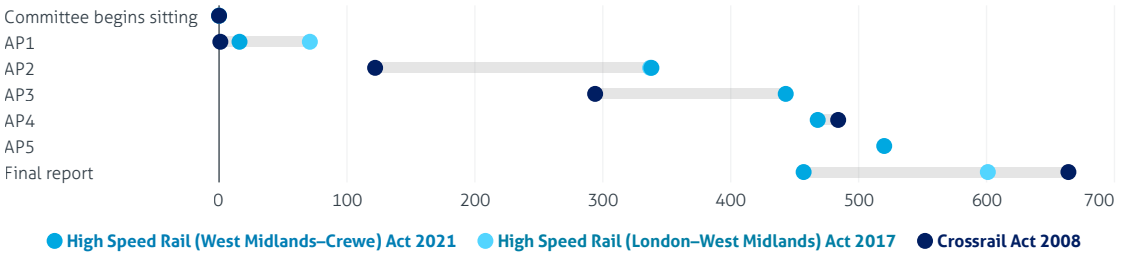
While one of the benefits of the hybrid bills process is the flexibility it affords, an issue with recent hybrid bills is that they have been introduced before the proposed scheme is adequately developed. This is not unique to hybrid bills, and a rush to legislate without enough policy preparation is a trend that the Institute for Government has identified in past papers on public bills.[35] But the risk for underdeveloped hybrid bills is that the proposed scheme is more susceptible to radical alteration at the select committee stage, which can introduce further unintended consequences in relation to the scheme itself but also in terms of costs.

While the legislative process for hybrid bills means they are more flexible than other infrastructure processes, they should not be treated like a public bill. Unlike a government bill where a majority makes amendments procedurally easier, the nature of the select committee stage means that it is much more time-consuming for government to alter plans once legislation is introduced. James Stewart's 2025 review of HS2 notes that the design of and business case for the project was underdeveloped when the hybrid bill process was initiated.[36] The decision to launch the hybrid bill process while the scheme was still underdeveloped had consequences for the cost of

the project, as it became more difficult to adapt the project to address rising costs, and the duration of the parliamentary process, as more additional provisions were required to accommodate subsequent changes to the design.[37]

This can create significant inefficiencies in the hybrid bill process. Additional provisions can be used to introduce major changes to a proposed scheme: they require a dedicated noticing and petitioning period as well as an environmental statement, which can significantly elongate the select committee process. As the House of Lords select committee on HS2 Phase 1 noted, "almost every Additional Provision which solves or mitigates difficulties for one group of people raises new difficulties for another group".[38]

Figure 3 **Number of days taken for the House of Commons hybrid bill select committee**



Source: Institute for Government analysis of parliament.uk and Crossrail Act 2008. Notes: AP = additional provision.

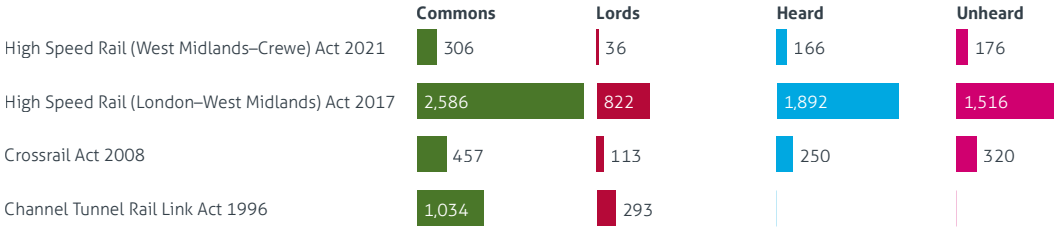
While some of the changes in additional provisions come from the select committee requesting or directing the promoter to come to an agreement with a petitioner, this is usually not the main reason for them being introduced. Additional provision two (AP2) for the High Speed Rail (West Midlands–Crewe) Act 2021 made 287 changes to the bill, with just 28 being in relation to settlements with petitioners as a result of directions from the select committee.[39] The High Speed Rail (London–West Midlands) Act 2017 had five additional provisions, all with their own environmental statements and petitioning periods, adding substantially to the time taken for the bill to pass, and to the burden on members of the select committee in the House of Commons.

Petitions are handled inconsistently

The promoter of a hybrid bill can challenge the right to be heard of petitioners – that is, if they will not be 'directly and specifically' affected by the scheme, their petition is, therefore, not eligible to be heard by the select committee. But this has been applied irregularly and there has been a reluctance on the part of the promoter to challenge petitions, especially in the House of Commons. A report by the 1988 Joint Committee on Private Bill Procedure suggested promoters "should be encouraged to police the rules of locus standi" (that is, a petitioner's right to be heard).[40]

This recommendation was echoed by hybrid bill select committees in both houses of parliament for the High Speed Rail (London–West Midlands) Act 2017 and by the House of Lords select committee again for the High Speed Rail (West Midlands–Crewe) Act 2021.[41]

Figure 4 **Number of petitions for hybrid bills that have received royal assent since 1992**



Source: Institute for Government analysis of hybrid bill select committee reports and Crossrail and HS2 Learning Legacy reports. Notes: For the High Speed Rail (West Midlands–Crewe) Act 2021, 147 of the unheard petitions were withdrawn and 29 were successfully challenged. Eight second-house undertakings are also listed among the petitioner outcomes for the House of Commons select committee but these are not included in the numbers. For the High Speed Rail (London–West Midlands) Act 2017, 1,039 petitions were withdrawn and 477 were successfully challenged.

The promoter's guidance on the Holocaust Memorial Bill for the House of Commons was clear that the promoter would challenge any petitions that just made "generic points relating to adverse impacts allegedly caused to that area".[42] In practice, the promoter did not do this, and no petitions were challenged in the Commons. The committee noted that this resulted in the committee hearing from petitioners who were not directly or specifically affected by the bill.[43]

Where the promoter does think a petitioner has a right to be heard, engagement has often come at a late stage, and this has added time to the procedure. Often the commitments in the undertakings and assurances of a hybrid bill are quite small relative to the size of the project. For example, for the High Speed Rail (West Midlands–Crewe) Act 2021, one petition that the committee ruled on was regarding compensation for a family who would have land with their stables acquired as part of the project. They were concerned that the relative disrepair of the stables would mean the compensation they received would not be enough to replace the stables. The promoter of the bill assured them that the compensation they would receive would be enough to do this and the matter was resolved.[44] Other kinds of assurances relate to things such as preventing noise pollution, or which roads might be closed during construction and how this might affect traffic.

The House of Commons select committee's first report on the High Speed Rail (Crewe–Manchester) Bill noted this issue. While solving issues through direct negotiation between the petitioner and promoter, without the committee's involvement, was a positive, the fact that this was often done right before the hearings meant that the committee "lost opportunity which could have been used by another petitioner".[45]

Box 2: Challenging the 'right to be heard'

Promoters' approaches to challenging petitioners' 'right to be heard' have varied across hybrid bills and between the two houses of parliament.

