

HS₂ PHASE ONE SAFEGUARDING CONSULTATION

Summary of Responses

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July 2013



Department for Transport

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Executive summary

Background

The HS2 safeguarding for London-West Midlands (L-WM) consultation opened on 25 October 2012 and ended on 31 January 2013.

In total, 3,761 responses were submitted during the consultation period. Of the 3,761 responses, 3,394 consisted fully or partly of a standardised statement in support of an additional tunnel for the section of HS2 passing through the Chilterns.

The remaining 367 responses were sent on behalf of organisations and individuals representing a range of different interests in the safeguarding proposals. Of these respondents, 212 were categorised as individuals and 155 as organisations, including local authorities, businesses and action groups.

This report summarises the issues that were raised in those responses, with a particular emphasis on the issues that fall within the scope of the safeguarding consultation as set out in the associated consultation document.

The Government's response to this summary of responses is expected to be published separately once final decisions on safeguarding have been taken by the Secretary of State.

Summary of responses

Many respondents, particularly those categorised as organisations, agreed with the principle of safeguarding as an established mechanism, but most nonetheless made comments about the specific approach proposed for HS2.

One of the most common concerns expressed by organisations was about the blighting impact of safeguarding. Many of these respondents commented that safeguarding would contribute to the difficulties already experienced by businesses and communities along the route.

Many respondents believed safeguarding for HS2 to be premature at this stage. A variety of reasons were given. A number of respondents raised the issue of whether the Government should have carried out a Strategic Environmental Assessment (SEA) for safeguarding. Others were concerned that the draft safeguarding directions have no built-in end date.

Respondents raised a number of issues regarding the process for determining planning applications within the safeguarded area.

A number of respondents queried the section in the draft Guidance which advised local authorities to reference HS2 in response to property searches within 200m of safeguarding. It was considered that this could exacerbate blight.

Some respondents considered that there should be an independent arbitrator for determining planning applications within the safeguarded area, or that there should be an alternative route of appeal for those whose applications were turned down due to an HS2-related objection.

There were a number of points relating broadly to the question of how future amendments to safeguarding would be managed.

Geographical extent of safeguarding

One of the most common responses on the extent of safeguarding was that there was not enough information available for any given site for people to be able to judge whether the land identified in the draft plans was appropriate.

Of those who commented on the extent of the draft safeguarding, some believed that the boundary had been drawn too broadly and that the extent of safeguarding should be minimised and should reflect detailed land requirements.

Others argued that the draft safeguarded area was not wide enough because it did not reflect some of the wider impacts of the railway, in terms of visual or audible impact, or the impact of blight. These responses were often linked to views on the wider issue of compensation.

There were a large number of responses requesting a location-specific change to the safeguarded area. Most location-specific responses fell into one of two categories: commercial organisations wishing to be removed from safeguarding, and residences or smaller businesses close to the boundary wishing to be included within it.

Other issues

The most common form of response on the draft Impact Assessment (IA) was to highlight a potential cost which, it was said, was either underestimated or not included at all. The most common element perceived to be missing was the cost to communities, businesses and other property owners of the adverse effects of blight.

Most of the remaining elements perceived to be missing from the draft IA related more specifically to the planning process brought about by safeguarding. Some councils (and other respondents) said that the draft IA underestimated the administrative burden that would be placed on them.

Respondents to the consultation chose to raise a wide range of additional issues or concerns relating to the HS2 project as a whole. These included a very large number of responses relating to alternative site or route proposals, such as those supporting additional or extended tunnels in the Chilterns or for the High Speed One (HS1) link.

There were also a large number of responses which referred specifically to issues within the scope of the parallel property and compensation consultation.

1 Consultation background, response handling and issues arising

1.1 Consultation background

1.1.1 The HS2 Safeguarding for L-WM consultation opened on 25 October 2012 and ended on 31 January 2013. A consultation document set out the proposals. It included three annexes:

- Draft safeguarding directions;
- Draft guidance for Local Planning Authorities on safeguarding directions; and
- A draft Impact Assessment.

1.1.2 A set of 116 maps, covering the L-WM route only, set out the draft geographical boundaries of the area to be safeguarded for HS2. A set of explanatory notes provided guidance on how the boundaries had been decided and why in some places they deviated from a standard distance from the proposed centreline of the track. A short 'fact sheet' on safeguarding explained the purpose of safeguarding and how it was proposed to apply to HS2.

