



Department
for Transport

House of Commons Select Committee on the High Speed Rail (West Midlands - Crewe) Bill

Promoter's response to the
Select Committee's First Special
Report of Session 2017-19

Moving Britain Ahead

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Introduction

1. This document constitutes the response of the Promoter of the High Speed Rail (West Midlands - Crewe) Bill to the First Special Report of the 2017-19 session (hereafter referred to as 'the report') published on 24 May 2018 by the House of Commons Select Committee on the High Speed Rail (West Midlands - Crewe) Bill (hereafter referred to as 'the Bill').
2. The Bill is being promoted by the Secretary of State for Transport. Responsibility for delivering the various actions that are outlined in this response will rest with either HS2 Ltd, the Department for Transport or the relevant nominated undertaker. The terms 'Promoter' and 'we' are used at various points in this document to encompass all of these parties.
3. This response aims to only address the matters raised by the Select Committee in their report where an action from the Promoter was sought or where a clarification was deemed to be beneficial.
4. Where existing assurances are referred to, the reader may wish to refer to the draft Phase 2A Register of Undertakings and Assurances¹ for the complete text. Where the assurance referred to has not yet been included in the draft Register, a link to where the complete text can be found is provided if the assurance has been published. Where it has not, the assurance will be included in the next draft of the Register.

¹ See <https://www.gov.uk/government/publications/hs2-phase-2a-register-of-undertakings-and-assurances>.

Promoter's response

Decision: tunnel options – Whitmore to Madeley Heath

5. In paragraphs 18 and 58 of the report the Select Committee said:

“The Committee has made an “in principle” decision to reject petitioners’ preferences to put the whole Whitmore to Madeley Heath section in tunnel (the single tunnel) but reserves the right to review this decision later if any representations made by petitioners (from whom the Committee has not yet heard) indicate any further relevant information. This report reflects decisions made on the preliminary weeks of petitioning.”

“The Committee has to balance the cost of the tunnel compared with the cost to the environment which is always a difficult decision to make.”

6. The Select Committee further refers to having heard evidence which they summarised in paragraphs 27-58 of the report. The Promoter notes the Select Committee’s in principle decision to not recommend that the Bill be amended to provide for the whole Whitmore to Madeley section of the route to be placed in a single tunnel.
7. The Promoter appreciates the Select Committee’s recognition of the need to balance cost and environmental benefit in making its decisions.

Decision: the Stone Infrastructure Maintenance Base-Rail / Aldersey’s Rough alternative

8. In paragraph 21 of the report the Select Committee said:

“We were impressed by the detailed research conducted by the petitioners who proposed siting the railhead at Aldersey’s Rough. Aldersey’s Rough is located close to Stone, and is a rural non-residential area. However, the amount of additional work that the proposal would require in order to make it a viable solution would be too costly and too disruptive and the Committee was not convinced as to its proposed merits.”

9. The Select Committee further refers to having heard evidence which they summarised in paragraphs 59-65 of the report. The Promoter notes the Select Committee’s in principle decision to not recommend that the Bill be amended to provide for the relocation of the proposed Railhead and Infrastructure Maintenance Base – Rail (IMB-R) to Aldersey’s Rough.

10. In paragraphs 20, 23 & 30 of the report the Select Committee said:

“Following the request from the Committee to look at the potential for lowering the River Lea viaduct HS2 undertook further work on the scheme. HS2 has found a solution for lowering the height of the viaduct through extending the southern portal and thus lowering the entry point of the tunnel. With this additional work a better and less costly engineering solution has been found for crossing the West Coast Main Line. This will save £12.8m compared with the Bill scheme. The Committee had suggested exploring this option on 27th March and we welcome this proposal and are pleased that HS2 has listened to us.”

“Following a familiarisation visit to the area the Committee questioned the height of the viaduct over the River Lea. We noticed this was raised as a concern in some of the written petitions. HS2 was asked to review its plans. The result has been a proposal by HS2 for an adaption to the two short tunnels’ option by extending the tunnel at the southern portal thus enabling a lowering of the viaduct. We are pleased that there is now a proposal for a reduction in height of the viaduct.”

“We look forward to seeing HS2 firm up its costings and plans for both the proposed scheme and the proposed scheme with the lowering of the viaduct and extension of the southern portal. We wish this information to be made publicly available...”

11. The extension to the southern portal of the Whitmore tunnel, and an associated lowering of the River Lea viaduct, will be included in an Additional Provision to the Bill, which is expected to be deposited around the turn of the year. The Promoter will produce and publish an updated cost of the lowering of the viaduct and extension of the southern portal of the Whitmore tunnel, over and above the cost of the original proposals in the Bill, when it deposits the Additional Provision.

Assurance

12. In paragraph 22 of the report the Select Committee said:

“We welcome the assurance given by HS2 to Sir William Cash MP that HS2 will seek to alleviate the impacts of the railway during both the construction and operation and will consider carefully whether there are things that the ‘nominated undertaker’ is able to change which are not already within the scheme in order to improve performance².”

² HC 927, Minutes of Evidence, 23 April 2018, Q222: “MR MOULD QC (DfT): I mean plainly, on behalf of the promoter I acknowledge without hesitation the very strong concerns that Sir William expresses on behalf his constituents in relation to the perceived and actual impact of this railway. And as you know, our case, as we seek to respond to the petitions that you hear during the course of your meetings, will be to seek to show that we have thought about what we can do to seek to alleviate the impacts of the railway both during construction and its operation and to listen carefully to whether there are things that we can do which are not already within the scheme in order to improve its

13. The Promoter notes what is said by the Select Committee and reiterates the commitment made on 23 April 2018, in responding to petitions, to demonstrating that it has thought about what can be done to alleviate the impacts of the Proposed Scheme, and to considering carefully whether more might be done.
14. As a result, many petitioners have not felt the need to raise all of their issues when they have appeared before the Select Committee. In some cases the petitioner decides not to appear before the Select Committee at all or the petition is withdrawn. As of 15 June, of the 82 petitions dealt with by the Select Committee³, 54 have been heard and 28 – some 34% - have not appeared or been withdrawn. In addition, the engagement with petitioners can and does lead to changes to the scheme being agreed and promoted. This can be seen in the Additional Provision to the Bill deposited in March 2018 and many more petitioner-driven changes are to be included in the Additional Provision to be deposited around the turn of the year.

Costs

15. In paragraph 23 of the report the Select Committee said:

“The Committee heard about the relative costs associated with this project and was keen to understand how the proposed costings had been reached. HS2 gave us an illustrated cost breakdown for the two schemes as follows:

i) Proposed Bill Scheme: £461 million

ii) Single Tunnel: £608 million.

[Difference: £176m]

Following the Committee’s suggestion for a revision:

iii) Costs for a modified Proposed Bill Scheme, with the lowering of the viaduct and an extension of the southern portal: £448.2 million.

[Difference: £176m +£12.8m = £188.8m]”

16. The Promoter notes the Select Committee’s summary of its cost analysis, fuller details of which are provided in the Whitmore Heath to Madeley tunnel report⁴ published by the Promoter on 15 March 2018 and in Exhibit A25(12) published

performance. Many might say, that is the central function of this part of the Parliamentary procedure and so we are very much alive to that.”

³ Excludes right to appear challenges.

⁴ See <https://www.gov.uk/government/publications/hs2-phase-2a-select-committee-in-principle-case-whitmore-heath-to-madeley-tunnel>.

by the Select Committee on 9 May 2018⁵.

17. In paragraph 24 of the report the Select Committee said:

“...We were unconvinced by the methodology used for the optimism bias.”

18. The Promoter notes the Select Committee’s views on the optimism bias methodology. The Promoter is applying the standard methodology set down by HM Treasury in the Green Book⁶ and used on major projects across Government.