- **Crossrail Act 2008.** No right to be heard challenges were made in the House of Commons or in the House of Lords.[46]

- **High Speed Rail (London–West Midlands) Act 2017.** The promoter challenged only 24 out of 1,918 petitions against the hybrid bill in the House of Commons (22 being challenged successfully),[47] although of the 668 petitions lodged against additional provisions, 175 were successfully challenged.*,[48] The promoter took a more robust approach in the House of Lords, challenging 414 of the 822 petitions submitted to that House, with 278 of these being successfully challenged.[49]

- **High Speed Rail (West Midlands–Crewe) Act 2021.** There were fewer petitions lodged against this hybrid bill than the High Speed Rail (London–West Midlands) Act 2017: 306 petitions were lodged against the bill and its additional provisions in the House of Commons, with the select committee upholding 29 right to be heard challenges (25 against the bill and four against additional provisions).[50] The promoter did not challenge any of the 36 petitions deposited in the House of Lords.[51]

A promoter's decision about whether to lodge a challenge is conditioned by factors including the willingness of a select committee to hear from petitioners, and political considerations around challenging individuals affected by the works. Challenging petitions requires time, as the committee must weigh up arguments from the petitioner and the promoter over the petitioner's right to be heard.

* According to the House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill report, the promoter challenged "35 out of 182 AP2 petitions, three out of 144 AP3 petitions, 165 out of 278 AP4 petitions, and 13 out of 22 AP5 petitions. None of the AP1 petitions were challenged." See House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill*, HL paper 83, Parliament UK, 2016, https://publications.parliament.uk/pa/ld201617/ldselect/ldhs2/83/83.pdf, p. 12, n. 10.

Hybrid bills are burdensome for members

The hybrid bill select committee stage can be long and arduous for those who sit on these committees. This is well known to members and can hinder the effectiveness of hybrid bills. As the House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill stated in its report: "We do not believe that spending nearly two years on this process is sensible or sustainable in terms of recruitment of future hybrid bill committee members. Nor is it necessary or indeed helpful to petitioners."[52]

The sheer volume of petitions that committee members must examine can be a significant burden to the committee and the use of 'template' petitions – whereby multiple near-identical petitions are sent in as part of an organised campaign – can exacerbate this.[53] The committee can request that such petitions are grouped, but if the petitioners do not agree to grouping, then the committee has to hear repetitive arguments, which takes time for all involved without adding any further meaningful scrutiny. Hybrid bill committees in the House of Commons can take a particularly long time to be set up. On the Crossrail Bill there were 182 days between second reading and the establishment of the committee.[54] The High Speed Rail (Crewe–Manchester) Bill had its second reading in June 2022, and the committee did not sit until January of the following year. Those interviewed for this paper suggested that these delays were due at least in part to reluctance on the part of committee members in the Commons to take part in such a long and time-consuming process.

Scrutiny on hybrid bill committees can be poor

There is also a question of committee expertise, especially in the House of Commons. The process of a hybrid bill select committee is different from that of other parliamentary procedures. As noted above, the committee runs in a quasi-judicial manner, with barristers cross-examining petitioners and the committee acting as an impartial adjudicator. MPs are not always well equipped for this role, and this is reflected in the disparity between how the committee operates in the Commons and Lords.

The time commitments on members, in particular in the Commons, is also not good for petitioners. Members may be called mid-session for a vote, and sitting on the committee is just one small part of the members' jobs. For petitioners the hearing may be their first and only engagement with parliament and so busy members moving in and out of the hearing, or very few members sitting in attendance, can leave petitioners feeling unsatisfied with the process.

Those interviewed for this paper broadly agreed that the upper house was better equipped for the quasi-judicial style of the select committee stage. Having a committee chair with judicial experience was particularly useful for managing petitioner hearings: the House of Lords Select Committee for the High Speed Rail (West Midlands–Crewe) Act was chaired by Lord Walker of Gestingthorpe, the former Supreme Court justice. Many peers also have fewer commitments on their time compared with MPs, and so can devote more time and effort to the scrutiny process.

The small group of members of hybrid bill committees is often tasked with making decisions with huge spending implications. Before the northern leg of the HS2 project was cancelled in October 2023, the select committee in the House of Commons was considering a petition to build the station at Manchester Piccadilly underground, with a proposed cost of £1.75 billion to £2.64bn.[55] Analysis by HS2 Ltd (the promoter for the three HS2 hybrid bills) estimated that the cost of undertakings and assurances for HS2 might be as high as £1.2bn, versus an initial estimate of £245 million.[56]

Some of this additional expense was said to come from the direct costs of the undertakings and assurances, but also, as a 2020 National Audit Office report on HS2 noted, such commitments "restrict contractors' ability to avoid costs and create interdependencies that add to the challengeof delivering the programme".[57]

Committee members will get support from the clerks, but do not have the ability to call their own witnesses or hire external expertise in the form of specialists like a normal select committee does. This is intentional to maintain the judicial nature of the hearings. MPs do have experience of dealing with constituents, and this does offer a benefit to the hybrid bill process. But they do not typically have experience of dealing with such large-scale infrastructure projects, and so the small number of members involved are not necessarily well equipped to make large spending decisions.

The need for accessibility comes up against time and budget issues

Some improvements have been made to the hybrid bill process in recent years, particularly around making the petitioning process more accessible – such as introducing the ability to submit petitions digitally and the publication of clearer guidance for petitioners – but the process can still be difficult to access.[58] Anyone who wishes to submit a petition on a hybrid bill must pay a £20 administration fee. This, and petitioning on a private bill, are the only engagement that the public has with a parliamentary process that demands a fee. The chairman of ways and means (the principal deputy speaker) in the House of Commons and the senior deputy speaker in the House of Lords examined the existence of the fee and they concluded that the fee helped to dissuade "vexatious or frivolous petitions" and recommended that it should be maintained.[59]

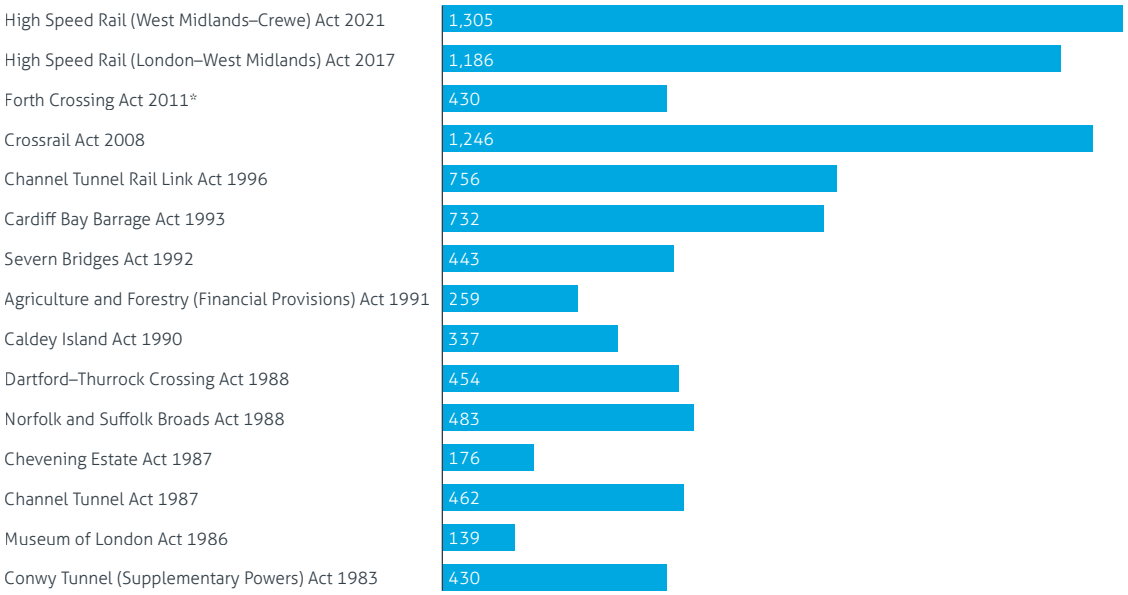
While hybrid bill committees can facilitate remote hearings for petitioners, outside of extraordinary scenarios such as the Covid pandemic, petitioners have been required to appear in person before the committee for their petition to be considered.[60] This adds further accessibility and cost barriers. While concerns have been raised about the petitioning fee, the greater barrier is often the disruption and expense that travelling to Westminster causes.