1.1.3 The safeguarding consultation document sought responses to four specific questions:

1. Do you agree with the proposal to safeguard, and the content of the proposed safeguarding directions? If not, please explain why.
2. Do you agree with the content of the guidance for Local Planning Authorities on the directions? If not, please explain why.
3. Do you agree with the geographical coverage of the land to be safeguarded (see plans and explanatory notes on the HS2 Ltd consultation website)? If not, please explain why.
4. Do you consider that the draft Impact Assessment is a fair reflection of the costs and benefits of the safeguarding proposals on the operation and outcomes of the planning application process? If not, please explain why.

1.2 Publicity and notification

1.2.1 The safeguarding consultation was aimed primarily at Local Planning Authorities and other stakeholders to whom the finalised safeguarding directions would directly apply. Letters were sent to a list of stakeholders, including local authorities and MPs, explaining the launch of the consultation and how to access further information.

1.2.2 People outside that list of stakeholders were given access to information on safeguarding in a number of other ways. All members of HS2 community forums were provided with basic details of the consultation, including access to the consultation website which included links to all documents and maps.

1.2.3 The safeguarding consultation coincided with the property and compensation consultation, which was aimed primarily at individual land and property owners potentially affected by the HS2 project. That consultation included a series of 22

information events at community venues along the L-WM line of route. At each of these events, visitors had an opportunity to view maps showing the safeguarded area, take away safeguarding documents and hold discussions with property specialists.

1.3 Response handling and issues arising

- 1.3.1 In total, 3,761 responses were submitted during the consultation period. For the most part, these were sent to one of the two dedicated response channels for the safeguarding consultation: a freepost address and an email account. In some instances, responses were sent to a different address, including the separate response channels for the consultation on property and compensation or to individuals and teams within HS2 Ltd and the Department for Transport.
- 1.3.2 As was explained on the consultation website, under those circumstances we would take reasonable measures to ensure that responses were re-directed to the correct address, but we could not guarantee that they would be identified in time. The correct response channels for the safeguarding consultation and for the property and compensation consultation were consistently advertised on all our consultation material and our website.
- 1.3.3 Submitted responses were logged within HS2 Ltd. Upon closure of the consultation, responses were assigned to and analysed by a range of HS2 Ltd employees. Responses were summarised and the issues raised were separated out and then categorised into a number of common themes to assist in the analysis and reporting process. Further information on the analysis and reporting methodology is set out in **Annex A**.
- 1.3.4 Of the 3,761 responses, 3,394 consisted fully or partly of a standardised statement in support of an additional tunnel for the section of HS2 passing through the Chilterns, which we understand to have been drafted by an HS2 action group.
- 1.3.5 The remaining 367 responses were sent on behalf of organisations and individuals representing a range of different interests in the safeguarding proposals. Of these respondents, 212 were categorised as individuals and 155 as organisations, including local authorities, businesses and action groups. Individuals representing others, such as Members of Parliament and Councillors, were categorised as organisations for counting purposes.
- 1.3.6 Within these 367 responses, three additional 'organised'/campaign responses were identified. These included 45 responses relating to the HS1 link in Camden and 44 relating to the Drummond Street area around Euston. A further 23 related to a specific property: Silsoe House, near Euston. An example of the standardised text used in these three responses, as well as that used for the Chilterns tunnel responses referred to above, is reproduced in **Annex B**.
- 1.3.7 The next section of this report summarises the issues that were raised in those responses, with a particular emphasis on the issues that fall within the scope of the safeguarding consultation and the four questions included in the consultation document.
- 1.3.8 As with the responses calling for a tunnel beneath the Chilterns, some respondents among the 367 made points that do not directly or indirectly address the subject of the

consultation. For example, some chose to comment on the overall case for high speed rail or aspects of the route selection process. These are not covered in detail in this report. However, where these comments were considered to be significant and new (i.e. not previously raised through consultation or other forms of public engagement), or when they were raised in high quantities, they were referred to relevant directorates and individuals within HS2 Ltd and the Department for Transport, as was the case with the Chilterns tunnel responses.

- 1.3.9 In other instances, respondents chose to address issues that fell within the scope of the property and compensation consultation. These issues were considered and noted during the analysis of safeguarding responses, but have not been addressed in detail in this report because they fall outside of the scope of safeguarding, which deals with planning issues rather than compensation. Where possible, responses that dealt entirely or primarily with compensation matters were forwarded to the appropriate response channels for the property and compensation consultation.
- 1.3.10 Those responses would still be considered within the safeguarding consultation because they were deliberately sent to one of our dedicated response channels, but would also be considered by the separate team analysing property and compensation responses.
- 1.3.11 The Government's response to this summary of responses is expected to be published separately once final decisions on safeguarding have been taken by the Secretary of State.

2 Summary of responses received, by subject/issue

2.1 Principle of safeguarding and the proposed approach for HS2

2.1.1 Many respondents, particularly those categorised as organisations, agreed with the principle of safeguarding as an established mechanism, but most nonetheless wished to make comments about the specific approach proposed for HS2. Many others simply stated their concerns.