19. In paragraph 26 of the report the Select Committee said:

“We were disappointed not to have had greater granularity of information about costings and throughout the process we will be looking to HS2 for better and more detailed financial information in order to assist the Committee in its decision-making...”

20. The challenge in relation to releasing costs is to strike the right balance between providing sufficient information to allow the full consideration of the issues without exposing commercially sensitive data in advance of a competitive tendering process. The Promoter will seek to provide the Select Committee with greater granularity of information on costs to assist in its decision making, while maintaining this balance.

Joanna & Graham Hutton and 238 others (No. 44)

21. In paragraph 51 of the report the Select Committee said:

“Mr Hutton petitioned on behalf of the Manor Road Community for the single tunnel option. He asked the Committee to direct HS2 to give an assurance that the southern part of Manor Road would not be used for construction traffic, and that this be written into the nominated undertaker’s contracts. HS2 explained it would not be practical to do this as it would require entering into a contractual agreement with each individual resident on Manor Road. Furthermore, following Royal Assent of the Bill, the Highways Authority will have Statutory powers over this road. We understand HS2’s position and seek an assurance that HS2 will engage with the local community on the best way in which to manage access and speed limits for traffic. We also ask that HS2 ensure that, as part of that engagement, an agreement is reached that contractors and sub-contractors do not use the southern part of Manor Road...”

⁵ See

<https://www.parliament.uk/documents/HOC%2000130%20Staffordshire%20CC%20and%20Others%20Petitioner%20REPLACEMENT.pdf>.

⁶ The Green Book: Central Government Guidance on Appraisal and Evaluation, the latest version of which can be found at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/685903/The_Green_Book.pdf.

22. The Promoter has given Whitmore Parish Council an assurance that it will not use the southern part of Manor Road as an HS2 Heavy Goods Vehicle construction lorry route⁷. The nominated undertaker appointed to construct and maintain the Proposed Scheme will be contractually obliged to comply with assurances given during the passage of the Bill and entered on the Register of Undertaking & Assurances, and that obligation will bind its contractors and sub-contractors. As requested by the petitioner during the hearing⁸, the Promoter will require the nominated undertaker to raise the issue of the speed limit on Manor Road with Staffordshire County Council, in their capacity as highway authority, in the relevant Traffic Liaison Group (TLG) meeting (see paragraph 44).

The Woodland Trust (No. 99)

23. In paragraph 56 and 68 of the report the Select Committee said:

“The Woodland Trust said that on the A2/M2 link, where translocation had taken place, monitoring was being undertaken, but the Trust’s resources were limited which hampered its ability to undertake this work. The Committee would require an undertaking from HS2 to fund a longer-term ongoing research monitoring exercise on the translocation of the ancient woodland: this should include soil monitoring reports on areas associated with this project. As the history of ancient woodland is measured in centuries rather than decades we would expect the monitoring period to take account of the long timescale. This should be an ongoing research project funded adequately to inform any future proposals for translocation of ancient woodland. This project presents a good opportunity to undertake such a study.”

“...including additional funding for a long-term project to monitor the environmental impact of moving ancient woodland.”

24. The Promoter has set out indicative commitments⁹ to the management and monitoring of ecology led habitat creation in support of the Proposed Scheme, and has committed to 50 years of managing and monitoring in all locations where the translocation of ancient woodland soils is proposed. This covers only the management, maintenance and monitoring proposed during the period of establishment. Further discussions are in progress with Department for Environment, Food and Rural Affairs (Defra) and Natural England regarding an appropriate approach to on-going management, maintenance and monitoring beyond the establishment period.

⁷ Other than in emergencies or if required by the local authority (for example under Schedule 17 to the Bill. For the avoidance of doubt, construction worker traffic (cars/Light Goods Vehicles) may continue to use the whole length of Manor Road.

⁸ HC 927, Minutes of Evidence, 24 April 2018 (morning), Q289 and 309-310. “289. MR HUTTON: No, we would like the Committee to recommend to the county council lowering the speed limit – the 40 limit down to 30 and the rest of it down to 40 during the construction phase only. 309. MR HUTTON: And if you could also recommend to the county council who are the Highways Authority that they look at the speed limit. 310. THE CHAIR: At the limit. We will.”

⁹ See HS2 Phase 2A Information Paper E2: Ecology.

25. The Phase 2A Ancient Woodland Strategy published in January 2018¹⁰ explains that details of specific measures for long-term management and monitoring for each ancient woodland would be prepared at the relevant detailed design stage and included within the relevant iteration of the Ecology Site Management Plan (ESMP) for that location.
26. In addition, in recognition of the views expressed by the Select Committee, on 25 June 2018 the Promoter announced a £2m Phase 2A Woodland Fund to help local landowners create new native, broadleaf woodlands and restore existing ancient woodland sites. The Promoter will also scope a long-term project to monitor the environmental impact of moving ancient woodland, to inform any future proposals for the translocation of ancient woodland.

Community engagement

27. In paragraphs 47, 50, 51 and 66 of the report the Select Committee said:

“The witness, Mr Smith, referred to problems of engagement between HS2 and the local community: many elderly residents did not have or use computers and found engaging with HS2 difficult. Uncertainty contributed to the distress felt by the community, as did the disconnect between HS2 and some residents. This was also of great concern to the Committee.”

“...Furthermore we urge HS2 to give an assurance that local Parish Councils will be consulted during the detailed design phase of the project.”

“Here and more widely, the Committee would like to be told how HS2 will engage with the local community, and their councils, when drawing up more detailed plans.”

“The Committee is not persuaded that HS2 had given adequate consideration to the local community. We would like to see HS2 consult the wider communities who will be disrupted by the proposed works and adequately mitigate the impact on petitioners. We want assurance that HS2 will...ensure continued community involvement regarding the design of the Kings Bromley viaduct.”

28. On 4 June 2018 the Promoter provided the Select Committee with a note on the consultation and engagement undertaken during the route development phase and immediately after the deposit of the Bill for Phase 2A in July 2017, and the engagement that will take place during the construction phase. A copy of the note is at Annex A. The Promoter is committed to being a good neighbour and to respect the communities it is working with and the environment in which they live.

¹⁰ See

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682444/hs2_phase_2a_ancient_woodland_strategy.pdf.

29. Kings Bromley viaduct is a key design feature and the nominated undertaker will engage the public on its design development. The engagement exercise will focus on engaging the public in the local area.¹¹

30. In paragraph 26, 50 and 67 of the report the Select Committee said:

“Included in such costings should be a significant additional sum of money allocated to traffic improvements for the areas affected by both options. We found the proposals for traffic management and routes inadequate and believe further work is needed from HS2 on impact and mitigation including multi-junction analysis of the totality of traffic flows.”

“The Code of Construction Practice for HS2 construction will include detailed plans for construction routes and contain the parameters for operation of HGV traffic. We understand the petitioners’ concerns and ask that HS2 give an assurance that they will revisit plans for proposed routes and the road networks in these areas and improve the design to accommodate and alleviate local concerns...”

“The Committee would like an assurance that HS2 will conduct further work on road networks, traffic flow and conduct multi-junction analysis with Staffordshire County Council, Lichfield District Council and Newcastle-under-Lyme Borough Council as well as Highways England. This work should focus on finding solutions for existing traffic problems and propose improvements for local residents, businesses and the wider community in both the short and longer term. We expect HS2 to pay particular attention to the following areas:

- mitigating the risk of congestion for the communities affected;
- thinking creatively to resolve existing traffic issues in preparation for the construction period;
- bringing longer term benefits to the community to assist traffic congestion.”

