Mark Winnington

The current design for HS2 will cause significant damage to the environment and major disruption to communities in Staffordshire.

As a county council we are committed to doing everything can to mitigate the impact of this national transport scheme on our county, should it go ahead.

We will continue to work closely with communities to champion their cause and ensure those affected receive timely and meaningful compensation.

Report Summary

1. The Government is proposing to develop a high speed rail line between London and the West Midlands – High Speed 2 – as part of a wider high speed rail network.

2. High Speed 2 Limited (HS2 Ltd), a company established by the Government to take forward the detailed proposals, published for consultation a draft Environmental Statement (including the Code of Construction Practice) and proposals to amend the original route as proposed in January 2012.

3. This report considers the consultation documentation and presents a joint response with Lichfield District Council to the consultation.

Recommendation - I recommend:

1. That Cabinet endorses the Cabinet Member’s submission to the draft Environmental Statement (named; Staffordshire Phase One Mitigation and Enhancement Plan) and Route Design Refinement Consultation

2. That Cabinet endorses the Staffordshire Phase One Mitigation and Enhancement Plan as the basis for further discussions with HS2 Limited and a potential submission to the future Hybrid Bill
3. That the Director for Place and Deputy Chief Executive, in consultation with the Cabinet Member for Economy and Infrastructure, be given delegated authority to develop a Mitigation and Enhancement Plan that may be used to prepare for the HS2 Hybrid Bill.

4. That the Cabinet Member for Economy and Infrastructure be given delegated authority to take decisions around the scope of the Mitigation and Enhancement Plan.

5. That the final decision on using the Mitigation and Enhancement Plan to petition the Hybrid Bill will be decided by Cabinet.
Cabinet – 21st August 2013

High Speed Rail 2 Phase One: Consultation response to the HS2 draft Environmental Statement and Design Route Refinement

Recommendations of the Cabinet Member for Economy and Infrastructure

1. Cabinet endorses the Cabinet Member’s submission to the draft Environmental Statement (named; Staffordshire Phase One Mitigation and Enhancement Plan) and Route Design Refinement Consultation

2. Cabinet endorses the Staffordshire Phase One Mitigation and Enhancement Plan as the basis for further discussions with HS2 Limited and a potential submission to the future Hybrid Bill

3. The Director for Place and Deputy Chief Executive, in consultation with the Cabinet Member for Economy and Infrastructure, be given delegated authority to develop a Mitigation and Enhancement Plan that maybe used to prepare for the HS2 Hybrid Bill.

4. The Cabinet Member for Economy and Infrastructure be given delegated authority to take decisions around the scope of the Mitigation and Enhancement Plan

5. The final decision on using the Mitigation and Enhancement Plan to petition the Hybrid Bill will be decided by Cabinet

Report of the Director for Place and Deputy Chief Executive

Reasons for Recommendations

Background

High Speed 2 (HS2) will be the UK’s new high speed rail network. The proposed new network will link London and the West Midlands (Phase One) and will expand in the future to connect Manchester and Leeds (Phase Two) with Birmingham, London and Heathrow Airport.

In January 2012, the Secretary of State for Transport announced the route of Phase One linking London to Birmingham. This route meets the West Coast Main Line just south of Handsacre in Lichfield. Phase One is wholly within Lichfield District which will see approximately 16km of new railway and associated equipment built.
The County Council has formally raised objection to the scheme as it will have a huge impact on the environment and many communities, while at the same time bringing no tangible economic benefits to the county.

In making its decision on the Phase One element of HS2 the Government did not approve any formal development, but agreed to progress the proposals via a Hybrid Bill. This is a common process to deliver projects of national importance such as key infrastructure projects e.g. High Speed 1 (HS1) and Crossrail (London), and where Parliamentary approval is considered necessary.

The Government confirmed in the Queen’s Speech its intention to deposit the Hybrid Bill to Parliament in November 2013. Subject to the necessary stages of the Bill being followed it is expected the enactment of the Bill would take place in March 2015. Construction of Phase One would commence in 2017 with operations starting in 2026.