2.1.2 One of the most common concerns expressed by organisations was about the blighting impact of safeguarding. Many of these respondents commented that safeguarding would contribute to the difficulties already experienced by businesses and communities along the route. Often, particularly among the responses from individuals, these points were inseparable from people's views on the wider subject of blight caused by the HS2 project as a whole (and the compensation they believed should be put in place). Points relating specifically to the blighting impact of introducing safeguarding directions included:

- a) it could make financing more difficult near the safeguarded area;
- b) it could inhibit owners' ability to let or develop their land;
- c) it could lead to loss of jobs within the safeguarded area (including if business tenants decide to move away from affected areas); and
- d) the Government buying large numbers of properties in an area could damage community cohesion.

"The introduction of Safeguarding Directions...will mark a major step in formalising the process of obtaining consent for the construction of HS2. Following the introduction of these Directions, significant (and visible) adverse changes to communities impacted by HS2 are likely to occur." **HS2 Action Alliance**

2.1.3 Many respondents, including the HS2 Action Alliance and the London Boroughs of Camden and Hillingdon, believed safeguarding for HS2 to be premature at this stage. A variety of reasons were given for this, including that:

- a) the route and its detailed design are not finalised;
- b) not all land use is known at this stage;
- c) not all environmental and other studies are available;
- d) the Environmental Statement is not yet finalised;
- e) HS2 does not have planning consent;
- f) it is in advance of the hybrid Bill;
- g) it could be seen to limit the ability of the Hybrid Bill Select Committee to influence the route;
- h) the final decision to proceed with HS2 has not been taken;

- i) the wider social and economic impact of the directions is not assessed in the draft IA; and
- j) there would be a cost to taxpayers if the proposals were subsequently dropped.

“It is premature to begin safeguarding land when the line of the route remains ‘unfixed’. This could result in development proposals being scrapped needlessly, or decisions being taken on ‘safe’ land suddenly needing to be reviewed.” **London Borough of Hillingdon**

- 2.1.4 A number of respondents, including the HS2 Action Alliance, raised the issue of whether the Government should have carried out a Strategic Environmental Assessment (SEA) for safeguarding in order to comply with Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.1.5 A number of respondents were concerned that the draft safeguarding directions have no built-in end date – that is, they remain in force until such time as the Secretary of State for Transport decides to amend or remove them. These respondents considered that a ‘sunset clause’ should be built into the directions so that they would automatically lapse in certain circumstances, e.g. if the hybrid Bill fails to be enacted by Parliament or after a set number of years.
- 2.1.6 A handful of respondents questioned whether alternative approaches to protecting the HS2 route, other than safeguarding, had been given sufficient consideration, although very few such alternatives were proposed by respondents:

“As an alternative, the DfT could convene a group of local planning authorities and work collaboratively to manage the development in the area up until a definitive decision is taken by Parliament through Royal Assent.” **Chiltern Ridges Action Group**
- 2.1.7 In some cases, these points were raised in relation to the draft IA and were often more narrowly focused on the issue of whether alternative distances (as opposed to the default 60m boundary) had been given sufficient consideration.

3 Process (Draft Directions and Draft Guidance for LAs)

- 3.1 Respondents raised a number of issues regarding the process for determining planning applications within the safeguarded area. These came predominantly from organisations, though some individuals also commented on these issues.
- 3.2 A number of respondents, mostly residents' or action groups, elected representatives and individuals, queried the section in the draft Guidance which advised local authorities to reference HS2 in response to property searches within 200m of safeguarding. It was considered either that this could exacerbate blight, or that it was a recognition that impacts would go wider than the safeguarded area. Those making these points frequently suggested that this should be reflected in the compensation proposals. A minority of respondents on this issue believed that a wider distance should be used for search purposes.
- “We understand that all properties within 200m of the edges of the surface interest zone (and not just those in the safeguarding zone) would have HS2 Ltd’s interest noted on their Charges Register. This may be an appropriate protection for purchasers but it is likely to cause long-term blight across a band of land almost 500m wide across the cutting. Yet there is no compensation for property owners in this wider band.” **Camden Cutting Group**
- 3.3 Some respondents said that there should be an independent arbitrator for determining planning applications within the safeguarded area, or that there should be an alternative route of appeal for those whose applications were turned down due to an HS2-related objection. These suggestions often cited procedural concerns about the Secretary of State for Transport carrying out this role, given it is his Department that is behind the HS2 project.
- “It is...difficult to see how any process which places HS2 Ltd and the Secretary of State in a quasi-judicial role of determining planning decisions in the Safeguarded Zone could be free from procedural unfairness. It would be far preferable for an independent person, such as a Planning Inspector, to be provided with the powers to assess decisions regarding development in the Safeguarded Zone.” **HS2 Action Alliance**
- 3.4 There were a number of points relating broadly to the question of how future amendments to safeguarding would be managed. A handful of respondents, particularly from local government (including 51M), said that every effort should be made to get the boundaries right first time, and that once the directions were in place, the safeguarded area should not change, as this would create uncertainty and be difficult for local authorities to administer. A few, including some larger landowners, considered that the safeguarded area should be updated regularly in order to ensure that it reflected the latest design work.
- 3.5 A number commented that future changes to the boundaries should be subject to further consultation with affected people. Others simply requested further information about the future timetable for changes.