31. The Promoter recognises that the impact of construction traffic on local roads is a particular concern for those who live or work near the line of route. Where reasonably practicable, the Promoter is committed to ensuring that the adverse effects of such impacts are reduced, through measures such as the creation of new site haul routes adjacent to the route to transport construction materials and equipment, to take traffic off existing local roads; the use of rail transport for the movement of materials and waste in bulk; and, where this is not possible, HGVs would normally be routed along the motorways and the main A road network. Where it is appropriate to do so, improvements will be made to the existing road network to mitigate the impacts of construction traffic.

¹¹ See HS2 Phase 2A Information Paper D1: Design, which includes the list of key design elements.

32. As explained above, where it is appropriate to do so, improvements are proposed to be made to the existing road network to mitigate the impacts of construction traffic. The Bill includes significant proposals for improvements to the existing road network along the route (see the list at Annex B).
33. That said, in some cases improvements to the existing road network are simply not appropriate. Staffordshire County Council explained, in relation to Walton Roundabout and use of Pirehill Lane / Eccleshall Road, which was referred to by Mr Wilkinson on behalf of Stone Town Council and Chebsey Parish Council in his evidence about the location of the Stone IMB-R, that "...the existing junction is already over capacity during peak hours and there is very limited scope for on-site capacity improvements...". They went on to explain that that is why instead the "...County Council's request in its petition was to ensure that haul routes should be constructed at an early stage to avoid the use of the public highway wherever possible".¹²
34. As explained above, the Promoter proposes to create new site haul routes where this is the most appropriate way of taking traffic off existing local roads, and has given Staffordshire County Council the assurance it sought, to commence construction of the proposed haul roads as early as reasonably practicable in the construction programme and to prioritise their use by large goods vehicles as far as reasonably practicable.¹³
35. Inevitably though, in some cases, there is no alternative to using the existing local road network, no means of avoiding its use or improving it without significant extra land take, environmental impact and cost.
36. In reaching agreement with Staffordshire County Council – in their capacity as local highway authority for 85% of the route - the Promoter has given them assurances on a number of issues to mitigate the impact of HS2 construction traffic as a result of the concerns raised in their petition, following further consideration and assessment in consultation with the Council:
- to not use Kings Bromley as an HS2 large goods vehicle construction route;¹⁴
 - to see if alternative traffic management measures can be implemented to avoid the need to widen Bishton Lane;¹⁵
 - to develop an alternative construction traffic route to reduce the impact upon Beaconside;¹⁶
 - to develop an alternative to closing Common Lane;¹⁷ and

¹² See Alastair Lewis' letter of 9 May to the Chair.

¹³ See assurance 11.

¹⁴ See assurance 1.

¹⁵ See assurance 14.

¹⁶ See assurance 15.

¹⁷ See assurance 22.

- to upgrade Wood End Lane.¹⁸
37. The Promoter undertook modelling of junctions as part of the transport assessment within the Environmental Statement.¹⁹ This informed decisions on improvements required to the road network to accommodate construction traffic. As part of its ongoing work with Staffordshire County Council, the Promoter has been sharing that modelling work, and considering road networks, traffic flows and, where relevant, consideration of multiple adjacent junctions. As a result, the assurances given to the Council also cover a number of additional permanent and temporary road improvement works to address existing problems with the local road network at certain key locations and to deliver a long term safety and capacity legacy:
- the roundabout proposed at the junction of the A513 Rugeley Road and A515 Lichfield Road;²⁰
 - the introduction of traffic signals at the existing non-signalised intersection of the A513 and Marston Lane;²¹
 - works to widen the Hydrant Way approach to the A513 / A518 / Hydrant Way roundabout;
 - signalisation of the existing priority junction of A34 with Yarnfield Lane;
 - traffic signals at the existing non-signalised intersection of the A513 and Sandon Road (east);
 - the A51 / A34 Stafford Road (Brooms Road Roundabout);
 - the A51 London Road and A53 Newcastle Road junction; and
 - the A500 / A519 junction, the junction of the A519 / A5182 and the part of the A519 Newcastle Road between the two junctions.
38. This amounts to a significant package of additional permanent improvements to the local road network; the cost of the last three improvements alone is c£6.5m and the upgrade to Wood End Lane referred to in paragraph 36 would bring the total to £7.61m.
39. The Promoter considers it significant that following constructive engagement and dialogue on both sides, neither of the highway authorities for the local road network along the route felt it necessary to appear before the Select Committee on the issue.

¹⁸ See assurance 17 and Undertaking.

¹⁹ A copy can be found at <https://www.gov.uk/government/publications/hs2-phase-2a-environmental-statement-volume-5-traffic-and-transport>.

²⁰ See assurance 2.

²¹ See assurance 17 and Undertaking.

40. The Promoter has also given assurances to other petitioners to mitigate the impact of HS2 construction traffic as a result of the concerns raised in their petitions, for example:²²
- to Henry Chadwick Community Primary School (Petition No. 48), to restrict HS2 large goods vehicle construction traffic using School Lane in Hill Ridware. On the basis of the assurances given the petitioner did not appear before the Select Committee;
 - to the Landmark Trust (Petition No. 85), not to restrict pedestrian and vehicular access to Ingestre Pavilion and Tixhall Gatehouse. On the basis of the assurance given the petitioner did not appear before the Select Committee;
 - to Ingestre with Tixall Parish Council and others (Petition No. 110), to not prevent vehicular access to Ingestre from Hoo Mill crossroads via Ingestre Park Road;
 - to Mavesyn Ridware Parish Council (Petition No. 5), to restrict HS2 large goods vehicle construction traffic from using B5014 Uttoxeter Road through Hill Ridware and the section of Pipe Lane between Pipe Ridware and the junction of Pipe Lane and the proposed haul road at Common Lane. The Promoter had already brought forward a proposed new haul route that would remove the need for HS2 large goods vehicle traffic to go through Hill Ridware or Pipe Ridware in the Additional Provision deposited in March 2018;
 - to Newcastle-Under-Lyme Borough Council (Petition No. 141), to restrict large goods vehicle construction traffic from passing through Madeley Conservation Area; and
 - to the Wybunbury Combined Parishes Neighbourhood Plan Steering Group and others (Petition No. 83), to upgrade an internal haul road for use by HS2 HGV construction traffic, to substantially reduce HS2 HGV construction traffic along Den Lane / Wrinehill Road and Checkley Lane.
41. However, in recognition of the views expressed by the Select Committee, the Promoter will establish a £6.5m Phase 2A Road Safety Fund to help improve traffic, pedestrian, cycle and equestrian safety along the whole route, not just in Whitmore and Madeley, and to ensure that the Proposed Scheme delivers a lasting safety legacy. The fund will allow targeted investment to be made nearer the time, once the detailed design has been done.
42. Engagement and dialogue with the local highway authorities will continue as the Bill continues its passage and on into detailed design and construction. The Promoter has engaged with the Phase 2A highways authorities on matters of

²² The broad thrust of the assurances are summarised here. The complete texts, including the conditions applying to them, will in due course be published in the draft Phase 2A Register of Undertakings & Assurances.

common interest with a view to more regular meetings, under the aegis of the Phase 2A Planning Forum, being established. It is expected that these will start in Summer 2018. Membership would include the two local highway authorities, Highways England and the Department for Transport, and the members can consider if further highway or planning authorities should be invited to join, possibly on an ad hoc basis. The purpose of the sub-group would be to:

- facilitate engagement between members of the sub-group on matters related to local highway authority roads and public rights of way;
 - seek agreement on a common approach to route-wide principles, standards, practices and processes associated with highway consents and approvals;
 - present recommendations on highway-related planning consents and approvals to the Planning Forum; and
 - identify and discuss areas of common interest and concern to local highways authorities along the Phase 2A line of route.
43. The final construction logistics arrangements will only be developed once the detailed design stage has been completed, which will be after Royal Assent to the Bill and once a main works civils contractor(s) has been appointed and carried out that work. The draft Code of Construction Practice (CoCP) includes a commitment that during construction the nominated undertaker will require that the impacts from construction traffic on the local community (including all local residents and businesses and their customers, visitors to the area, and users of the surrounding transport network) be minimised by its contractors where reasonably practicable.²³
44. As the Select Committee acknowledge, the CoCP also requires that a Route-wide Traffic Management Plan (RTMP) and local Traffic Management Plans (LTMPs) be produced. The details of what these plans will cover are set out at Annex C. A draft Phase 2A RTMP will be produced in Summer 2018. Amongst other things, the plans will set out the arrangements for engagement on temporary traffic management and the arrangements for establishing local Traffic Liaison Groups (TLGs). TLGs will enable liaison at an area- or scheme-specific level to continue on a more local basis during construction to discuss day-to-day issues around construction traffic management as they arise. TLGs will consider appropriate engagement with local communities directly affected by site specific traffic management plans on a case-by-case basis. The key objectives of TLG meetings will be to:
- enable consultation on the temporary traffic management programme and submissions;
 - enable the highway authority to carry out its obligations to ensure there is a co-ordinated approach to traffic management in their area;

²³ See paragraph 14.1.1.

