

LA	Document Section reference	LA Comments	HS2 response
Staffordshire	General	The majority of the document does appear to be well thought out and the application of the law seems to have been fused with a bit of common sense in some cases.	Thank you, comment noted.
Buckinghamshire	General	Minimum widths in the HS2 design standards are sub-standard and based on ROW Act 1990 for crops. Minimum widths to go in the definitive statement to match county standards for newly created Rights of Way, e.g. in Bucks 2m for footpaths and 4m for bridleways.	Comment noted. Clause 6.1.4 talks about discussing appropriate legal widths with local authorities. Clause 6.1.4 is now shown in a black box to highlight status as a requirement. The dimensions given in Clauses 6.1.5 – 6.1.8 are absolute minimum widths only intended for exceptional circumstances.
Warwickshire	General	Measurements/gradients used should be in a consistent format (examples exist of gradients being at 1:20 and in others 15%). To ensure clarity only one method should be used.	Comment noted, however the format contained in the source document (e.g. DMRB) has intentionally been used in the Technical Standard, so that the source requirement is not amended.
Northamptonshire	General	Why refer to the Highways Act 1835 it has been revised several times since then.	Section 72 of the Highways Act 1835 (which relates to cycling on footways) is still in force.
Northamptonshire	General	All structures used on public rights of way within Northamptonshire must have the prior approval of the Structures Team for full Approval in Principle (AIP)	Please note that Approval in Principle for structures is proposed to be covered in a future agenda item within the scope of 'plans, drawings and particulars' regarding approval under Schedule 31 Part 1.
Northamptonshire	General	Who is responsible for the maintenance of the structures (Northamptonshire expects HS2 to retain responsibility)	Refer to Information Paper E29 for details of future highway maintenance responsibilities

Buckinghamshire	General	HS2 should follow the principles of BS5709: 2006 for all new structures needed on the network as a result of HS2 diversions.	Agreed, however this is already covered in Series 300 of the Specification for Highway Works which HS2 will be using, therefore not referred to in Technical Standard – Public rights of way.
Buckinghamshire	General	With good relations and regular meetings, betterment as opposed to simple mitigation, can be secured, such as new bridleways and footpaths to create circular walks or routes to work, school, shops, etc., especially where these are already within the limits of the Bill.	It is not within HS2's scope to provide betterment, rather to mitigate the impacts of the scheme. However it is important that HS2 and highway authorities work together to achieve good outcomes for the local community. HS2 is governed by the limits in the hybrid Bill, Undertakings and Assurances and the Environmental Minimum Requirements.
L.B. Camden	2.5.2	The London Borough of Camden being a central London borough is exempt from and therefore does not have a Definitive map or statement. Any route which is either dedicated or which has been open for use for over 20 years must be presumed to be a public right of way and would therefore need to be stopped up. It should also be noted that Camden is one of the most densely populated boroughs in the UK and as such the loss of rights of way and highway is discouraged.	Comment noted. The approach to dealing with unrecorded public rights of way is described in Clauses 2.5.5 to 2.5.7. The approach to mitigating the impact on public rights of way is covered in Section 5.1.
Warwickshire	2.5.3	Although a copy of a Definitive Map may exist online it should be noted that this is not the legal Definitive Map and any decisions made should be based on the Definitive Map held by the Authority. This may contain changes as a result of Legal Orders which are not updated on an online version.	Comment incorporated with additional text provided in Clause 2.5.4
Warwickshire	2.5.4	Reference should be made to the Local Authority in all cases. Changes are made to the Definitive Map following legal orders on a fairly regular basis.	Comment incorporated with additional text provided in Clause 2.5.4