3.1 More detailed issues on the Guidance/process

- 3.1.1 A handful of respondents, often representing landowners or developers, put forward suggestions about types of development that could potentially be made exempt from the directions:
- a) applications within sub-surface safeguarding that do not affect land below a certain depth (specific suggestions from 2m-5m);
 - b) material change of use and certificates of lawful use;
 - c) those applying for discharge of conditions or completion of S106 or S278 agreements (under the Highways Act 1980);
 - d) those applying for full permission where outline permission is granted;
 - e) those already in negotiations of three months or longer with LPAs;
 - f) those aimed at the protection/maintenance of listed buildings and heritage assets; and
 - g) those within sites of strategic development.
- 3.1.2 A number of respondents, mostly representing local government, responded to the request to provide HS2 Ltd with details of Permitted Developments within the safeguarded area. Most of these pointed out that they would often not hold this information and a few also queried whether such developments would be of much significance to HS2 Ltd.
- 3.1.3 It was also suggested that some of HS2 Ltd's other communications material could make it clearer that Permitted Developments were not affected by the safeguarding directions.
- 3.1.4 Some respondents, mostly from councils, responded to the request to provide HS2 Ltd with details of extant planning consents within the safeguarded area. Some advised that they would not be able to do this, or that it would place an additional cost on local authorities which they would expect the Government to cover. One council included some such information as part of its response.
- 3.1.5 A number of respondents, predominantly councils, proposed that rather than rely on the postal service, electronic communications should be used to make the transfer of planning applications more efficient and cost effective, in keeping with the wider e-Government agenda.
- 3.1.6 Some councils raised the issue of conflicts between safeguarding and their Local Plans. They recommended more flexible means to resolve conflicts rather than updating the Local Plans to reflect safeguarding, especially as safeguarding boundaries were subject to further change.
- 3.1.7 Some respondents expressed concern that safeguarding could lead to delays in the planning application process. Certain councils were particularly concerned, given the pressure they were under to ensure a timely process and the monitoring to which they were subject.

- 3.1.8 Respondents also raised a number of related points regarding HS2 Ltd's approach to deciding whether or not to object to a planning application, and its internal processes for doing so. Points made were that the Government/HS2 Ltd should:
- a) ensure that sufficient resources are in place to handle expected volumes;
 - b) publish a policy/set of criteria to which they will adhere;
 - c) commit to a timescale for responding;
 - d) agree to meet with developers at an early stage and provide guidance to help minimise conflicts;
 - e) consider each application on its merits;
 - f) avoid any needless objections;
 - g) provide explanations where they object; and
 - h) establish and publish a complaints procedure.

4 Geographical extent of draft safeguarding

4.1 A large number of responses on the issue of the extent of safeguarding, including some of the organised responses, raised questions more relevant to the decision on the line of route for HS2 than to decisions on the draft safeguarded area. Of those responses which related to the draft safeguarding as proposed in the consultation, two broad categories emerged: those that were of a general (i.e. route-wide) nature; and those which were location-specific.

4.1 General/route-wide comments

4.1.1 Of the general comments, one of the most common responses was that there was not enough information available about the route design and the activities planned for any given site for people to be able to judge whether the land identified in the draft plans was appropriate. Environmental information about the route was also considered to be lacking. A handful of respondents questioned the justification for the use of a 60m default distance.

“Insufficient information is provided on what activities are proposed in the safeguarding area to enable any proper conclusion to be reached as to whether the safeguarding arrangements are adequate. More information on the design of the station, the cutting, construction compounds, construction and servicing vehicle access and tunnels, and likely health impacts are needed.” *London Borough of Camden*

4.1.2 Of those who commented on the extent of the draft safeguarding, some believed that the boundary had been drawn too broadly and that the extent of safeguarding should be minimised to reflect detailed land requirements, following existing ownership boundaries rather than relying on a standardised or ‘arbitrary’ distance approach.