- ensure that local authorities, emergency services and bus operators are aware of programmed construction activities that could have an impact on the local and Strategic Road Network or other strategic routes;
 - deal with relevant construction traffic issues; and
 - oversee workforce travel management (unless a subgroup is established).
45. Moreover, under the planning regime established under Schedule 17 to the Bill the nominated undertaker would be required to seek approval from the relevant qualifying authority for the use by large goods vehicles of any routes to and from a working or storage site, a site where material will be re-used, or a waste disposal site (this does not apply to routes where the number of movements per day is 24 or less, nor to motorways and trunk roads or any part of the route beyond a motorway or trunk road).²⁴ Under Schedule 17, the qualifying authority can refuse or condition the approval on the basis that the proposals:
- “...ought to be modified –
- (i) to preserve the local environment or local amenity,
 - (ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or
 - (iii) to preserve a site of archaeological or historic interest or nature conservation value,
- and are reasonable capable of being so modified.”
46. The nominated undertaker will be required to prepare Route Management, Improvement and Safety (ROMIS) plans to inform Schedule 17 pre-application discussions for main civil works. ROMIS plans will include a summary of measures required to facilitate the use of the route by large goods vehicles and measures required to ensure the safety and free flow of traffic in the proximity of construction site access points. Such measures will be subject to consultation with the local highway authority and, as necessary, approval in accordance with Schedule 4 to the Bill.
47. The Promoter has also given an assurance to Staffordshire County Council that where the provisions of Schedule 17 would not apply, because the proposed use does not exceed the qualifying threshold of 24 movements per day, and where reasonably practicable, routes to and from sites to be used by large goods vehicles will be discussed at the relevant local TLG so that any appropriate advice can be provided to the relevant contractor(s) prior to use of that route.²⁵

²⁴ This is explained further in HS2 Phase 2A Information Paper B2: The Main Provisions of the Planning Regime.

²⁵ See assurance 31 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705543/Staffordshire_County_Council_-_Assurance_-_08052018.pdf.

48. In paragraph 68 of the report the Select Committee said:

“The Committee understands that a considerable amount of work has been done by HS2 on the Environmental Statement. We expect to see more imaginative and creative proposals for habitat enhancement along the route...”

49. As promised during the hearings on the National Farmers Union (NFU) petition, the Promoter has written to agricultural petitioners to provide additional information on the justification for the location of the proposed environmental mitigation that has been identified within their land holdings in the Environmental Statement. The information provided seeks to set out the reasons why environmental mitigation is proposed within the Bill, the rationale for its proposed location, and planned engagement with landowners during the detailed design stage regarding these matters.

50. In those letters the Promoter has explained that it would continue to engage with landowners who are directly affected by the Proposed Scheme in order to discuss the environmental mitigation proposals as the design develops, as set out in the HS2 Phase 2A Farmers and Growers Guide.²⁶

51. In addition, one of the assurances that the Promoter has agreed with the NFU, to be offered to farmers or rural business owner petitioners on a case by case basis, covers engagement during detailed design on the provision of ecological mitigation, with a view to minimising the loss of Grade 1, 2 and 3a agricultural land and to accommodating reasonable proposals from the relevant owner/tenant to modify the detailed design of the works or provision of other ecological mitigation for the purposes of facilitating the efficient management of the agricultural holding in question following construction.²⁷

52. In paragraphs 19, 66 and 69 of the report the Select Committee said:

“The proposal for the single tunnel is a costly option and the Committee would like to see an undertaking from HS2 to direct its resources instead toward improvements for the local and wider community.”

“We want assurance that HS2 will contribute towards benefits for the local and wider community...”

“We would like an undertaking that the community should benefit from this scheme and receive longer term benefits drawing on the £5m extended community and environmental fund. We would like to see more details about this fund including evidence that £5m is an adequate and appropriate sum.”

²⁶ See

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/640549/hs2_phase_2a_farmers_and_growers_guide.pdf.

²⁷ See assurance 16 on detailed design in Part B of the Annex to the Promoters letter to the NFU of 2 May 2018 at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705541/NFU_-_Assurance_-_02052018.pdf.

53. The Promoter notes what the Select Committee would like to see and has been directing resources to mitigating the adverse effects of the Proposed Scheme. The Promoter is also committed to ensuring the Proposed Scheme provides benefits to the local communities it affects. The Promoter has provided the Select Committee with a note on the Community and Environment Fund (CEF) and Business and Local Economy Fund (BLEF). A copy of the note is at Annex D. The note explains that the total funding made available to the CEF and BLEF on Phase 1 was £40m. In January 2018 the Promoter announced that a further £5m had been allocated to cover Phase 2A. This is proportionate to the Phase 1 allocation, based on population density across the two phases. The population along the route of Phase 2A is 13% of that along Phase 1, meaning that an allocation of approximately £5m is considered appropriate.
54. In addition to the CEF / BLEF, the Community Engagement Framework explains that the Promoter expects its contractors to invest its time, people, skills and equipment in the local community.²⁸ There is also the potential for contractors to fund local projects and activities, provided that there is no conflict with the CEF / BLEF. Contractors will formalise this corporate social responsibility activity into a Local Community Investment Programme (LCIP). Local community stakeholders, including local authorities, will be consulted on the LCIP.
55. On Phase 1, initial community investment activities are underway. For example, the Enabling Works Contractor in Area South has worked with the local community to tidy up an allotment area that had become disused. Staff from HS2 Ltd and the contractor cleared a large area that had become built up with rubbish, and a shed and BBQ were installed for the use of the allotment holders. Timber from trees felled in St James's Gardens in Camden is being dried and will be donated to the Camden Skip Garden Charity for use in community based projects; up to 4m³ of saw blanks will be contributed during the Summer. In Area Central, the Enabling Works Contractor will be undertaking improvement works on the grounds of a local primary school in Hertfordshire during the forthcoming Summer holidays.
56. The total allocated for Phase 2A funds is now £15.7m:
- £5m for the CEF/BLEF;
 - £6.5m for the Road Safety Fund (in addition to at least £7.61m committed to deliver highways improvements agreed with Staffordshire County Council);
 - £2m for the Woodland Fund;

²⁸ See Annex A. The Promoter expects the Phase 2A Community Engagement Framework to make the same provision.

- £1.5m for funding additional environmental enhancement measures within the remit of the Trent–Sow Parklands and Cannock Chase AONB HS2 Group;²⁹ and
- up to £700,000 for a Cheshire East environment and landscape enhancement fund.³⁰

Safeguarding and compensation

57. In paragraph 73 and 74 of the report the Select Committee said:

“This Bill is subject to the statutory land compensation code. That code is based on the principle of fair compensation or the ‘principle of equivalence’. Having heard from Mr Miller, HS2 Environmental Specialist, that a particular holding is very badly affected and the relevant business may have to be wound up, the Committee will be taking a keen interest in how this matter is conducted by HS2.”