These issues lead to a long and difficult hybrid bill process

The end result is that hybrid bills take a long time to pass through parliament. In the 14 years between the 2005 and 2019 parliaments, 32 public bills that received royal assent were subject to carry-over motions, meaning they were not completed in a single parliamentary session.[61] This represented about 6% of government bills. By contrast, the five hybrid bills introduced in that timeframe were all subject to carry-over motions (12 between them).

The length of time for hybrid bills to receive royal assent has increased over time. This is partly due to the complexity of the projects involved, but the issues identified in this paper add more time to the process.

Figure 5 **Number of days between introduction and royal assent for hybrid bills since 1979**



Source: Institute for Government analysis of Searle C and Coleman C, 'Hybrid bills receiving royal assent since 1979', House of Commons Library, 2023. Notes: The Firth of Forth Act 2011 is an Act of the Scottish parliament.

All of these issues mean that hybrid bills, despite their advantages, are reserved solely for projects that would be even more difficult if they went through the NSIP process. This in turn can create a loop where hybrid bills are seen as inherently difficult, and avoided where at all possible. Moreover, their rarity, coupled with a lack of clear rules and guidance, can make it difficult to learn lessons and establish best practice to avoid future issues.

The Private Bill Offices in both houses of parliament are currently reviewing hybrid bill procedure. They have issued two reports as part of that review, one in 2017[62] and one 2022.[63] The review has already implemented some modernising changes, such as:

- allowing the electronic submission of petitions
- modernising the language in the standing orders relevant for hybrid bills
- setting a minimum petitioning period of 25 days.[64]

But there is scope for broader changes, in both how government and promoters manage hybrid bills and how they work in parliament.

When considering how to improve future hybrid bills, it is important to consider all the benefits that a good procedure can bring. Although considering petitions can be burdensome for members, and government may not like the time that bills take to pass, an overly expedited process would lose the public legitimacy of parliament considering petitioners directly and it could promote less robust scrutiny. Reform is needed but it should balance the interests of all those involved.

8. Options for improving the hybrid bill process

Some future government infrastructure priorities may go through the NSIP regime, but the hybrid bill procedure is also a valuable tool for delivering major infrastructure projects. While the government may be cautious about using this approach – particularly due to the length of time spent on recent hybrid bills – this most often reflects the extensive geographical scale and complexity of those projects. Smaller, more geographically bounded projects would likely face fewer petitions and move through the process more quickly while maintaining the benefits the hybrid bill process provides.

There are several steps that can be taken by government and parliament that would improve the hybrid bill process – without changes to legislation or standing orders – leading to a process that is faster, less of a burden on members and provides better scrutiny as well as a better experience for petitioners.

These recommendations were informed by conversations with civil servants and parliamentary officials, parliamentary agents, planning experts and academics, through interviews and a private roundtable.

Improving practice in passing hybrid bills

The following recommendations should be implemented immediately by government or parliament (as relevant) to improve the passage of future hybrid bills.

Prepare bills more thoroughly before they are introduced

Hybrid bills are, by design, introduced earlier in the project life cycle than a project submitted for a development consent order, but this should not excuse underdeveloped legislation. The use of additional provisions (which require an additional environmental statement and petitioning process) are a major cause of delay to hybrid bills. Government should not treat hybrid bills like public bills, planning to add to or change the bill as part of a concession strategy. Bills should be developed to a stage where the need for significant change is minimised as far as possible. While additional provisions can provide useful functions, such as addressing petitioner concerns, they should not be planned as part of bill management. This would reduce the time spent at the select committee stage and reduce the burden on members. It will also reduce the government's workload because fewer environmental statements will be needed during the passage of the bill.

Be more willing to challenge petitions

Promoters have in the past been reticent to challenge petitions, in particular in the Commons, due to a desire to let the committee decide on cases and political concerns that challenges could undermine the public legitimacy of the bill. More robust challenging of petitions has been recommended before, at least as far back as the 1988 Joint Committee on Private Bill Procedure.[65]

The promoter of a hybrid bill should be willing to challenge any petitions it thinks are not directly and specifically affected by the bill (and thus should not have a right to be heard). Letting petitions through that should not have a right to be heard is not a good use of the committee's time and can also lead to unsatisfactory outcomes for the petitioners. The committee has no say in whether a petition is challenged and so may hear petitions on issues with which they are not well placed to deal.

Some of those interviewed expressed concern that challenging petitioners could lead to more committee time being spent hearing petitioner appeals. But robustly challenging petitions – especially early – can reduce the committee's workload. On HS2 Phase 1 in the Lords, for example, the promoter challenged 414 of 821 petitions; of those, around 100 petitions were then dropped, and the committee heard only 47 appeals.[66]

Engage with petitioners early on

Many petitions are relatively small in cost and scope and could be resolved quickly with early engagement. Where possible, the promoter should endeavour to engage with petitioners before the process reaches the stage of committee hearings.

Cutting deals at the last minute before a hearing wastes time, using a slot that could have been used for another petitioner and can put pressure on the petitioner.

There is a window of several weeks between the end of petitioning and the start of committee hearings that should be better used by the promoter to try to reach resolution with petitioners before a hearing, particularly when petitions are straightforward or narrow in scope. This may be more difficult on large-scale complex bills like HS2, where there are large numbers of petitioners, but would be easier on less complex bills with fewer petitioners, which are more geographically limited.

Encourage the use of virtual hearings

Offering virtual hearings can make it easier and cheaper for petitioners to be heard, especially those outside London. While hybrid bill committees can permit such hearings, this did not happen in the Commons for the HS2 hybrid bills outside of exceptional circumstances.

Virtual hearings are widely used in the court system in England and Wales, particularly since the pandemic, and this approach would ensure that the process is more accessible to petitioners. Both government and parliament should make sure that virtual hearings are used whenever it might benefit petitioners to keep the petitioning process as accessible as possible.

Commit bills to joint committees to streamline the process and improve scrutiny

Assigning hybrid bills to a joint committee of MPs and peers would eliminate the need for two separate hybrid bill committee stages and is one of the most straightforward steps that government could take on a future hybrid bill to streamline the process for government, parliament and members, and the public.