**Draft Environmental Statement and Route Design Changes Consultation**

The Department for Transport/HS2 Ltd published the proposed route design changes and draft Environmental Statement for public consultation on the 16th May 2013. This consultation took place over an eight week period which ended on the 11th July 2013.

County Council officers working with Lichfield District Council colleagues and the various local HS2 groups have scrutinised the consultation proposals. The response to both consultations has been endorsed by the Cabinet Member for Economy and Infrastructure and was submitted to HS2 Ltd on the 11th July 2013. The submission to the draft Environmental Statement can be found in Appendix A with the response to the Route Design Change consultation in Appendix B.

HS2 Ltd is continuing with Environmental Assessment work. The County Council will await the publication of the Hybrid Bill and formal Environmental Statement before determining specifically what the Government is proposing by way of a detailed route for Phase One and the mitigation it is supporting to address the environmental impacts.

Between now and the deposit of the Hybrid Bill, the County Council will continue to engage with HS2 Ltd to ensure they understand the impact the route will have on our environment and countryside. This engagement will facilitate discussion in order to develop meaningful mitigation that is right for existing and future generations of Staffordshire.

**Staffordshire Phase One Mitigation and Enhancement Plan**

Since the Government’s announcement of a preferred route in January 2012, and notwithstanding the objection in principle to HS2, the County Council has worked closely with community groups to support them mitigate the impact of the route on their lives.
If left unchallenged the current design for Phase One would bring significant and unacceptable environmental damage to Staffordshire.

Experts from the County Council in noise, the environment and delivery of infrastructure have looked at the detail of the route to assess its true impact on agriculture, cultural heritage, ecology, landscape and indeed on the wider transport network.

Together with Lichfield District Council and the various local HS2 groups we have been in continual dialogue with HS2 Ltd. The purpose of this has been to understand the nature of the work being carried out by HS2 Ltd in developing the scheme, to assess the implications and to formulate a reasoned, credible response.

Following the publication of the draft Environmental Statement by HS2 Ltd, the County Council has prepared a single document which brings together the requirements both Councils and the local community’s expect from HS2 Ltd. The Staffordshire Phase One Mitigation and Enhancement Plan (appendix A) is the County Council’s response to the draft Environmental Statement.

In addition, the Staffordshire Phase One Mitigation and Enhancement Plan has been prepared to summarise the HS2 route and mitigation proposed by HS2 Ltd at the present time. The Plan responds to this by setting out approximately £170m of design changes that incorporates a much lower alignment along with meaningful mitigation in order to address the concerns of councils, residents and businesses.

The Plan sets out current proposed mitigation and will be updated to reflect responses and changes put forward by HS2 Ltd.

However, fundamentally it sets out key changes that both councils and local communities expect to see if they are not to formally challenge the proposals when formally published as part of the Hybrid Bill.

It is recommended that the Cabinet endorse the principle of the Plan and its contents for the basis of further discussions with HS2 Ltd and a potential submission to the future Hybrid Bill. Given that this is a document representing the ‘Lichfield and Staffordshire Case’ and will be subject to amendment as the HS2 proposals evolve, it is recommended that the Director for Place and Deputy Chief Executive, in consultation with the Cabinet Member for Economy and Infrastructure, be given delegated authority to develop the Mitigation and Enhancement Plan that maybe used to proceed through the future HS2 Hybrid Bill.

**What are the risks involved?**

In developing the Mitigation and Enhancement Plan, the County Council has sought to gain the views of those affected by the proposals. Some local stakeholders may have differing views on the content of the Mitigation and Enhancement Plan, however the County Council will continue to gain the views of businesses and local stakeholders in order to develop mitigation which we believe will bring the best outcome for the county as a whole.
The vast majority of communities affected by Phase One have positively contributed to this document.

**What Happens Next?**

Going forward the County Council, Lichfield District Council and local communities will continue to engage with HS2 Ltd and Government to influence the proposed route design and achieve the maximum mitigation and compensation for affected communities in Staffordshire.