“The Committee over the coming weeks will be paying particular attention to the direct compensation given to individuals businesses and communities.”

58. On 4 June 2018 the Promoter provided the Select Committee with a note on the statutory and non-statutory (discretionary) property compensation arrangements in place on Phase 2A. A copy of the note is at Annex E.

Later stages of the Bill

59. In paragraph 75 of the report the Select Committee said:

“We understand that Additional Provision 2 is currently scheduled for publication in December 2018. We would welcome an earlier publication so that we can begin consideration in the autumn. Earlier consideration of the Additional Provision could facilitate cost savings and we ask the Secretary of State to consider this proposal.”

60. The Promoter shares the Select Committee’s desire to make progress in considering petitions against the Bill and Additional Provisions, consistent with the right of both petitioners and promoter to a fair hearing as required by the quasi-judicial nature of the proceedings and the efficient use of the Select Committee’s time. The Additional Provision to the Bill is currently expected to be deposited around the turn of the year. The Promoter keeps the content and timing of Additional Provisions under regular review and will continue to keep the Select Committee updated as its plans crystallise.

61. The Promoter also shares the Select Committee’s desire to see the Bill reported from the Select Committee as soon as possible so that it can continue

²⁹ See the National Trust agreed statement read out in Select Committee by Counsel for the Promoter at the start of the afternoon session of 14 May 2018 (Q10).

³⁰ See the Cheshire East Council agreed statement read out in Select Committee by Counsel for the Council at the start of the afternoon session of 11 June 2018 (Q6).

its passage through Parliament, with a view to securing Royal Assent by the end of 2019. That would enable works to start in 2021 and be completed in 2027, some six years earlier than originally planned, accelerating the delivery of HS2 benefits to the North West.

NOTE ON CONSULTATION AND COMMUNITY ENGAGEMENT

HS2 PHASE 2A: CONSULTATION AND ENGAGEMENT**Introduction**

1. This paper describes the consultation and engagement undertaken during the route development phase and immediate aftermath of deposit of the Bill for Phase 2A in July 2017, and the engagement that will take place during the construction phase.

Consultation and engagement during the route development phaseChronology

2. Consultation and engagement has been undertaken in the context of the following stages and milestones during the route development phase¹:

<i>Purpose</i>	
Announcement of Initial Preferred Route for Phase Two	January 2013
Phase Two route and stations consultation	July 2013 - January 2014
Safeguarding consultation on West Midlands to Crewe (Phase 2A)	November 2014 - January 2015
Phase 2A Preferred Route and timescale announced. Consultation on property assistance schemes	November 2015 - February 2016
Site visits, route walks and meetings with directly affected stakeholders and their representatives; local authority officer and member briefings; and meetings with technical, statutory and commercial stakeholders	January 2016 - November 2016
Environmental and Equality Impact Assessment scope and methodology consultations	March 2016 – May 2016
Consultations on the Working Draft Environmental Impact Assessment (WDEIA) report, the Working Draft Equality Impact Assessment report, and Design Refinements	September 2016 - November 2016

¹ For more information see HS Phase 2A Information Paper A1: Development of the Proposed Scheme, and Volume 1 of the ES.

Site visits, route walks and meetings with directly affected stakeholders and their representatives, local authority officer and member briefings, and meetings with technical, statutory and commercial stakeholders	December 2016 - July 2017
Formal consultation on the Environmental Statement (ES) and Equalities Impact Assessment	July – September 2017
Formal consultation on the Additional Provision Environmental Statement and Supplementary Environmental Statement	March – May 2018

Consultation

3. Consultation has involved:

- supporting media to publicise the consultation and any local events;
- the production of leaflets and letters which are distributed to properties within the broad vicinity of the line of route;
- online information, in some instances with a dedicated consultation website;
- documents and maps which are available from the website and on request via a dedicated consultation telephone number;
- local information events which are open to the public and at which relevant specialist staff are present to answer questions;
- dedicated response channels, where people can respond by email, post or online;
- independent handling, analysis and reporting of consultation responses;
- the publication of a consultation report covering the main themes of the consultation responses once the consultation has closed; and
- the publication of a decisions document, setting out decisions taken as a result of the consultation process.

Engagement

4. Stakeholder engagement undertaken since November 2015 has included:

Community engagement meetings

- local community engagement to discuss local design and environmental matters. These were undertaken with community representatives, residents groups and individual land and property owners.

Environmental NGO forum

- environmental NGO engagement on general environmental matters.

Environment Forum

- statutory bodies and Government department engagement on general environmental matters.

Planning Forum

- local authorities that would have a role under the planning regime established under Schedule 17 to the Bill.

Bilateral discussions

- local authority engagement on local matters including design, environmental impacts and potential petitioning issues.
- Extensive discussions with many stakeholders, including directly affected landowners (eg Farm Impact Assessment meetings undertaken in 2016 as part of carrying out the EIA).

Public awareness

- dedicated media handling. In addition, both online and offline communication methods have been adopted, including the development of a dedicated HS2 website and the use of social media (eg Twitter, Facebook etc).
- a public enquiries team has been in place throughout the development phase, with a dedicated telephone number, email address and postal address.
- a series of information events held in August 2017 following deposit of the Phase 2A Bill.

Accessibility

5. A variety of mechanisms have been used to facilitate participation in consultations, such as:

- provision on request of translations of documents and publicity materials;
- wheelchair accessible venues for consultation and engagement events;
- Hearing Loops at certain venues;
- provision of materials, including maps, for those with visual impairments;
- interpreter services at certain venues;
- provision of transport to facilitate attendance at events in remote areas; and
- facilitating responses from people with disabilities.

Organisational change

6. In 2016 a number of organisational changes were made at HS2 Ltd. Those changes included the appointment of a Director of Community Engagement in December 2016 and the creation of a dedicated and expanded community engagement team. That expanded team included a team dedicated to Phase 2A community engagement. The team continues to be responsible for Phase 2A community engagement during the passage of the Phase 2A Bill, working alongside other teams in HS2 Ltd, such as the petition management and land & property teams.

Engagement that will take place during the construction phase

General principles

7. The general principles of community engagement we will follow are to:

- provide the overall community engagement framework for Phase 2A, owning the overarching policies and plan for engagement and ensuring the business has the right tools, materials and support to deliver;
- investigate any claim of a breach of any undertakings and assurances recorded in the register or any of the Environmental Minimum Requirements (EMRs) during construction;
- ensure contractor and sub-contractor compliance with community requirements, including with EMRs, undertakings and assurances, through performance of commitments, local agreements;

- provide a knowledgeable and professional point of contact for parties affected, or potentially affected, by construction;
- maintain and advertise a free telephone helpline;
- advertise community relations information and contact details (including via a website) on site signboards at prominent site egress and access points;
- engage with contractors, community representatives, local authorities, local councillors, residents, businesses, schools, transport operators, emergency services and statutory agencies;
- liaise with appropriate local community projects, employment and educational initiatives²;
- provide information to local residents, businesses, local authorities, local MPs and parish councils in advance of works taking place locally where appropriate;
- work with the independent Construction Commissioner and Residents' Commissioner (see below);
- provide a point of contact for a small claims procedure, relating to claims of physical damage to property. We will help to ensure that claims are progressed promptly by liaising with the small claims administrator³;
- respond quickly to emergencies, complaints or other communications. Where reasonably practicable, we will respond to complaints with an update within 24 hours;
- liaise closely with the emergency services, local authority officers and other agencies (through established contacts) who may be involved in incidents or emergency situations;
- ensure that there is a comprehensive emergency crisis plan for each section of the work and contractual recognition that we will coordinate with the relevant emergency services; and
- ensure compliance with the relevant requirements of equality legislation.