This has been done before, although not since 1946.[*,67] Streamlining the two committee processes would have benefits for the government, parliament and the promoter. A single petitioning stage would create greater certainty on what the scheme being proposed through the bill would look like and create the conditions to begin progressing the project at an earlier stage. It could also reduce the number of MPs needed on the select committee, with perhaps only two or three required. This would help government manage the bill and reduce the burden on MPs. It could also open the door to more use of hybrid bills, with a shorter process and less onerous requirements on members' time.

Using a joint committee would also help to remedy issues we have identified with the quality of scrutiny in the Commons by bringing the expertise of the Lords into the process at the first stage, when additional provisions can be made. This would result in stronger scrutiny of the bill while still allowing MPs to have input into the process. Peers with judicial experience will be well placed to help manage the quasi-judicial set-up of the committee, which could improve efficiency of the petitioning experience.

A single petitioning stage would also align the hybrid bill process with other planning systems, which typically offer just one formal opportunity for objections from the public. While a single joint committee stage would prevent petitioners from having two bites of the cherry to petition parliament, streamlining the process would help to bring clarity to the process and there are opportunities for better signposting of opportunities to engage in the process for petitioners.

* A more recent model for such an approach is that of special parliamentary procedure orders, a form of delegated legislation that includes petitioning. These involve petitions considered by a joint committee, although admittedly in much smaller numbers than a typical hybrid bill.

Changes to the hybrid bill process

While these steps can be implemented within the current set-up for hybrid bills, there are other reforms and initiatives that should be implemented to create efficiencies and to make the process clearer for those who engage with it.

Appoint an assessor of petitions for the hybrid bill select committee

Following the model used in Scotland, parliament could appoint an independent expert – an assessor – to manage petitions, which could speed up the process while supporting greater scrutiny and improving public access to the process.

Box 3: The assessor of petitions in Scotland

In Scotland, assessors were originally introduced for private bill committees in 2006 and then for hybrid bill committees in 2009. Since 2021, an assessor can be appointed for any bill to which objections have been raised (having previously been restricted to 'works' bills).

While the assessor does not have the ability to decide on which objections are heard, they can be assigned by the committee to undertake any of the following tasks:

- Consider the objections and report to parliament on:
    - How the objectors could be grouped for hearings
    - Who should be the lead objector to the grouped objections
    - Whether to take evidence orally or in writing.
- Hear evidence from objectors and report to parliament with recommendations on how to respond
- When a hybrid bill is amended and affects new private interests (the equivalent of an additional provision):
    - Notify those whose interests are adversely affected
    - Take evidence from objectors and report to the committee with recommendations.[68]

At the request of the bill committee, the Scottish Parliamentary Corporate Body appointed an assessor for the Forth Crossing Bill – Scotland's only hybrid bill to date. The assessor – Professor Hugh Begg – was tasked with considering written and oral evidence that the Scottish government and objectors to the proposed scheme had given and to compile a report with recommendations for the committee.[69]

Appointing an assessor should be a decision for the hybrid bill select committee to make. The committee would retain responsibility for making all final decisions, while the assessor could be tasked with running hearings with petitioners and the promoter and reporting back to the committee. Having an independent expert run the quasi-judicial hearings would help inject expertise into the process and improve scrutiny.

The role can also help to improve the process for petitioners – many of whom are engaging with parliament for the first time and can find the experience of appearing before members unsatisfactory, with disruptions due to divisions and a lack of engagement from MPs.

Unlike committee members, the assessor would not be limited by the parliamentary timetable, and could work longer and more consistent hours including during recesses. They could also take advantage of the mobility this role offers and could travel to affected areas to hear petitions in person. While this would mean that many petitioners would not have the opportunity to make their case directly to parliament, this would not necessarily mean a less satisfactory process. In fact, with more time to dedicate to the process, an assessor should be able to provide a high-quality experience, tailored to the specific context.

For example, they may have existing expertise and skills to run a more inquisitive process; they may be able to go to a specific area and engage with a larger group of people with similar concerns at the same time; and as they are empowered by parliament to do this role petitioners shouldn't necessarily feel they are not being heard by parliament.*

To ensure there is confidence in this role and the process the assessor would need to be appointed by parliament, as is the case in Scotland, and would need to attract high quality and impartial candidates with the relevant skills. This would require funding but would be a minor cost relative to the cost of delay to a major infrastructure project if an MP-led committee stage were to be prolonged. For hybrid bills that attract a large number of petitions – the only example of the hybrid bill procedure in Scotland, the Forth Crossing bill, received just 90 petitions – parliament could appoint more than one assessor.

* There is already precedent of parliament using external appointees to manage the hybrid bill procedure - with a programme manager appointed in the House of Commons for the HS2 bills who helped by aiding petitioners through the process and managing the grouping of amendments.

Update the standing orders and guidance for hybrid bills

There are no dedicated hybrid bill standing orders, and the 'hybrid' of standing orders for public and private bills that are used render the process overly complex, unclear and outdated.

The standing orders applicable to hybrid bills are currently under review. They should be updated as soon as possible to ensure that the next hybrid bill can be processed as efficiently as possible. The review should include a rationalisation of the process, setting out specifically how hybrid bills should work in practice, and removing some of the anachronisms that require the constant waiving of standing orders.

In addition, government and parliament should produce clearer, comprehensive and accessible guidance on the hybrid bill process – similar to what exists in Scotland.* Currently, while promoters do issue guidance on their approach to petitioning, this is ad hoc and not a requirement and there is some online guidance from parliament as part of the MPs' guide to procedure.

Better quality guidance and explanation of the process would help petitioners, promoters, government ministers and officials better understand the processes and what is expected of them. Hybrid bills are rare enough that institutional knowledge of how they work, and best practice, can easily be lost. Guidance could also set out general principles for what will be considered to make a petitioner 'directly and specifically affected'. This could help more robust challenges of petitions and ensure clarity for prospective petitioners.

* The Scottish parliament has a 140-page document that sets out the process clearly, including information for parliament, promoters and objectors (the Scottish equivalent of petitioners).

9. Conclusion

Hybrid bills are an important part of the government's toolkit to deliver on infrastructure. When planning for large projects across this parliament and beyond, the hybrid bill route should be considered – but the process and practice needs to be reformed.

While there are various reasons recent hybrid bills have proven difficult, the recommendations outlined in this paper would reduce the time spent on the hybrid legislative process, provide more robust parliamentary input, reduce the burden on MPs and provide better outcomes for those affected by the bill.

Hybrid bills have in practice been limited mainly to rail projects. However, there is no reason that hybrid bills should be limited to these projects. The process can help government to deliver on their biggest priorities, let parliament have a say in major projects, and provide some cover from judicial review. But parliamentary time will ultimately limit how many can be passed simultaneously.

The reforms set out in this report can and should be enacted alongside the introduction of the next hybrid bill. If implemented, this will strengthen the benefits of the process for the government, promoters and petitioners, with far fewer drawbacks and delays. Ultimately, for a government that has placed so much political capital in growth, hybrid bills can become an effective vehicle for implementing large infrastructure projects.

Annex 1: Hybrid bill procedure

Hybrid bills have a unique parliamentary procedure. While such a bill will follow the broad path of a standard public bill, there are additional steps related to the application and fulfilment of relevant private business standing orders.