“Narrower safeguarding zones would reduce generalised blight and give property owners more assurance whether their properties are safe from compulsory purchase or at risk of damage from tunnelling.” *Hillingdon Against HS2 and Ruislip Against HS2*

4.1.3 Others – often referring to recent design work released by HS2 – argued that the safeguarding should be based on this very latest thinking and that it should include land for some functions not specifically included or identified in the draft plans (e.g. landscaping for mitigation purposes, rural construction sites). This would result in the area expanding in some places and shrinking in others. These arguments were often linked to the view that it was premature to safeguard at this stage because not all of these details were fully developed.

4.1.4 Others argued that the draft safeguarded area was not wide enough because it did not reflect some of the wider impacts of the railway, in terms of visual or audible impact, or the impact of blight. These responses were often linked to views on the wider issue of compensation. For example, some responses, including the organised response relating to the Drummond Street area, suggested that the line might have intentionally been drawn narrowly in an attempt to minimise compensation.

4.1.5 Some of those in the more urban areas felt it was unfair that the draft safeguarded area was often narrower (e.g. in the Camden area) than in rural areas. Some of these responses argued that either the safeguarded area should be expanded to include certain properties or the ‘Voluntary Purchase Zone’, which was proposed in the parallel property and compensation consultation, should be extended to urban areas.

- 4.1.6 A few respondents questioned the consistency of the approach to drawing the safeguarding boundary. In some places, for example, it appeared that the boundary went around buildings and landholdings, whereas in others it went straight through them.
- 4.1.7 Two councils also questioned which alignment had been used as the basis for the draft safeguarded area, remarking that it was not identical to the post-consultation route published in January 2012.

4.2 Location-specific comments

- 4.2.1 There were a large number of responses requesting a location-specific change to the safeguarded area. Most location-specific responses fell into one of two categories: larger commercial organisations (often supported by the local council) wishing to be removed from safeguarding and residences or smaller businesses close to the boundary wishing to be included within it.
- 4.2.2 Quite a large number of businesses with land either partially or completely within the boundary requested that their land be removed from the safeguarding area due to concerns about their ability to finance development on that land or obtain planning permission for it.
- 4.2.3 On the other hand, some residents and residents' associations and a few other landowners close to the boundary requested that the safeguarding be expanded to include their land. One set of organised responses related specifically to one residential building – Silsoe House – in the Euston area (see Annex B). Some of these respondents whose property was only partially within the boundary requested that the whole of their property be included.
- 4.2.4 A few respondents identified specific areas of land which they said should be included for various project-related reasons – for example, to allow for a people-mover to connect the Birmingham Interchange station to the NEC and Birmingham International Airport.
- 4.2.5 Others identified specific areas of safeguarding where they thought further detail or explanation needed to be given to justify the inclusion of that land.

5 Draft Impact Assessment

- 5.1 While a number of respondents believed that the draft impact assessment (draft IA) was a reasonable assessment of the likely impacts of the safeguarding directions, others said either that it was not clear or that it was difficult to assess if it was a fair reflection at this stage.
- 5.2 Notwithstanding the above, the most common form of response to the draft IA was to highlight a potential cost which, it was claimed, was either underestimated or not included at all.
- 5.3 The most common element perceived to be missing was the cost to communities, businesses and other property owners of the adverse effects of blight. This included a combination of impacts inside the safeguarded area, such as additional costs, risks or delays to developers (particularly those ineligible for purchase under statutory blight provisions) and the opportunity cost (i.e. the unrealised benefits) of alternative developments; as well as impacts outside the safeguarded area, such as difficulties for people obtaining financing, loss of property value, community disruption and other negative social or economic costs.
- “The City Council broadly agrees with the draft Impact Assessment as set out in the Consultation Document. However...we feel that the potential impact of the blighting of land by Safeguarding creating uncertainty and deterring investment is overlooked.”
Birmingham City Council
- 5.4 Some of the respondents making these points also referred to the need for further impact assessments to be carried out, including ones on health, environmental health, employment, business, farming and leisure. The organised response relating to Drummond Street, along with some other respondents, also queried whether an Equalities Impact Assessment had been carried out for safeguarding.
- 5.5 Most of the remaining elements perceived to be missing from the draft IA related more specifically to the planning process brought about by safeguarding. Some councils (and other respondents) said that the draft IA underestimated the administrative burden on them. Particular references were made to the need to explain the effect of HS2 and safeguarding to those considering putting forward planning applications. This would also require the council to liaise with HS2 Ltd.
- 5.6 In a few cases, it was said that the draft IA underestimated the salary costs of council employees. In addition, some of the more urban authorities considered that because the draft IA estimated average cost burdens across all of the councils along the route, it did not adequately reflect the additional costs of operating in urban areas with a higher density of development.
- 5.7 In addition to the above, respondents raised a number of other potential costs to councils which they considered were not covered within the draft IA, including:
- a) handling the proposed arrangements for land searches (e.g. updating mapping systems/dealing with enquiries), which it was believed could take considerable time;
 - b) providing HS2 with details of permitted development or extant planning permissions within the safeguarded area;

- c) additional pressures to deal with applications for certificates of appropriate alternative development;
- d) any additional costs to the council arising due to the Government owning properties within the safeguarded area;
- e) additional council time taken dealing with purchase notices; and
- f) additional time spent on strategic planning as a result of changes brought about by HS2.