² See HS2 Phase 2A Information Paper H4: Skills and Employment.

³ see HS2 Phase 2A Information Paper C10: Small Claims Scheme.

Community Engagement Strategy

8. The Community Engagement Strategy was launched in September 2017 and sets out the 10 community commitments that have been made and how they will be used to measure performance. We have said we will:

- continue to build respectful, long-term relationships with our communities, and actively encourage our workforce to listen to local concerns and be considerate and accountable for their actions at all times.
- work with our communities to develop local two-way engagement and communication programmes, and ensure these are accessible and tailored to local needs.
- make sure communities are made aware in advance of any activities taking place in their area.
- operate a Freephone Community Helpline 24 hours a day, 365 days a year.
- make health and safety a priority for our communities and our workforce.
- respect the wellbeing of our communities, minimising disruption to their lives with local mitigation plans and activities, ensuring we meet the standards set out in the Code of Construction Practice (CoCP).
- leave a positive and sustainable legacy for the communities in which we operate.
- respond to questions and complaints quickly and efficiently, with an acknowledgement within 2 working days, and responding within a maximum of 20 working days if we cannot answer the query straight away.
- promote awareness of all our property schemes so that anyone who may be eligible has all the information they need and is aware of the support available to them.
- display the Residents' Commissioner's and Construction Commissioner's contact details on all relevant materials, along with the HS2 Helpline information and complaints procedure.

9. A copy of the Community Engagement Strategy is attached at Annex A.

Community Engagement Framework

10. Underneath the Community Engagement Strategy is the Community Engagement Framework, which sets out how we will manage the activity of our contractors and acts as a public expression of our commitment to high quality community engagement. Each

community will be represented by an engagement manager within the community engagement team, who will work in partnership with them to develop their local Community Engagement Plan. It and other information will be posted on a dedicated Commonplace website established for each area⁴. These local plans set out how we will engage with local communities whilst providing details of upcoming construction activities. The plans will be updated regularly as the construction programme develops. The engagement managers will work with the relevant teams in HS2 Ltd to ensure communities' perspectives are considered.

11. Phase 2A will be built by our contractors. On Phase One (and we would expect the same to apply on Phase 2A) each Tier One contractor is developing and implementing Community Liaison Plans. These plans include, amongst other things, information about where and when work will be taking place, plans for managing traffic and stakeholder communications, and tracking of compliance with the undertakings and assurances which have been agreed during the passage of the Bill.

12. A copy of the Community Engagement Framework is attached at Annex B.

Local Community Engagement Plans

13. A copy of the first Phase One Staffordshire local Community Engagement Plan is attached at Annex C.

Site-specific community groups

14. In general, any site or area-specific community liaison groups or forums will be engaged appropriately where they already exist or are established near the start of construction. Establishment of, or use of existing, local forums will be initiated at the request of local communities. The forums will address construction related issues and concerns.

Community engagement in design development

15. We recognise the importance of public engagement in the design development process. The exact scope and nature of public engagement will depend on the element being designed. For example, we would expect a higher degree of public engagement on those parts of the railway that have the most significant impact on people.

16. We plan to adopt the following approach for public engagement in design development:

- Key design elements - we will engage the public on the design development of key elements of infrastructure - including main viaducts and maintenance buildings in

⁴ the Commonplace website established for Staffordshire can be found at <https://hs2instaffs.commonplace.is/schemes/proposals/community-engagement-strategy-plans/details>.

sensitive areas. The engagement exercise is likely to focus on engaging the public in the locality where the infrastructure is located⁵.

- Common design elements - we will develop standard or common designs for certain permanent structures associated with the railway (such as road-bridges, foot-bridges, noise barriers). We undertake wider public engagement on design development for common design elements, including for example interactive online materials, with associated local and route-wide publicity.

Local plans

17. The Code of Construction Practice contains control measures and the standards to be implemented throughout the route. At a local level, site-specific control measures would be included within Local Environmental Management Plans (LEMPs). We and/or our contractors will engage with local communities, local authorities and other stakeholders in order to develop the LEMPs.

18. In addition, prior to the commencement of the works, Local Traffic Management Plans (LTMPs) would also be produced in consultation with the highway and traffic authorities, the emergency services and other relevant key stakeholders.

Construction Commissioner

19. An independent Construction Commissioner has been established. The Construction Commissioner's role is to mediate and monitor the way in which HS2 Ltd manages and responds to construction complaints. The Construction Commissioner mediates any unresolved construction related disputes between HS2 Ltd and individuals or bodies, and provides advice to members of the public about how to make a complaint about construction.

20. The Construction Commissioner was appointed in July 2016 and regularly meets with the Chief Executive Officer of HS2 Ltd to raise any concerns or emerging trends across the programme and produces periodic reports⁶.

Residents' Commissioner

21. An independent Residents' Commissioner has been established. The Residents' Commissioner holds HS2 Ltd accountable to the commitments made in the Residents' Charter⁷.

⁵ see HS2 Phase 2A Information Paper D1: Design, which includes the list of key design elements

⁶ these can be found at <https://www.gov.uk/government/collections/hs2-independent-construction-commissioner#construction-commissioner-reports>. His dedicated website can be found at www.hs2-cc.org.uk.

⁷ a copy of which can be found at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/629939/hs2residentscharter.pdf.

22. The Residents' Commissioner started in post in January 2015 and oversees and monitors HS2 Ltd's commitments and produces periodic reports⁸. In addition, the Residents' Commissioner meets regularly with the Chairman of HS2 Ltd about emerging trends and concerns. The Residents' Commissioner does not investigate individual cases, act as an arbitrator for individual resident concerns, or deal with complaints.

23. The Residents' Commissioner's latest report, in January 2018, says:

"Community engagement is generally working well. The low volume of concerns on this topic raised with me recently reflects the substantial improvements that HS2 Ltd has made since 2015."

HS2 Ltd
June 2018

⁸ these can be found at [gov.uk/government/collections/hs2-ltd-residentscommissioner](https://www.gov.uk/government/collections/hs2-ltd-residentscommissioner). Her dedicated website can be found at www.gov.uk/government/publications/hs2-residents-charter.

LIST OF ROAD IMPROVEMENTS INCLUDED IN THE BILL

Permanent highways modifications

- A515 Lichfield Road Realignment
- Shaw Lane Realignment
- Pipe Lane Diversion
- B5014 Uttoxeter Road Realignment
- Blithbury Road Realignment
- Hadley Gate Lane Diversion
- Stonyford Lane Diversion
- Newlands Lane (South) Realignment
- Newlands Lane (North) Widening
- Moor Lane Diversion
- B5013 Uttoxeter Road Realignment
- Jonghams Lane Widening
- Bishton Lane Realignment
- Tolldish Lane Diversion
- A51 Lichfield Road Widening
- Mill Lane Diversion
- Hoo Mill Lane Diversion
- A518 Weston Road Realignment
- Hopton Lane Diversion
- B5066 Sandon Road Realignment
- Marston Lane Widening
- B5026 Eccleshall Road Realignment
- Yarnfield Lane Realignment
- Tittensor Road Diversion
- A51 Stone Road Diversion
- A519 Newcastle Road Realignment
- Common Lane (North) Improvements
- Dog Lane Diversion
- Bent Lane (North) Diversion
- Bent Lane (South) Realignment
- Snape Hall Road Realignment
- Manor Road Realignment
- A525 Bar Hill Realignment
- Bower End Lane Widening
- Checkley Lane Widening
- Den Lane Realignment
- Chorlton Lane Diversion
- Newcastle Road Realignment
- Casey Lane Diversion

