

MINUTES OF PROCEEDINGS

of the

EXAMINATION AS TO THE PETITION FOR AMENDMENT OF PROVISIONS

on the

CROSSRAIL BILL

Thursday 11 October 2007

Before:

Tom Mohan

David Doig

Examiners of Petitions for Private Bills

MR PAUL IRVING, of WINCKWORTH SHERWOOD, appeared as Government Agent for the Bill

There also appeared:

MR EDDIE HUMBY, Winckworth Sherwood

MR DAVID WALKER, Winckworth Sherwood

1. **TOM MOHAN:** Good morning. Welcome to the House of Lords. I am Tom Mohan, one of the Examiners of petitions for Private Bills. On my left is David Doig, who is the other Examiner. We are members of staff of the Lords and Commons respectively, but on this occasion we are both acting on behalf of both Houses. Can I also introduce Chris Bolton, who is the secretary to the Examiners, and Sian Jones from the House of Commons Public and Private Bill Office.

2. This morning's proceedings are a little bit unusual and I thought it might be useful if, for the record, I said a word about how we propose to carry out the examination. The Promoters have brought forward four sets of amendments to provisions to the Crossrail Bill which we have to examine for compliance with the Private Bills Standing Orders of both Houses. The Standing Orders with which we are concerned deal mainly with the giving of notices about the provisions and the deposit of documents in certain places.

3. The traditional way of proving that the Standing Orders have been complied with is for the Agent responsible for the Bill to read a long formal Statement of Proof, which is supplemented by statements from various people who have helped to ensure that the Standing Orders have been complied with. At various points in the reading of the Statement of Proof documents, particularly copies of notices in newspapers are handed in. This takes a certain amount of time and if we were to follow the procedure in all its fullness on this occasion, we would listen to four readings of a complete proof which would take about an hour. The Agents have very helpfully provided copies of the proofs and the accompanying documents in advance and we have both read the proofs in their entirety. Unless anyone objects, I would propose that we should literally take the documents as read and that the Agent for the Bill, Mr Paul Irving, should formally prove that the Standing Orders have been complied with or not, but we should not require Mr Irving to read the proofs out loud.

4. Subject to anything which Mr Irving or anyone else says, I should perhaps say at this stage that from the documents it appears that all of the requirements of the Standing Orders have been complied with, except that certain deadlines laid down in the Standing Orders have not been met. I should perhaps explain to anyone who has not been involved in Private Hybrid Bills before that this is normal in this sort of case. The Standing Orders are written on the assumption that proceedings on a Private Bill begin in the autumn and the deadlines for deposits and notices are set accordingly.

5. In the case of amendments to a Bill which are already underway in Parliament, it is normal that the Standing Orders which mention dates should not be complied with, so we expect to find that the Standing Orders have not been complied with fully for this rather technical reason.

6. The full Statements of Proof are available from the Private Bill Office in the House of Lords if anyone should wish to see them. Can I ask if anyone has any objection to this procedure? (No objection) Thank you. In that case, can I invite Mr Paul Irving to make a Statement of Proof in the shortened form which we have proposed.

7. **MR IRVING:** Thank you, sir. I appear on behalf of the Government to tender the necessary proofs in relation to the deposit of the four tranches of amendments. You have previously had, and now have before you, I believe, the formal Statements of Proof for each tranche of amendments.

8. Mr Walker and Mr Humby, do you each produce for each tranche of amendments the exhibits listed in each of the Statements of Proofs, including for the November 2006 tranche of amendments (AP3) a copy of a note to the High Commission for the United Republic of Tanzania referred to in Note 1 under Standing Order 13 on page ten of the Statements of Proofs?

9. Sir, I prove each of the proofs in my name and that the requirements of Standing Orders set out in those proofs have been complied with, except, where applicable, as to the dates laid down by Standing Orders.

10. Mr Walker, Mr Humby, Mr Panchmatia, Ms Lecce, Mr Machin, Ms Hutchinson, Mr Bowden, Mr Collier, Mr Fishpool, Mr Crowther, Ms Piper, Mr Paris, Mr Walters and Mr Brown, do you each prove each of the proofs in your respective names and that the requirements of Standing Orders set out in those proofs have been complied with, except,

where applicable, as to the dates laid down by Standing Orders? I will go through each of you in turn. Mr Walker?

11. **MR WALKER:** Yes.
12. **MR IRVING:** Mr Humby?
13. **MR HUMBY:** Yes.
14. **MR IRVING:** Mr Panchmatia?
15. **MR PANCHMATIA:** Yes.
16. **MR IRVING:** Ms Lecce?
17. **MS LECCE:** Yes.
18. **MR IRVING:** Mr Machin?
19. **MR MACHIN:** Yes.
20. **MR IRVING:** Ms Hutchinson?
21. **MS HUTCHINSON:** Yes.
22. **MR IRVING:** Mr Bowden?
23. **MR BOWDEN:** Yes.
24. **MR IRVING:** Mr Collier?
25. **MR COLLIER:** Yes.
26. **MR IRVING:** Mr Fishpool?
27. **MR FISHPOOL:** Yes.
28. **MR IRVING:** Mr Crowther?
29. **MR CROWTHER:** Yes.
30. **MR IRVING:** Ms Piper?
31. **MS PIPER:** Yes.
32. **MR IRVING:** Mr Paris?
33. **MR PARIS:** Yes.
34. **MR IRVING:** Mr Walters?
35. **MR WALTERS:** Yes.
36. **MR IRVING:** Mr Brown?

37. **MR BROWN:** Yes.

38. **MR IRVING:** Sir, within each statement there are certain notes giving explanations of action taken. Unless you have any questions on them or on any of the proofs set out in the Statements, I hope you will report that in respect of each tranche of amendments Standing Orders have been complied with except as to time.

39. **TOM MOHAN:** Thank you very much. I do not think I have any questions. David Doig?

40. **MR DOIG:** No, thank you.

41. **TOM MOHAN:** Thank you very much. In that case, we find that the Standing Orders have not been complied with. This non-compliance is purely in respect of the time prescribed by the Standing Orders for the giving of notices making deposits applicable to the purposes of the amendments. It might be helpful if I say what will happen next. The Examiners will report this non-compliance, which is of a technical nature, to the two Houses. Each House has a Standing Orders Committee which will now have to meet and consider whether the Standing Orders which have not been complied with will now be dispensed with. The two Committees will meet separately next Thursday, 18 October. If nobody else wishes to say anything, can I take this opportunity to thank you all for attending, in particular Mr Irving, Mr Humby and Mr Walker for their assistance in providing the documents in advance and preparing them in a way which has maybe shortened the proceedings. I think that concludes that shortest examination ever! Thank you very much.

42. **MR IRVING:** Thank you very much, sir.

43. **TOM MOHAN:** We will sign the documents.