5.8 A common reaction to the additional administrative costs for councils was that HS2 Ltd or the Government should agree to fund them.

6 Responses about the consultation process

- 6.1 As mentioned previously in the relevant sections, the most frequently expressed concern relating to the consultation process itself was about the quality or quantity of information provided. This point was also raised in the organised response from the Drummond Street area.
- 6.2 Other than this, only a relatively small number of respondents commented on the consultation process itself. Some of these argued that the safeguarding and property and compensation consultations were so closely linked that they should not have been conducted and analysed separately. Conversely, but for similar reasons, it was also suggested that the link between the two consultations should not have been established in the first place, as the two had different purposes.
- 6.3 A small number of respondents believed that the consultation questions were framed in such a way as to limit the scope of possible responses. A few others expressed concerns that the consultation closed (on 31 January) so soon after the Phase Two route publication (28 January) and before the court ruling on the HS2 Judicial Reviews (15 March).
- 6.4 Other comments included the suggestion that the consultation should have been provided in an online questionnaire format to assist respondents or that it should have requested demographic information about respondents in order to better assess the issues raised by particular groups.

7 Other issues raised in consultation responses

- 7.1 Respondents to the consultation chose to raise a wide range of additional issues or concerns relating to the HS2 project as a whole. These included a very large number of responses relating to alternative site or route proposals, such as those supporting additional or extended tunnels in the Chilterns or for the HS1 link.
- 7.2 There were also a large number of responses which referred specifically to issues within the scope of the parallel property and compensation consultation.
- 7.3 Many responses raised concerns about a general or localised impact of the HS2 project (but not safeguarding specifically) on a particular area, individual or business. For instance, many responses, including the organised 'HS1 link response', referred to concerns about the amount of noise, vibration, traffic or disruption that the project would cause, either permanently or during the construction period.
- 7.4 A number of respondents requested further information about the detail of the proposals in their area and there was criticism from some about the level of engagement that they had experienced to date.

Annex A – Safeguarding analysis and reporting

Responses to the safeguarding consultation were analysed by an in-house team within HS2 Ltd.

Submitted responses were logged on receipt and securely stored. They were sorted into some broad categories (e.g. organisations, individuals, organised responses) and other information was recorded, such as the date received and the format of the response (hard copy, email, etc).

Upon closure of the consultation, responses were assigned to and read by a range of HS2 Ltd employees across a number of different teams. This included individuals involved in various aspects of safeguarding, as well as those with no direct involvement.

All responses were read and the individual issues raised were separated and summarised. Where an individual analyst was unsure about the meaning of a point raised, a note was made so that it could be referred to others for clarification. Notes were also made where the issues raised had implications beyond the immediate scope of the safeguarding consultation, so that information could be passed to other teams within HS2 Ltd or the Department for Transport, where appropriate, or to the external team analysing the property and compensation consultation.

Individual analysts followed a common approach and used a common template. They also kept in regular communication with each other to ensure that the approach taken was as consistent as possible.

Once the individual issues mentioned above had been summarised, these were categorised into a number of common themes or 'codes'. The codes were regularly reviewed as the analysis work progressed to ensure they were applied as consistently as possible. This 'coding framework' was later used to enable issues of a similar nature to be grouped together and compared for reporting purposes. The codes were also used to enable the weight of responses on a particular issue to be compared. However, they were not used or counted in isolation from the summarised issue itself, as some of the codes covered a range of 'sub-issues'. A list of the codes used is provided below.

This summary of responses was produced with close reference to the database of summarised responses and the codes assigned to them, but this was not the only tool used. The authors of the report also relied on detailed knowledge from reading a wide cross-section of responses, regular reference to the original responses and the input and feedback of other members of the analysis team.

This analysis process was subjected to an internal audit by the consultation team within HS2 Ltd, which included a number of additional checks, including parallel analysis of a random sample of responses.