Temporary highways works

- Alrewas Hayes Road, Fradley - Passing Places
- B5014 Uttoxeter Road - Passing Places
- Great Haywood Road, Tixall - Passing Places
- B5017 Wybunbury Road, Wybunbury - Parking Bays
- Bent Lane, Stableford - Passing Places
- Yarnfield Lane, Stone - Carriageway Widening
- Marston Lane - Passing Places
- A525 Newcastle Road/Bar Hill Road - Passing Places
- A515 Lichfield Road, Lichfield - Temporary Roundabout
- A513 Rugeley Road Temporary Diversion
- Pipe Lane Temporary Highway Diversion
- Blithbury Road Temporary Highway diversion
- B5013 Uttoxeter Road Temporary Modifications
- Tolldish Lane Temporary Highway Diversion
- Great Haywood/Hoo Mill Lane Temporary Roundabout
- A34 Stone Road Temporary Diversion
- Yarnfield Lane Temporary Roundabout
- M6 Motorway Slip Roads - Temporary Roundabout
- A519 Newcastle Road Temporary Highway Diversion
- Bent Lane Temporary Highway Diversion
- Bent Lane Temporary Modifications
- Dog Lane Temporary Highway Diversion
- A53 Newcastle Road Temporary Highway Diversion
- A53 Newcastle Road Temporary Roundabout
- Manor Road Temporary Highway Diversion
- A525 Bar Hill Road Temporary Roundabout
- Checkley Lane Temporary Highway Diversion
- Den Lane Temporary Highway Diversion

ROUTE-WIDE TRAFFIC MANAGEMENT PLAN & LOCAL TRAFFIC MANAGEMENT PLANS

“Traffic and transport management - route-wide measures

14.2.2 Generic measures, which will apply route-wide, will be discussed in advance with the local highway authorities and any other appropriate authorities. Prior to the commencement of the works, the nominated undertaker will ensure that a route-wide traffic management plan (RTMP) will be produced in consultation with the highway and traffic authorities, the emergency services and other relevant key stakeholders. The RTMP will include, as appropriate:

- measures to ensure that the timely maintenance and condition of public roads, cycleways and PRow do not deteriorate due to use by the construction traffic, including monitoring arrangements with local highway authorities;
- measures which may include engagement with vulnerable road users (pedestrians, motorcyclists, cyclists, equestrians), to provide for road safety for all modes for the public and construction staff during traffic management works and temporary traffic control measures;
- contractor quality plans for management of construction vehicles through the supply chain;
- contractor implementation of driver training programmes relevant to their specific environment (e.g. to protect pedestrians and non-motorised traffic);
- vehicle safety measures including signage, mirrors, prevention of underrunning and use of technology to remove blind spots according to vehicle size;
- process of submission and, as necessary, approval of site-specific traffic management measures;
- procedures to be followed for the temporary or permanent closure or diversion of roads, PRow or accesses;
- procedures to be followed to obtain consent to work on or over railways, highways and canals;
- measures for highway reinstatement;
- arrangements for liaison with the relevant highway authorities and emergency services (including air ambulances) and protecting corridors for emergency vehicles;
- procedures to address any highway incidents or vehicle breakdowns relating to construction traffic, especially at peak times;

- emergency access protocols;
- monitoring requirements;
- lorry route-signing strategy;
- means of monitoring lorry use and any routes prohibited from use;
- dealing with large goods vehicles and abnormal loads;
- clear identification for construction heavy goods vehicles under the lead contractors' control;
- introduction of a GPS vehicle location and tracking system for tipper lorries within the lead contractors' control to be used for the movement of materials and waste in bulk and/or appropriate tracking solutions for the measurement of HS2-related traffic flows;
- monitoring for deviation from authorised routes; and
- controls on reversing alarms.

14.2.3 Other measures to manage construction traffic on a route-wide basis will include, as appropriate and where reasonably practicable, the use of rail or water transport for movement of materials and waste in bulk.

Transport and traffic management – local area measures

14.2.4 Prior to the commencement of the works, the nominated undertaker will require that local traffic management plans (LTMPs) will be produced in consultation with the highway and traffic authorities, the emergency services and other relevant key stakeholders. The LTMP(s) will include, as appropriate:

- permitted access routes and accesses for construction traffic;
- site boundaries and the main access/egress points for worksites and compounds;
- temporary and permanent closures and diversions of highways and other PRoW;
- a list of roads which may be used by construction traffic in the vicinity of the site, including any restrictions to construction traffic on these routes, such as the avoidance of large goods vehicles operating adjacent to schools during drop-off and pick-up periods and any commitments set out in the HS2 Register of Phase 2A Undertakings and Assurances;
- phasing of works;

- the proposed traffic management strategy;
- other measures which will affect the highway, such as lorry holding areas;
- regular operation of traffic liaison groups with key stakeholders to ensure that programmes of HS2 works are shared and which will assist the highway authorities to carry out their network management duties, traffic liaison groups will consider appropriate engagement with local communities directly affected by site specific traffic management plans on a case-by-case basis; and
- a register of applications for consents associated with temporary traffic management measures.

14.2.5 In relation to lorry management, LTMPs will include details of the following, where appropriate:

- timing of site operations and timing of traffic movements;
- local routes to be used by lorries generated by construction activity;
- lorry holding areas;
- lorry holding areas on- or off-highway, how they will be laid out and operated; and
- weighbridge(s) at a suitable location(s) on site to monitor compliance with vehicle weight restrictions.

14.2.6 Lorry routes will be set out in the LTMPs and as set out in the Planning Memorandum, the nominated undertaker will have forward discussions, where reasonably practicable, on lorry route applications prior to submission. The nominated undertaker will use all reasonable endeavours to incorporate reasonable views of the local highway authority.

Traffic and transport management – site-specific measures

14.2.7 Site-specific traffic management measures may include temporary interference to carriageways, footway, cycleways, verges, public paths and other PRoW, such as bridleways and their respective users. Site-specific traffic management measures will include the following, as appropriate:

- details about specific traffic management, within site-specific plans;
- road traffic management layouts and signage including for works necessary for site access for construction traffic, which will be subject to consultation with the relevant highway authority;

- the design of site access from the highway to ensure that vehicles enter and exit sites in forward gear as far as reasonably practicable, alternative arrangements will be outlined in the RTMP;
- installation of appropriate signage indicating all temporary and permanent diversions of PRow;
- measures to minimise impact on highway users;
- measures to be implemented to reduce construction traffic impacts, or impacts associated with parking on residential streets;
- retaining access for cyclists and pedestrians, where safe and appropriate;
- requirements relating to the movement of farm animals where farm accesses are affected;
- timing of traffic management operations, if their scope can be undertaken during off-peak, night or weekend working;
- parking controls;
- use of internal haul routes for construction vehicles to minimise the need to use public roads;
- measures to ensure that construction vehicles do not cause damage to highways, and measures to ensure that any damage to grass verges is repaired and reinstated;
- requirements relating to the movement of traffic from business and commercial operators of road vehicles, including goods vehicles;
- on-site speed limits and controls to reduce environmental impacts to nearby receptors and consideration of temporary reduced speed limits around worksites;
- co-ordination with utility companies and service diversions; and
- winter maintenance plans (e.g. salt or gritting), which will complement those of the relevant highway authority.

14.2.8 Where reasonably practicable and necessary, site-specific measures will be discussed with highway authorities and the emergency services and via local meetings, prior to any formal submissions required by the Bill or non-disapplied highways legislation.”

NOTE ON COMMUNITY AND ENVIRONMENT FUND (CEF) AND BUSINESS AND LOCAL ECONOMY FUND (BLEF)

CEF/BLEF

The Community and Environment Fund (CEF) is designed to help enhance community facilities, improve access to the countryside and conserve the natural environment along the line of route. The Business and Local Economy Fund (BLEF) will support local economies in areas where businesses collectively may experience disruption from the construction of HS2.