Staffordshire	2.5.4	Further clarification should be sought from the local authority in all cases. The Definitive Map is now kept electronically and changes are made frequently following the making of legal orders and statutory instruments such as parish boundary alterations.	Comment incorporated with additional text in the Note below Clause 2.5.3.
Hertfordshire	2.5.8	Dead end route – Local Authorities will look for opportunity to “finish off” route by connecting to the nearest highway. Where severance has occurred as the result of major constructions every effort should be made where practicable to continue the route to another highway to eliminate the dead end.	It is not within HS2’s scope to provide betterment, rather to mitigate the impacts of the scheme. However it is important that HS2 and highway authorities work together to achieve good outcomes for the local community. HS2 is governed by the limits in the hybrid Bill, Undertakings and Assurances and the Environmental Minimum Requirements.
Warwickshire	2.5.10	As well as routes appearing to be dead ends, there are also instances of routes changing status along its entire length - the status needs to be clarified with the Local Authority.	Comment incorporated as a new requirement in a new clause 2.5.11 stating that where encountered, clarification should be sought from the surveying authority.
Hertfordshire	2.6.2	The term “Green Lane” has no definition in law and only describes a characteristic. It does not describe the legal status of the route.	Comment incorporated with an amendment to Clause 2.6.2, which now states that the term ‘green lane’ has no legal status
Staffordshire	2.7	This isn’t quite right. Landowners are responsible for the maintenance of any structures e.g. stiles/gates on their land and the local authority is required to make a contribution towards this.	The content of Clause 2.7.1 appears to address the comment. It is unclear what additional text could be provided that would be of benefit to the designer.
Hertfordshire	2.7.1	In the last sentence add “authorised or authorisable“ gates to BS5709.	Comment noted but not incorporated. Within this context, the specific details of whether a gate is authorised does not assist with the design of public rights of way.

Northamptonshire	4.2.6	Does Trail (dirt) bikes include motor bikes and quad bikes?	Comment noted. Trail bikes and quad bikes are thought to be two different things. Quad bikes are now listed separately.
Warwickshire	4.3.3 and 4.3.4	It is not clear whether these sections refer to routes pre or post HS2. Reference should be made to the Local Authority before making a blanket decision on the position of routes post HS2.	Comment noted. Clauses 4.3.3 and 4.3.4 relate to public rights of way coincident with an access in general – both pre- and post-HS2. Refer to Section 2.8 about engagement with stakeholders including highway authorities. The alignment of Public Rights of Way is governed by the limits in the hybrid Bill.
Hertfordshire	4.7	Future proofing – this needs stronger positive inducement.	Comment noted. Clause 4.7.3 states that consideration should be given to ensuring the design does not preclude highway authority or third-party aspirations from occurring where reasonably practicable to do so. This was discussed with the Subgroup on 16 December 2015.
L.B. Camden	4.9	Any temporary diversion should be agreed with the local highway authority, be for an agreed time only based on the minimum time possible to undertake the works required and be for as short a distance as possible. Where required a temporary route should be provided by way of an over bridge to allow pedestrians to cross the works site without being to inconvenienced.	Comment noted. This is covered in Information Paper E5. A reference to this Information Paper has now been included. Clause 5.4 of E5 states “As part of the detailed design process, we will work with highway authorities... to identify the best way of maintaining public rights of way during construction. Clause 5.2 of E5 states “Where a temporary... diversion of a public right of way is unavoidable, the shortest practicable route has normally been adopted.”

