

PARLIAMENTARY BUREAU

LEGISLATIVE CONSENT MEMORANDUM - HIGH SPEED RAIL (CREWE TO MANCHESTER) BILL (UK LEGISLATION)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

High Speed Rail (Crewe to Manchester) Bill

2. The High Speed Rail (Crewe to Manchester) Bill was introduced in the House of Commons on 24 January 2022.

3. An LCM was lodged by Michael Matheson MSP, Cabinet Secretary for Net Zero, Energy and Transport, on 7 February 2022.

4. The general aim of the Bill is to put in place powers to enable the construction of the Crewe to Manchester section of HS2.

5. The LCM indicates that the Scottish Government does intend to lodge a motion seeking the Scottish Parliament's consent to the UK Parliament legislating on devolved matters in this Bill.

Designation of lead committee

6. The LCM engages the remit of two committees:

- The remit of the Net Zero, Energy and Transport Committee is *"to consider and report on matters falling within the responsibility of the Cabinet Secretary for Net Zero, Energy and Transport"*. The LCM was lodged by the Cabinet Secretary for Net Zero, Energy and Transport and relates to rail services which is within the responsibility of the Minister for Transport, who supports the Cabinet Secretary. The remit of this committee is therefore engaged.
- The remit of the Local Government, Housing and Planning Committee includes *"to consider and report on matters relating to local government, housing and planning falling within the responsibility of the Cabinet Secretary for Justice, Housing and Local Government and the Cabinet Secretary for Finance and the Economy"*. The relevant provisions of this Bill relate to planning, which falls within the responsibility of the Minister for Public Finance, Planning and Community Wealth, who supports the Cabinet Secretary for Finance and the Economy. The remit of this committee is therefore also engaged.

7. It is considered that the Net Zero, Energy and Transport Committee has the primary interest in this LCM as the subject matter of the Bill is most clearly within its

remit. However, formal designation of that committee as lead committee does not, of course, preclude any other committee whose remit is engaged from considering the LCM if it so wishes.

8. The LCM will also be considered by the Delegated Powers and Law Reform Committee in regard to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

9. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9B.3.5, to designate the Net Zero, Energy and Transport Committee as the lead committee to consider and report on the LCM.

10. A draft motion is provided below.

Parliamentary Business Team
17 February 2022

Draft Parliamentary Bureau motion on the High Speed Rail (Crewe to Manchester) Bill (UK Legislation):

Designation of Lead Committee – That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the legislative consent memorandum in relation to the High Speed Rail (Crewe to Manchester) Bill (UK Legislation).