Classification and assessment against standing orders

First, a bill must be determined as hybrid. All bills are checked for potential hybridity upon introduction and, if judged as potentially hybrid, the bill is passed to parliamentary officials known as the examiners of petitions for private bills, who will decide whether the bill is hybrid and whether relevant standing orders related to private business have been complied with. In almost all cases the government will anticipate that a bill is hybrid before it is introduced. The only recent exception is the Holocaust Memorial Bill, where classification as hybrid came as a shock to the government. If the examiners find that a bill does not comply with the standing orders it is referred to the Standing Orders Committee in each house. These committees can decide whether to dispense with the relevant standing orders outright, to dispense on condition that issues will be addressed or uphold the standing orders, which would mean that the bill does not proceed.

Hybrid bills are subject to some of the private business standing orders, which require the promoter of the bill to comply with certain requirements (including giving notice of the bill's proposals in newspapers, and advertising the bill in relevant locations before it is introduced). The government's failure to anticipate that the Holocaust Memorial Bill would be classified as hybrid meant that it failed to adhere to various standing orders that require notice to be given about the bill's introduction. The Standing Orders Committee from both houses opted to dispense with certain standing orders.[70]

Environmental statement

Where hybrid bills require the acquisition or use of land, an environmental statement is required to be given to parliament when the bill is introduced to parliament (given its 'first reading').[71] The environmental statement can be a significant undertaking for government – the group of documents that comprised the environmental statement for HS2 Phase 1 consisted of thousands of pages.[72] Members of the public are given a minimum of 56 days to comment on the environmental statement and the examiners of petitions appoint an independent assessor to prepare a report summarising the comments within 28 days of an agreed date. The bill cannot proceed to second reading until at least 14 days after the assessor has submitted their report to the house.[73] Each additional provision deposited on a hybrid bill requires an additional environmental statement and consultation.

The hybrid bill select committee

A hybrid bill select committee is usually made up of three to seven parliamentarians who reflect the political balance of the house and are nominated by the whips and agreed by the House. Members of the committee cannot have a direct interest in the bill – for example, they cannot be an MP for a constituency affected by the bill, or have spoken for or against it at second reading or in public.[74] The purpose of the committee is to hear objections from petitioners who are objecting to elements of the proposed scheme (those whose land or other rights would be affected by the proposals).

Petitioning

After the bill's second reading, a petitioning period is initiated, which lasts for a minimum of 25 days. During this period, anyone can deposit a petition against the bill, provided they complete the administrative process and pay a fee of £20, but only those with a 'right to be heard' as set out in the standing orders will have their petition heard by the committee.* There are discretionary standing orders that extend a right to be heard to associations representing a trade, business or interest or representatives of a local authority that is thought to be adversely affected.[75] The committee has discretion about whether the right to be heard would be admitted in such cases. At the outset of the committee proceedings, the promoter has an opportunity to challenge a petition on the grounds that the petitioner is not 'directly and specifically affected' by the bill, although they may apply discretion about which petitions to challenge,[76] with the committee deciding on whether it will be heard if challenged.

If several petitioners have argued the same case, then the committee can choose to group their concerns so that they may be heard as one (if individual petitioners consent to being grouped). For example, if several farmers petitioned about the general impact of a rail project on agricultural lands, then their petitions may be grouped into a single hearing, with one petitioner representing the argument of all of them.

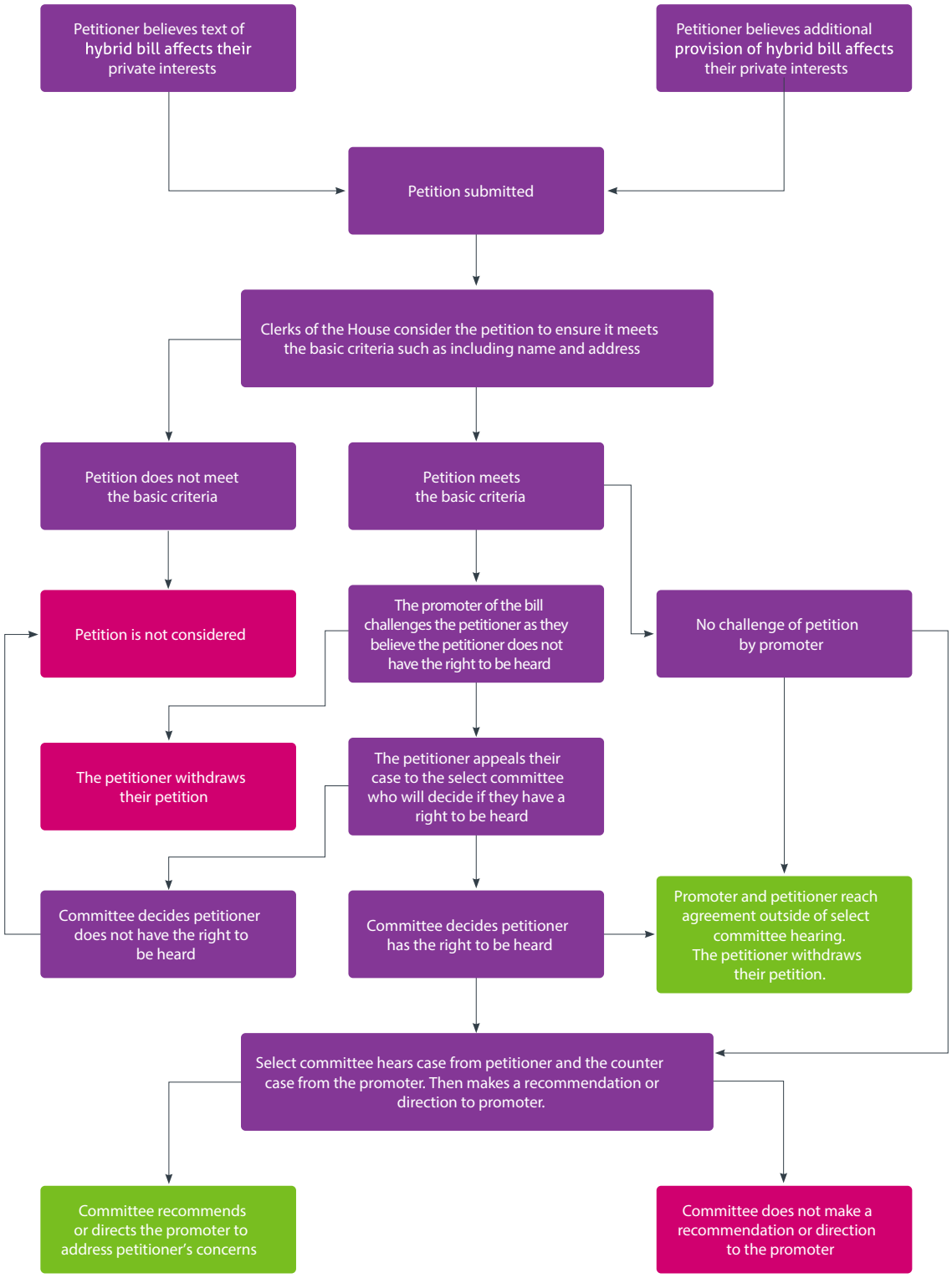
The actual running of the committee differs markedly from that of other select committees. The hybrid bill committee has often been compared to a court proceedings.[77] It sits in a quasi-judicial capacity where petitioners and then the promoter can present their case to the committee and present witnesses. The range of powers that the committee has to alter the project include:

- making amendments to the bill
- requiring the promoter to give commitments to a petitioner to address their concerns through undertakings and assurances.