Northamptonshire	4.9.2	Does this mean that TTROs will not be used at all, even when the path will be re-instated over a tunnel?	Schedule 4 Part 2 of the hybrid Bill relates to interference with highways, which means that TTROs for public rights of way is unlikely. This applies to all interference to PRoW, not just those over tunnels.
L.B. Camden	5.1	Replacement routes should be kept as close to the existing, routes in Camden are highly used and any diversion will affect a large number of people.	Comment noted, though HS2 believe this is covered in the existing Principle (i), which states <i>“All works – both temporary and permanent – affecting public rights of way should provide reasonable convenient route continuity for the class(es) of users legally entitled to use them.”</i>
Northamptonshire	5.1 – Page 19 5.1 – Page 19 5.1 – Page 22	Guiding Principles for alignment design Realignments and diversions Public right of way crossings remote from other highways Appears to be a paragraph numbering problem	Comment agreed. Numbering of sections has been updated.
Northamptonshire	5.2 – Page 21 5.2 – Page 23	Crossing types Combined public right of way crossings Appears to be a paragraph numbering problem	See above.
L.B. Camden	5.2	It is not appropriate in Camden to join rights of ways as the numbers of pedestrians affected is high.	Comment noted but the appropriateness of any potential solution needs to be assessed on a case-by-case basis. In Phase One the alignment of highways including public rights of way is governed by the hybrid Bill limits.
Hertfordshire	5.2.3 (Page 23)	Temporary diversions may be needed. (There are two 5.2.3s – on pages 21 and 23)	Comment incorporated. Text amended to state ‘may not be required’ rather than ‘are not required’

Northamptonshire	5.2.3 Page 23 5.2.4 Page 23 5.3.2 Page 24	All three examples used, break a right of way, under these circumstances one of the broken parts of the right of way would need to be re-numbered. (This number will only be available at the LA)	Comment noted. For the purpose of hybrid Bill design, HS2 has made assumptions about the numbering of diverted public rights of way, for example, where more than one joins together to pass over an overbridge. The designer will need to confirm the numbering of the public rights of way with the highway authority during detailed design.
L.B. Camden	6	As there is no definitive map the London Borough of Camden will require that all replacement paths are a minimum of 4 metres wide and are fully accessible to those in wheelchairs. Where existing paths are wider than 4 metres the existing width is the minimum.	Minimum width to be considered on a case-by-case basis (it is assumed that reference is being made to the ‘surfaced’ width as opposed to the legal width given there is no Definitive Map in London Boroughs). The comment about existing width is covered by Principle (ii): “...the starting point for design should be the existing engineering parameters when a public right of way is diverted or reinstated”. Where a new route is proposed, Principle (iii) states: “For new routes, the requirements should be based on other similar public rights of way of the same status in the area.”
Warwickshire	6	WCC Definitive Statement does not contain width details for the majority of routes but does for a few. In addition, there are routes which have Legal Orders on them which contain widths. HS2 should check with the authority for all affected routes.	Comment noted. Clause 6.1.4 talks about discussing appropriate legal widths with local authorities. Clause 6.1.4 is now shown in a black box to highlight status as a requirement.

Staffordshire	6.13	Staffordshire’s Definitive Statement does not contain any details about path widths. We do, however, have some legal orders in which path widths are recorded and in all cases HS2 Ltd should check this with the local authority.	See comment above.
Warwickshire	6.1.3	Any reference to a minimum width in the Definitive Statement is purely that - a minimum width. The actual width in use may be wider than the minimum and this should be taken into consideration for realignments or diversions.	Comment noted. Clause 6.1.4 talks about discussing appropriate legal widths with local authorities. Clause 6.1.4 is now shown in a black box to highlight status as a requirement.
Warwickshire	6.1.5 - 6.1.8	Reference should be made to a Local Authority’s Rights of Way Improvement Plan (ROWIP) which may contain additional guidance on the widths that are habitually used by that authority for diversions/creations.	Clause 6.1.4 talks about discussing appropriate legal widths with local authorities. Clause 6.1.4 is now shown in a black box to highlight status as a requirement.
Northamptonshire	6.1.6	In Northamptonshire we look for a minimum of 1.8 metres for a footpath.	Noted. Clause 6.1.4 talks about discussing appropriate legal widths with local authorities. Clause 6.1.4 is now shown in a black box to highlight status as a requirement.