Coding framework

Alternatives to SG	Maps – consistency
Amend SG – specific area	Maps – error
Amend SG – too arbitrary/not precise enough	Maps – lack of info
Compensation	No comment
Consultation process	Premature
Consultation process – lack of info	Premature – design/route not fixed
Consultation process – timing	Premature – not before Parliamentary process
Criticise HS2/Gov't	Premature – prejudicial to subsequent route changes
Directions – detail	Principle – need a SEA
Directions – detail – appeals	Principle – need an EqIA
Directions – detail – definitions	Principle – no end date
Directions – detail – depth	Reduce SG – generally
Directions – detail – exemptions	Reduce SG – specific area
Expand SG – generally	Request for info
Expand SG – generally – omissions	Safeguarding should be separate to compensation
Expand SG – specific area	See other
Expand SG – urban areas	SG causes blight
Extent of SG	SG causes blight/restricts development
Extent of SG – minimise compensation	SG exacerbates blight
Extent of SG – query 60m approach	SG prevents development
Extent of SG – should reflect latest design	SG unfair
Future safeguarding	Wider project issue
Gov't funding for LAs	Wider project issue – access rights
Guidance	Wider project issue – acquisition process
Guidance – detail – 26-week limitation	Wider project issue – communications
Guidance – detail – appeals	Wider project issue – construction/disruption
Guidance – detail – definitions	Wider project issue – consultation
Guidance – detail – delay	Wider project issue – Countryside Act
Guidance – detail – electronic comms	Wider project issue – disruption
Guidance – detail – extant permissions	Wider project issue – disruption/construction
Guidance – detail – independent arbitrator	Wider project issue – engineering
Guidance – detail – local plan	Wider project issue – farm impact assessments
Guidance – detail – model conditions/HS2 approach as consultee	Wider project issue – flooding
Guidance – detail – permitted developments	Wider project issue – general objection/challenges case for HS2
Guidance – detail – searches	Wider project issue – health impact assessm't
Guidance – omission	Wider project issue – heritage
IA – alternatives	Wider project issue – impact
IA – can't say at this stage	Wider project issue – line of route
IA – criticism	Wider project issue – line of route – Chilterns tunnel
IA – no EqIA [Equalities Impact Assessment]	Wider project issue – line of route – tunnel
IA – reasonable/praise	Wider project issue – line of route – tunnel
IA excludes or underestimates cost	
IA excludes or underestimates cost – too narrow	
IA not independent	
Independent arbitrator	

HS1 link

Wider project issue – line of route – Washwood
Heath depot

Wider project issue – minerals

Wider project issue – Nat. Temp. hospital

Wider project issue – objection to HS2

Wider project issue – opportunity

Wider project issue – planning

Wider project issue – project impact on LPAs

Wider project issue – property management

Wider project issue – road maintenance

Wider project issue – speed

Wider project issue – transport integration

Annex B – Example copies of four organised responses

It is common in high-profile consultations for interest groups to ask their members and supporters to submit responses conveying a certain view. As a result, the consultation may receive high numbers of identical or near-identical responses.

As described in section 1, of the 3,761 responses received, 3,394 consisted fully or partly of a standardised statement in support of an additional tunnel for the section of HS2 passing through the Chilterns. Within the remaining 367 responses, three significant additional 'organised'/ campaign responses were identified. These included 45 responses relating to the HS1 link in Camden and 44 relating to the Drummond Street area around Euston. A further 23 related to a specific property: Silsoe House, near Euston. An example of the standardised text used in these responses is reproduced below, though some variations were noted.

'Chilterns response':

Dear Prime Minister and Secretary of State for Transport,

Response to High Speed Two: Safeguarding for London - West Midlands Consultation:

Your proposal is to safeguard substantial areas of land in the Chilterns between Hyde Heath and Wendover – underlining the damage HS2 will do to this Area of Outstanding Natural Beauty. This follows the plans announced in January 2012 which substantially worsened the environmental damage HS2 will cause to this unique and protected area.

The current safeguarding consultation asks for feedback on the land take proposed to construct HS2. Professional engineers have shown a tunnel could be built through the Chilterns at no additional cost to the country. HS2 Ltd's own engineers agree it is feasible. A tunnel would significantly reduce the environmental damage of HS2 in this AONB, as well as reducing the impact on communities from blight and construction disruption.

Please deliver on your promise to be the "greenest government ever" and amend the current safeguarding proposals so that they are based on the requirements for a tunnel right through this unique and nationally protected landscape rather than the current surface route.