In parallel with this it is important to prepare a case which may need to be submitted as a formal response to the Hybrid Bill, particularly if final Government proposals are still deemed unacceptable for the environment and our communities.

**What are the costs involved?**

Like all councils we have to be mindful of costs and balance this against other financial priorities for the council.

We do feel it is important to support communities affected, and while not wishing to go down the path of attracting large charges through lengthy legal challenges, the County Council feels it is appropriate to provide modest sums to help members in affected wards support their communities.

There is sufficient budget provision to continue to develop the Mitigation and Enhancement Plan while engaging with HS2 Ltd to ensure mitigation proposals are put forward that reduce the impact of HS2 on our community’s and environment.

As discussions evolve the County Council may need to consider drawing on the services of parliamentary agents for expert guidance.

Closer to the time of the Hybrid Bill being deposited to Parliament, and in light of information gleaned from HS2 Ltd as to the likely content of the Bill, the County Council will determine the course of action required for the Parliamentary stages; this will the subject of a future report to Cabinet.

**Author:**  
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**List of Background Documents:**

Phase One Design Refinement Consultation – Consultation Document May 2013  
Department for Transport & HS2 Ltd

Phase One Draft Environmental Statement – Consultation Document May 2013  
Department for Transport & HS2 Ltd
Appendix A: Response to the draft Environmental Statement: Staffordshire Phase One Mitigation and Enhancement Plan

Appendix B: Response to the Design Refinement Consultation
Community Impact Assessment - Full Assessment

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<td>High Speed Rail 2 Phase One: Consultation response to the HS2 draft Environmental Statement and Route Refinement</td>
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<td>Helen Riley, Director for Place and Deputy Chief Executive</td>
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1. What is the starting point for this proposal?

The Mitigation and Enhancement Plan has originated from HS2 Ltd launching the start of its consultation on the draft Environmental Statement and Route Refinement; HS2 Ltd launched the consultation on 16\textsuperscript{th} May 2013. The Mitigation and Enhancement Plan is the County Council’s response to the HS2 Phase One draft Environmental Statement.

The Plan has been developed to bring together the views held by the County Council, Lichfield District Council and local communities affected by the Phase One route.

2. What was the insight behind the proposal?

The Mitigation and Enhancement Plan has been sent to the Phase One community groups and other local stakeholders for comments. The Plan has been updated in view of these comments as part of the County Council’s role in co-ordinating the ‘voice of Staffordshire’.

The plan will continue to seek the views of those affected by the mitigation proposals so as to reach agreement with those who currently do not support them.

3. Finding out what people need

Having sought the views of those affected by HS2 Limited’s proposals and the mitigation proposals contained within the Plan, community and other local stakeholder comments have been incorporated into the document.

The Plan is intended to be a living document that will undertake many iterations as HS2 Ltd refine their design and additional information becomes available.

Some local stakeholders may have differing views on the current content of the Mitigation and Enhancement Plan; continued dialogue will take place with those stakeholders so as to reach a solution acceptable to all parties.
Further customer insight will take place during the course of 2013.

4. Responding to issues identified

The Enhancement and Mitigation Plan has been updated following comments from local stakeholders and community groups. This is an on-going process and the document will evolve through further consultation/discussion.

Given the eight week consultation period, further consultation and liaison is required to ensure all those affected by the mitigation proposals have been given the opportunity to comment. Electronic copies of the document will be available to assist in future discussions.

5. What is the final proposal and what is it to achieve

In order to reduce the impact of HS2 on our communities and environment, the Mitigation and Enhancement Plan will form the basis for future discussion with HS2 Ltd to ensure HS2 delivers mitigation that is right for existing and future generations of Staffordshire.

Subject to the success of discussion with HS2 Ltd and Ministers, the County Council may have to decide to petition against the Hybrid Bill. This decision will be the subject of a further Cabinet paper that will outline risk and resource implications.

6. How will we know we have been successful?

Through further discussion and consultation it is expected that agreement can be reached with local stakeholders to ensure HS2 Ltd and Ministers hear a consistent message from Staffordshire.