<p>L.B. Camden</p>	<p>7</p>	<p>Unlike in rural areas all the footpaths / roads in Camden are surfaced. As such the following make up is required: Base: 150mm of ST1 concrete. Bed: 25mm Sand cement bed (1 part cement to 5 parts sand approx.) Slabs: 75mm thick steel re-enforced Marshalls “Liverpool” slabs or similar</p> <p>In new roads/ footpaths all utility plant should be installed within a utility tunnel the specifications and design of which should be agreed with Highway Authority.</p> <p>In existing roads/ footpaths all utility plant should be located with the top of the plant a minimum of 400mm below the surface with 50mm sand on top and then warning tape.</p> <p>Carriageways should be constructed to the following standard. Base: 400 mm thick continually reinforced concrete CC37. Binder: 50mm thick SMA 10 bin 40/60 Surface: 50mm thick TSCS 14 Thin Surface course system.</p> <p>Utility plant which needs to be in the carriageway should be located with the top of the plant a minimum of 700mm below the surface with 50mm sand on top and warning tape.</p> <p>Where appropriate other materials may be considered in cases where it is wished to deviate please discuss with the Highway Authority.</p>	<p>Technical Standard – Public rights of way does not include footways within its scope – these are covered in Technical Standard – Roads. Refer to response to comments to Technical Standard – Roads for details.</p> <p>The Technical Standards show requirements and guidance that is common across the whole route – not particular to one highway authority.</p>
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Hertfordshire	7.12	Sometimes minimal lighting can be very effective when showing a “clear tunnel” of visibility along a route i.e. one at each end.	<p>Noted, however suggest this may be of too great a detail for the Technical Standard. Note that CPTED considerations including lighting and usage during the night is covered in Section 4.4. However, any form of lighting may be considered by the planning authority to be unacceptable in remote rural areas.</p> <p>At the highway subgroup, Hertfordshire confirmed they would advise what is meant by a ‘clear tunnel’.</p>
Warwickshire	7.3.3 and 7.3.5	<p>These appear contradictory to the statements preceding them. Care should be taken to ensure that these are not used as the default position. Regard should be given to DDA compliance: it should be borne in mind that users of wheelchairs also use bridleways, restricted byways and byways and consideration should be given to the gradients in these circumstances. Gradients on ramps towards crossings should also take this into consideration.</p>	<p>Comment noted, though there is existing guidance in Clauses 7.3.2 and 7.3.4 about the desirable maximum gradients of 1:20 and 3% are preferred (for footpaths and bridleways respectively). Guidance regarding people with reduced mobility is covered in Section 4.1 and 4.2.</p> <p>An assessment of any ‘reasonable adjustments’ that may be required to comply with the Equalities Act 2010 will be undertaken on a case-by-case basis.</p>
Hertfordshire	7.3.7	Steps - only in the most exceptional of circumstances. See Network Rail Standards: Ramps – 1 st ; Steps- last resort.	A new requirement has been added (Cl. 7.3.8) stating that “Steps shall only be provided where there are reasonable alternatives available for people with reduced mobility (e.g. nearby ramps)”.

Hertfordshire	7.7.3	No mention is made of extended hierarchy or BS 5709 or HA 1980 S66 safety gates.	<p>BS 5709 is already covered in Series 300 of the Specification for Highway Works, therefore not referred to in Technical Standard – Public rights of way.</p> <p>Section 66 of Highways Act 1980 relates to the ability for highway authorities to provide... “such barriers, rails or fences as they think necessary for the purpose of safeguarding persons using the highway”. However HS2 can provide these under the hybrid Bill as opposed to the Highways Act. Refer to Section 7.7 for details of boundary features.</p> <p>At subgroup, Hertfordshire advised that they would confirm what is meant by ‘Extended Hierarchy’.</p>
Northamptonshire	7.8.1	It is not always practical to use a finger post, should rather read correct way marking.	Comment agreed. Clause 7.8.1 amended to state “A ‘finger post’ sign (or other appropriate form of way-marking)...”
Oxfordshire		No comments, viewed as comprehensive.	Comment noted thanks.