'HS1 Link response':

Dear Sir/Madam

Safeguarding Proposals – HS1/HS2 LINK – Camden Town

This is my formal response to the safeguarding consultation:

1. The plans illustrate long term blight and disruption to Camden Town (2017-2026)
2. Demolition and re-construction of seven bridges and other major work, largely in Conservation Areas, would damage the historically important rail/canal fabric
3. Severe disruption would be caused to the successfully upgraded London Overground, where passenger numbers are increasing by 10% per annum
4. If this link is required, it should be provided by a bored tunnel
5. A tunnel would eliminate all blight and disruption to Camden Town
6. It would allow trains to run at 225 mph throughout (not at 35 mph on the link)

7. An arbitrary 60m from track centre-line is quite irrelevant in this dense urban area and a property bond to safeguard against individual losses and blight must be introduced
8. There is no community compensation provision for construction blight
9. The safeguarding area is only provisional, with talk of cantilevered walkways or re-construction providing general blight and uncertainty

The current proposals for this link appear to be a hurried afterthought and not a long term solution to the rail needs of the country. We believe that if a high speed link is required from the north to the continent, then the job must be done properly and a tunnelled solution built.

'Drummond Street response':

Dear Secretary of State for Transport

HS2:Safeguarding for London-West Midlands Consultation Response

I am a member of the Drummond Street community in the London Borough of Camden. Our cluster of restaurants and businesses in Drummond Street is unique. There is a large concentration of British Bangladeshi residents and traders. Our thriving and diverse community is very special to us all. A number of homes and businesses in our area are to be demolished to make way for the new station. We understand that construction works are likely to last from 2017 to 2026 (and beyond as the area above the station is developed). We fear that works will be executed at night, during weekends and over holiday periods to ensure that the impact on the existing rail services will be minimised. We want to remain within our existing community.

HS2 will blight our community, including some who are vulnerable and have "protected characteristics" as defined by the Equality Act 2010. We are concerned that no Equality Impact Assessment has been prepared. We have seen no evidence that HS2 have had due regard to their public sector equality duties. The consultation process has been seriously flawed. We have been denied the information that we have sought to make an informed response.

I respond to Question 3, namely the geographical coverage of the land to be safeguarded.

- The stretches of Drummond Street, Euston Street, Starcross Street and Stephenson Way to the east of Cobourg Street should be taken out of the Safeguarding zone. There is no reason for these streets to be used as access for construction traffic. If they are to be included, the neighbouring properties should also be included.
- The safeguarding zone seems to have been devised to deny any compensation to those whose properties and lives will be blighted. For example, Exmouth Mews is surrounded by red lines on three sides; yet those living there will receive no compensation despite having a new station constructed to the east; a construction site to the north and construction traffic to the south. If the above streets are to be included in the safeguarding zone, then rationally, the whole of the Drummond Street area should be included to give the residents and businesses affected the compensation to which they would be entitled were they to be living to the north of the M25.

Please ensure that this response is also taken into account in considering the consultation responses on the compensation proposals.

'Silsoe House response':

HS2 Safeguarding Consultation Response

Silsoe House, 50 Park Village East, London NW1 7QH

This consultation seeks responses to the following questions:

1. Do you agree with the proposal to safeguard, and the content of the proposed safeguarding directions (Annex A)? If not, please explain why.

We do not object to the proposal to safeguard, on the understanding that the directions are intended to apply to local authorities to deal with potential conflicts in planning applications with HS2 and to avoid excessive additional costs. I have no particular comments on the directions themselves.

2. Do you agree with the content of the guidance for Local Planning Authorities on the directions (Annex B)? If not, please explain why.

[No comment]

3. Do you agree with the geographical coverage of the land to be safeguarded (see plans and explanatory notes on the HS2 Ltd consultation website at: http://highspeedrail.dft.gov.uk/consultation/_safeguarding). If not, please explain why.

We object to the draft proposals for geographical coverage of the land to be safeguarded. In places, the zone appears arbitrarily narrow. In particular, I request that my property in Silsoe House, at 50 Park Village East, NW1 7QH should be included in the safeguarded zone.

The present proposal expands to include the property adjacent to Silsoe House and should also include Silsoe House for the following reasons:

- **Silsoe House** is directly adjacent to the railway line and will be directly affected by the works.
- **Silsoe House** has lower ground accommodation (bedrooms and garages) which may be affected structurally by the works, in particular tunnelling and expanding the existing tracks.
- **Silsoe House** is immediately adjacent to safeguarded property (next door at 36 Park Village East) and should also be included in the proposed area. The curtilage of the properties are identical and immediately adjacent therefore both properties must be affected in the same way if not to a greater extent at Silsoe House and the properties should be treated equally.
- Both car and pedestrian access to Silsoe House will be directly affected by the proposed works. Silsoe House requires direct access utilities, including water mains etc which are within the safeguarded zone.

4. Do you consider that the draft Impact Assessment (Annex C) is a fair reflection of the costs and benefits of the safeguarding proposals on the operation and outcomes of the planning application process? If not, please explain why.

[No comment]