Normally, committees try to avoid making recommendations or directions that would affect a new group of people, which would require 'additional provisions' to ensure that those newly affected can also petition, discussed below.

* This 'right to be heard' was previously called *locus standi* but has since been changed in the standing orders as part of attempts to modernise the language used for hybrid bills.

Figure 6 **Hybrid bill petitioning process**



Source: Institute for Government analysis.

Assurances and undertakings

Negotiation is a key element of the hybrid bill process and, during proceedings, the promoter of a proposed scheme can offer an 'assurance' or an 'undertaking' to parliament, which can function as a commitment to address or accommodate petitioner objections. If a promoter fails to comply with assurances and undertakings they will be answerable to parliament. Undertakings can also refer to another type of agreement between the promoter and another party, which acts as a legally binding contract and can be enforceable through the courts.

The promoters for recent hybrid bills have catalogued all of these agreements in a publicly available register of undertakings and assurances, with a final version being published after the bill receives royal assent; there is a contractual obligation to deliver on all of the undertakings and assurances in the register.[78] This is not a requirement in the standing orders, however. The select committee can also require that the promoter gives assurances or undertakings to a petitioner so that their concerns will be addressed.

Additional provisions

The promoter or the select committee in the first House may make major alterations to the proposed scheme by introducing 'additional provisions'. These can, for instance, confer powers for further land acquisition. Additional provisions can introduce numerous design changes to a proposed scheme: the five additional provisions deposited as part of the High Speed Rail (London–West Midlands) Act 2017 covered around 400 changes.[79] These changes can be significant and costly – the hybrid bill committee for HS2 (London–West Midlands) directed the development of an additional provision to extend the deep-bored tunnel in the Chilterns by 2.6km.[80]

Additional provisions have been described as "mini hybrid bills in their own right".[81] They require the submission of the same documentation as the primary bill (including an environmental statement and estimate of expenses) and they follow a similar path through parliament including:

- advertisement
- environmental statement consultation
- a petitioning period
- instruction to the hybrid bill select committee.[82]

Table 3 **Details for hybrid bills that have received royal assent since 1992**

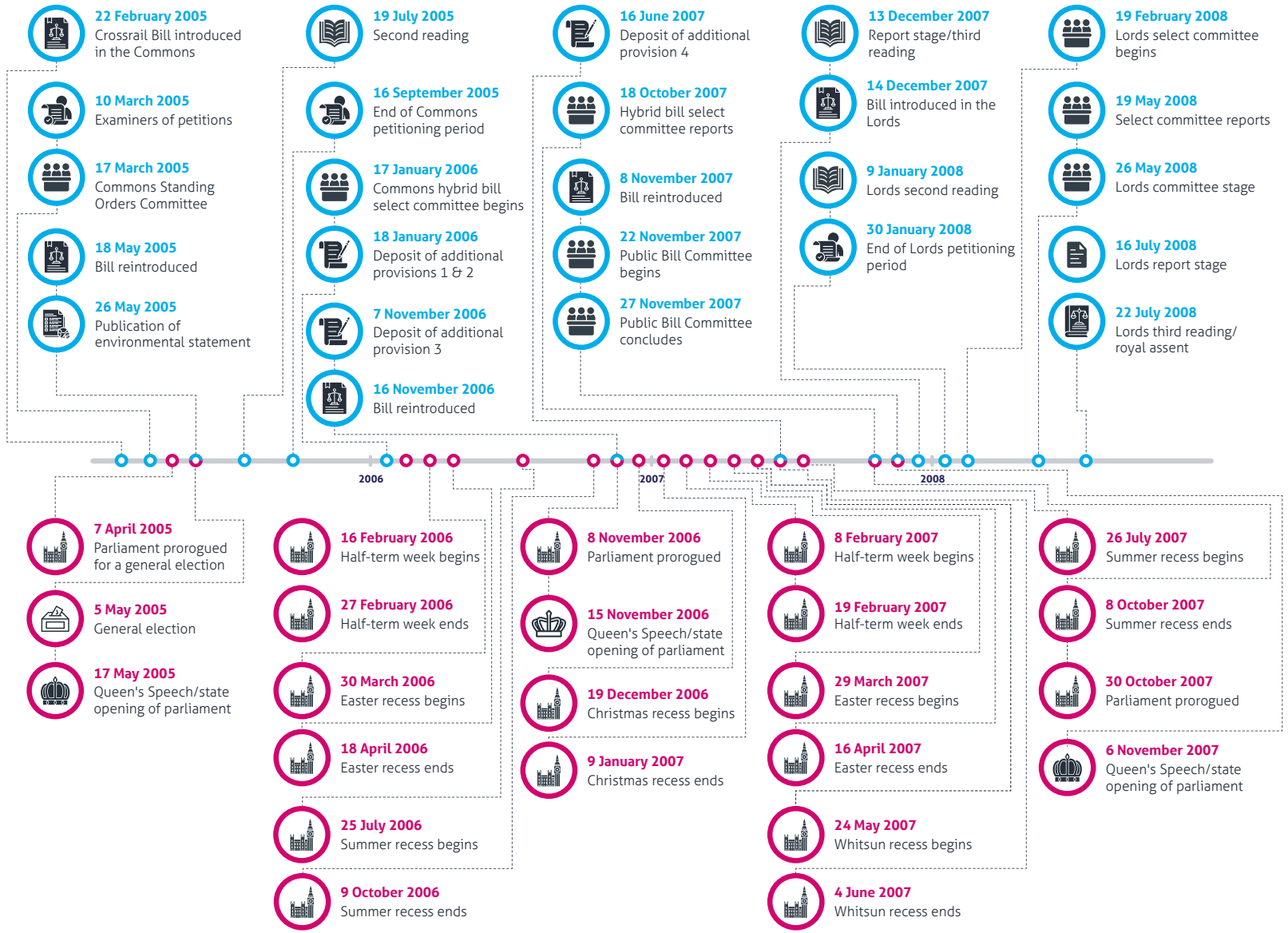
Acts	Additional provisions	Assurances and undertakings	Petitions
High Speed Rail (West Midlands–Crewe) Act 2021	2	1,249	342
High Speed Rail (London–West Midlands) Act 2017	5	2,446	3,408
Crossrail Act 2008	4	680	570
Channel Tunnel Rail Link Act 1996	4	645	1,327
Forth Crossing Act 2011	-	190	90

Source: Institute for Government analysis of relevant registers of assurances and undertakings. Details on additional provisions and petitions obtained from relevant hybrid bill select committee reports. Notes: The Forth Crossing Act 2011 is an Act of the Scottish parliament. In Scottish hybrid bill procedure, petitioner/petition is known as objector/objection, while assurances are known as commitments.

Post-hybrid bill committee and the second House

After the conclusion of the hybrid bill select committee, the hybrid bill follows the path of a public bill: select committee stage (usually a public bill committee in the House of Commons), report stage and third reading. Its passage through the second House also mirrors that of a public bill, but there is a further opportunity for petitioners to lodge objections to the bill and to appear before a select committee in the second House, which functions in a similar capacity to the hybrid bill committee in the first House, except that its recommendations cannot lead to additional provisions. The same organisations and individuals may petition a second time in the second House. Once the bill has passed this select committee stage, it follows the same steps towards royal assent as a public bill – the public bill stage in the House of Lords is performed by a committee of the whole house or a Grand Committee.

Figure 7 **Legislative process for the Crossrail Act 2008**



Source: Institute for Government analysis of Crossrail Act 2008. Notes: Recess dates are for during the hybrid bill select committee in the House of Commons.

References

1 Prime Minister's Office, 10 Downing Street, *Plan for Change: Milestones for mission-led government*, CP 1210, The Stationery Office, 2024.

2 'What's the plan for a third runway at Heathrow Airport', BBC News, 28 January 2025, retrieved 16 July 2025, www.bbc.co.uk/news/articles/cy8p579g5g5o

3 Lawrence D and Serôdio P, *Heathrow Expansion: Britain's Runway to Growth*, Centre for British Progress, 2025, https://britishprogress.org/uk-day-one/heathrow-expansion-britains-runway-to-growth

4 UK Parliament, 'Review of petitioning procedures on hybrid bills', (no date) retrieved 16 July 2025, www.parliament.uk/business/bills-and-legislation/current-bills/hybrid-bills/hybrid-bill-review

5 House of Lords, *Hansard*, 'Planning Bill, Volume 703', 15 July 2008, col 1207.

6 Department for Transport, *Transport and Works Act orders: a brief guide, guidance*, 14 July 2023, retrieved 16 July 2025, www.gov.uk/government/publications/transport-and-works-act-orders-a-brief-guide-2006/transport-and-works-act-orders-a-brief-guide--2

7 *Ibid.*

8 Department for Transport, 'Transport and Works Act (TWA) applications and decisions, last updated 9 January 2025, retrieved 16 July 2025, www.gov.uk/government/collections/twa-inspector-reports-and-decision-letters#2024-twa-decisions-and-applications

9 Planning Inspectorate, *Nationally Significant Infrastructure Projects and the people and organisations involved in the process*, guidance, 8 August 2024, retrieved 16 July 2025, www.gov.uk/guidance/nationally-significant-infrastructure-projects-and-the-people-and-organisations-involved-in-the-process

10 Legislation, 'Planning Act 2008: Chapter 29 Part 3', 2008, retrieved 16 July 2025, www.legislation.gov.uk/ukpga/2008/29/part/3/crossheading/transport

11 Rankl F, *Planning for nationally significant infrastructure projects*, House of Commons Library, (SN 6881), 2024.

12 Planning Inspectorate, 'Projects', (no date) retrieved 16 July 2025, https://national-infrastructure-consenting.planninginspectorate.gov.uk/project-search

13 Clifford B and Morphet J, *Major infrastructure planning and delivery: Exploring nationally significant infrastructure projects in England and Wales*, UCL Press, 2023, pp. 125-29.

14 UK Parliament, 'MPs' Guide to procedure: Hybrid Bills', (no date) retrieved 16 July 2025, https://guidetoprocedure.parliament.uk/collections/j7BhK4fw/hybrid-bills

15 Searle C and Coleman C, *Hybrid bills receiving Royal Assent since 1979*, House of Commons Library (SN05279), 2023.

16 High Speed Two Limited, *Hybrid Bill process*, 2019, https://assets.hs2.org.uk/wp-content/uploads/2018/10/19140028/Hybrid-Bill-process.pdf

17 UK Parliament, 'Parliamentary Agents', UK Parliament, (no date) retrieved 16 July 2025, www.parliament.uk/about/how/laws/bills/private/parliamentary-agents

18 Prime Minister's Office: 10 Downing Street, 'PM redirects HS2 funding to revolutionise transport across the North and Midlands', press release, 4 October 2023, retrieved 16 July 2025, www.gov.uk/government/news/pm-redirects-hs2-funding-to-revolutionise-transport-across-the-north-and-midlands

19 Podkolinski J, *HS2 railway, UK – the hybrid bill*, Proceedings of the Institution of Civil Engineers – Transport, Paper 1800036, 2018.

20 House of Commons Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Second Special Report of Session 2015–16*, (HC 129), The Stationery Office, 2016.

21 Legislation, High Speed Rail (West Midlands–Crewe) Act 2021, Chapter 2, retrieved 16 July 2025, www.legislation.gov.uk/ukpga/2021/2/data.html

22 House of Commons Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Second Special Report of Session 2015–16*, (HC 129), The Stationery Office, 2016.

23 Collins D, *Technical evidence for a non-technical audience*, HS2 Learning Legacy, 22 September 2020.

24 Pinsent Masons, *Hybrid bills and petitioning*, Out-Law Guide, 13 July 2021, www.pinsentmasons.com/out-law/guides/Hybrid-bills-and-petitioning

25 House of Commons, *Hansard*, 'Infrastructure Planning and Judicial Review Reform', 23 January 2025, vol 760.

26 Metcalfe S and Mitchell M, *Five key changes set out in the Planning and Infrastructure Bill*, Institute for Government 24 March 2025, www.instituteforgovernment.org.uk/comment/five-key-changes-planning-and-infrastructure-bill

27 Elgee E & PA News, 'Campaigners 'would have lost Stonehenge challenge'', BBC News, 17 October 2024, retrieved 17 July 2025, www.bbc.co.uk/news/articles/cjwd5z9ppxno?utm

28 *Ibid.*

29 *Ibid.*

30 Guy S, *Putting the Brakes on Infrastructure? Judicial Review Challenges to HS2 and the Critique of 'Litigant Power'*, Oxford Journal of Legal Studies, 2025, https://doi.org/10.1093/ojls/gqaf015

31 *Ibid.*

32 House of Commons, *Hansard*, 'Steel Industry (Special Measures) Bill second reading', 12 April 2025, vol. 765, col. 841.

33 House of Commons, 'Votes and Proceedings', 12 September 2023, No 200.

34 House of Commons, 'Votes and Proceedings', 26 June 2023.

35 Sargeant J and Pannell J, *The legislative process: How to empower parliament*, Institute for Government and Bennett Institute for Public Policy, December 2022, www.instituteforgovernment.org.uk/publication/legislative-process-empower-parliament. See also: House of Lords Delegated Powers and Regulator Reform Committee, *Democracy Denied? The urgent need to rebalance power between Parliament and the Executive* (HL Paper 106), 2021.

36 Stewart J, *Stewart Review: Major Transport Projects Governance and Assurance Review: the HS2 Experience*, 18 June 2025.

37 *Ibid.*

38 House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Special report of session 2016 –17* (HL Paper 83), The Stationery Office, 2016.

39 House of Commons Committee on High Speed Rail (West Midlands–Crewe) Bill Select Committee, *Third Special Report of Session 2017–19* (HC 2270), The Stationery Office, 2019.

40 Department for Levelling Up, Housing and Communities, 'Holocaust Memorial Bill: note of promoter's position', GOV.UK, 24 May 2024, www.gov.uk/government/publications/holocaust-memorial-bill-note-of-promoters-position-for-house-of-lords-select-committee/holocaust-memorial-bill-note-of-promoters-position

41 *Ibid.*

42 Department for Levelling Up, Housing and Communities, 'Holocaust Memorial Bill the right of petitioners to be heard by the house of commons select committee: note of promoter's position, GOV.UK, 4 July 2023, www.gov.uk/government/publications/holocaust-memorial-bill-note-of-promoters-position/holocaust-memorial-bill-the-right-of-petitioners-to-be-heard-by-the-house-of-commons-select-committee-note-of-promoters-position

43 House of Commons Committee of the Holocaust Memorial Bill. *Holocaust Memorial Bill Select Committee: First special report of session 2023–24* (HC 121), The Stationery Office, April 2024.

44 House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Special report of session 2016–17* (HL Paper 83), The Stationery Office, 2016.

45 House of Commons Committee of High Speed Rail (Crewe–Manchester) Bill, *High Speed Rail (Crewe–Manchester) Bill Select Committee: First special report of session 2022–23* (HC 1136), The Stationery Office, July 2023.

46 Bennett S, *Crossrail project to deliver London's Elizabeth line: the parliamentary bill process*, Proceedings of the Institution of Civil Engineers, Paper 1700014, 2017.

47 House of Commons Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Second special report of session 2015–16* (HC 129), The Stationery Office, 2016.

48 Lagerweij L, 'HS2 railway, UK – the parliamentary process to Royal Assent', *Proceedings of the Institution of Civil Engineers – Transport*, 174(1), pp. 67 -74, 202, https://doi.org/10.1680/jtran.18.00037

49 *Ibid.*

50 House of Commons Committee on High Speed Rail (West Midlands–Crewe) Bill, *Third Special Report of Session 2017–19* (HC 2270), The Stationery Office, 2019.

51 House of Lords Committee on the High Speed Rail (West Midlands–Crewe) Bill, *High Speed Rail (West Midlands–Crewe Bill): Special report of session 2019–21* (HL Paper 149), The Stationery Office, 2020.

52 House of Commons Committee on the High Speed Rail (London–West Midlands) Bill. *High Speed Rail (London–West Midlands) Bill: Second special report of session 2015–16* (HC 129), The Stationery Office, 2016, p. 91.

53 See, for example: Stop HS2, 'The Stop HS2 comprehensive guide to petitioning the Hybrid Bill', 17 July 2015, retrieved 17 July 2025, https://stophs2.org/news/10609-stop-hs2-comprehensive-guide-petitioning-hybrid-bill

54 Legislation, 'Crossrail Act 2008: Key dates', retrieved 17 July 2025, www.legislation.gov.uk/ukpga/2008/18/notes/division/9

55 Hakimian R, 'HS2 Manchester authorities make case for 4 platform underground Piccadilly through station in parliament', *New Civil Engineer*, 13 June 2023, retrieved 16 July 2025, www.newcivilengineer.com/latest/hs2-manchester-authorities-make-case-for-4-platform-underground-piccadilly-through-station-in-parliament-13-06-2023/?utm

56 Comptroller and Auditor General, *Department for Transport and High Speed Two Ltd*, Session 2019–20 (HC 40), National Audit Office, 2020.

57 *Ibid.*, p. 9.

58 Chairman of Ways and Means, and Senior Deputy Speaker, *Hybrid Bill Review Report*, House of Commons and House of Lords, 22 September 2022.

59 *Ibid.*

60 *Ibid.*

61 Kelly R and Cooper N, *Carry-over of public bills*, House of Commons Library, research briefing, Number 3236, 1 May 2025.

62 Chairman of Ways and Means, *Hybrid Bill Review: Proposed Revisions to Private Business Standing Orders*, September 2017.

63 Chairman of Ways and Means, and Senior Deputy Speaker, *Hybrid Bill Review Report*, House of Commons and House of Lords, 22 September 2022.

64 Chairman of Ways and Means, *Hybrid Bill Review: Proposed Revisions to Private Business Standing Orders*, September 2017.

65 Department for Levelling Up, Housing and Communities, 'Holocaust Memorial Bill: note of promoter's position', GOV.UK, 24 May 2024, www.gov.uk/government/publications/holocaust-memorial-bill-note-of-promoters-position-for-house-of-lords-select-committee/holocaust-memorial-bill-note-of-promoters-position

66 House of Lords Select Committee on the High Speed Rail (London–West Midlands) Bill, *High Speed Rail (London–West Midlands) Bill: Special report of session 2016–17* (HL Paper 83), The Stationery Office, 2016, chapter 2.

67 May, Thomas Erskine, *1815–1886 Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament: Select Committees committal and instructions*, 2023.

68 The Scottish parliament, 'Standing Orders of the Scottish Parliament: Chapter 9C Hybrid Bills Procedures', (no date) retrieved 16 July 2025, www.parliament.scot/about/how-parliament-works/parliament-rules-and-guidance/standing-orders/chapter-9c-hybrid-bills-procedures

69 Forth Crossing Bill Committee, *Forth Crossing Bill Committee Report: 2nd Report Session 3* (SP Paper 509), National Records of Scotland, 2010 retrieved 16 July 2025.

70 House of Lords, *Holocaust Memorial Bill: Standing Orders Committees*, (no date), retrieved 16 July 2025, https://bills.parliament.uk/bills/3421/news

71 May, Thomas Erskine, *1815–1886 Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament*, Footnote 1 in chapter 'Environmental Statements', 2023.

72 Department for Transport and High Speed Two Limited, 'HS2 Phase One Environmental Statement: Documents', GOV.UK, 25 November 2013, retrieved 16 July 2025, www.gov.uk/government/collections/hs2-phase-one-environmental-statement-documents

73 May, Thomas Erskine, *1815–1886 Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament*, 2023.

74 UK Parliament, 'Select committee on a hybrid bill' (no date) retrieved 16 July 2025, https://guidetoprocedure.parliament.uk/articles/XhWgw6i9/select-committee-on-a-hybrid-bill

75 House of Commons, *Standing Orders: Private Business 2019* (HC 6), The Stationery Office, 29 December 2019.

76 Ibid., see also section 16 in House of Commons, *High Speed Rail (Crewe–Manchester) Bill: The right of petitioners to be heard by the commons hybrid bill committee note on promoter's position*, (no date), retrieved 16 July 2025 https://assets.publishing.service.gov.uk/media/6246fc60e90e075f0a61dd19/HS2_Note_of_promoters_position_on_right_to_be_heard.pdf

77 High Speed Two Limited, *High Speed Two Phase 2ª Information Paper: Additional provisions*, HS2 Limited, 2021; *High Speed Rail (London–West Midlands) Bill: Special report of session 2016–17* (HL Paper 83), The Stationery Office, 2016.

78 *Ibid.*

79 High Speed Two Limited, *High Speed Two Phase 2ª Information Paper: Additional provisions*, HS2 Limited, 2021.

80 High Speed Two Limited, 'HS2 confirms tunnel extension for South Heath', press release, 28 August 2015.

81 House of Lords Committee on the High Speed Rail (West Midlands–Crewe) Bill, *High Speed Rail (West Midlands–Crewe Bill): Special report of session 2019–21* (HL Paper 149), The Stationery Office, 2020.

82 Podkolinski J, 'HS2 railway, UK – the hybrid bill', *Proceedings of the Institution of Civil Engineers – Transport*, 2021, vol. 174, no. 1, pp. 59–66, https://doi.org/10.1680/jtran.18.00036

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