Rationale for Phase 2a Funding allocation

Following recommendation from the Phase One Select Committee, the total funding made available to the CEF and BLEF on Phase One was £40m.

Phase 2a has allocated £5m to cover the same Funds. This is proportionate to the Phase One fund, based on population density across the two routes. The population along Phase 2a is 13% of that along Phase One, meaning a Fund of approximately £5m is appropriate.

Phase One Process and Awards

The management of the CEF and BLEF has been outsourced to an existing Grant Management Body (Groundwork UK), who were selected through a competitive tender process using the Crown Commercial Services Framework.

Groundwork UK undertake the assessment of all bids against the published criteria and have Delegated Authority for approving awards under £75,000. For decisions on grant awards of £75,001 and above, the Grant Management body receive and assess the applications before presenting them to an independent Panel, appointed by HS2 Ltd.

The independent Panel make recommendations to a senior civil servant within DfT with delegated authority from the Secretary of State. If the value of the grant request exceeds £250,000 or the senior civil servant disagrees with the Panel's recommendation, then the outcome of the application will be decided by a Minister.

To date, the following applications have been approved and are in the public domain;

Date of Decision	URN	Applicant	CEF/BLEF	Value of Award
Greater London				
08/06/2017	15292	West Euston Partnership	CEF Local	£74,804
31/08/2017	19807	Castlehaven Community Association	CEF Local	£73,591
08/02/2018	26139	Fitzrovia Youth in Action	CEF Local	£74,985
28/02/2018	27363	Training Link	CEF Local	£74,235
TOTAL				£297,615
Central				
10/08/2017	1760	Helmdon Acorns Pre-School	CEF Local	£5,442
13/09/2017	18452	Steeple Claydon Methodist Church	CEF Local	£12,000
31/10/2017	20404	Wormleighton PCC	CEF Local	£74,982
07/11/2017	13971	Forest Enterprise England	CEF Strategic	£450,000
21/11/2017	22552	Thorpe Mandeville Village Hall Trust	CEF Local	£4,650
06/01/2018	25300	Wendover Swimming Pool	CEF Local	£74,000
08/02/2018	27052	Croughton Playing Field & Village Hall	CEF Local	£38,881

28/02/2018	28305	Padbury Pre-school	CEF Local	£1,000
			TOTAL	£660,955
West Midlands				
08/02/2018	24220	Upcycle Birmingham Ltd	CEF Local	£70,750
			TOTAL	£70,750
Route Wide / Cross Border / Off Route				
31/10/2017	21513	Richings Park Sports Club Ltd	CEF Local	£39,960
			TOTAL	£39,960
			GRAND TOTAL	£1,069,280

A brief overview of each award can be found on the interactive map of funded projects here - <https://www.groundwork.org.uk/Sites/hs2funds/pages/hs2-community-and-business-funds-project-map>

In addition, awards for 30 more projects totalling just over £1m in pipeline funding have been approved and are currently awaiting final sign-off of terms and conditions. Further to this, 13 applications have been submitted and are in the process of being reviewed by Groundwork UK.

Phase One Publicity and promotion

Since the launch of the Funds, Groundwork UK have been promoting CEF and BLEF through their existing networks which includes the community/voluntary and environmental sectors. This includes delivering regular presentations on the funds at events attended by individual community members as well as representatives of community and voluntary sector organisations.

Groundwork UK have also attended HS2 Community Engagement events, Land and Property surgeries and Construction open evenings to promote the Funds. Groundwork UK will continue to attend all similar HS2 engagement events to provide publicly available information at these public events and meetings.

Groundwork UK have produced a set of banners and leaflets to take along to the events to sit alongside the regular HS2 route wide community newsletters and factsheets, produced by the HS2 Community Engagement team, which also contain information and updates on the Funds.

Six monthly communications are issued to all Local Authority contacts along the Phase One route. Similar information in the form of a letter is to be sent to business contacts specifically on BLEF. Regular updates are also issued to line of route MPs.

In addition, HS2 and DfT comms teams publish national, regional and local press releases linked to key announcements (e.g. first awards, announcement of breaking the £1m funding barrier etc) and wider HS2 developments.

Groundwork UK also undertake targeted social media activity, and applicants are requested to publicise and promote the funds as a condition of the awards, for example through plaques on capital projects and logos on letterheads.

A similar approach will be adopted for CEF/BLEF funds linked to Phase 2a.

NOTE ON COMPENSATION

SUMMARY OF COMPENSATION FOR OWNERS AND OCCUPIERS AFFECTED BY HS2 PHASE 2A**PROMOTER'S NOTE**

THIS NOTE SHOULD BE READ WITH THE SLIDES ACCOMPANYING THE PRESENTATION BY MR COLIN SMITH TO THE SELECT COMMITTEE ON 26 MARCH 2018 – P7(1)-(46)

Statutory compensation for compulsory purchase – the compensation code

1. The governing principle of the land compensation acts is that a landowner whose land is purchased compulsorily for public works must be fully and fairly compensated for his loss. That principle is sometimes described as the 'principle of equivalence'; it is also characterised as the 'value to the owner' principle.
2. Effect is given to that governing principle by the two fundamental rules for the assessment of land compensation –
 - (1) The value of the land compulsorily purchased must be assessed as the amount which the land might be expected to realise if sold in the open market by a willing seller (the 'market value' rule).
 - (2) The landowner shall also receive compensation for any losses that result from being dispossessed of the land by compulsory purchase (the 'disturbance' rule).
3. The market value rule is applied assuming cancellation of the scheme of public works for which the land has been compulsorily purchased (i.e. Phase 2a of HS2); and leaving out of account any increase or decrease in value that would have resulted from that scheme (known as the 'no scheme' rule).
4. There is a further fundamental rule that is engaged in the case in which part only of the landowner's land is compulsorily acquired –
 - (3) Where the value of other land held by the landowner loses value as a result of being severed from the land compulsorily purchased, or otherwise depreciated in value as a result of the construction or operation of the public works, compensation is payable for that loss.
5. Applying these rules ensures that, so far as money can do it, a landowner from whom land is acquired under compulsory purchase is fully and fairly compensated for his loss. The disturbance rule enables the landowner to recover compensation for all those losses that are the reasonable consequence of his being displaced from occupation of the land compulsorily acquired, as part of his claim. This is so whether the land is held freehold or leasehold; and whether it is his home, his business premises or his farm holding. By way of example, the disturbance rule may include permanent and temporary loss of profits, loss of crops, fitting out or special adaptation of buildings or structures to maintain existing business operations, conveyancing fees, stamp duty and professional costs in dealing with the claim.

6. The land compensation acts form a comprehensive statutory code governing the assessment and payment of land compensation following compulsory purchase of land for public works. That statutory code (the “compensation code”) applies to the HS2 Phase 2a Bill as it applies to any compulsory purchase order. In the case of Phase 2a of HS2, the Bill itself when enacted will operate as the compulsory purchase order.
7. The land compensation acts provide a consistent approach to the assessment and payment of land compensation for compulsory purchase across all schemes of public works (housing, town centre redevelopment, power stations, airports, roads and rail schemes). The land compensation acts are periodically reviewed and amended – the most recent amendments being enacted under the Localism Act 2011, the Housing and Planning Act 2016 and the Neighbourhood Planning Act 2017.
8. Determination of the amount payable to the landowner in accordance with the rules for assessing land compensation normally occurs following the exercise of compulsory purchase powers by the acquiring authority. In the case of Phase 2a of HS2, the Secretary of State will carry out the process of compulsory purchase following enactment of the Bill. The body that is asked to grant powers of compulsory purchase (in this case, Parliament) does not normally determine the amount of compensation payable following the exercise of those powers by the Promoter.
9. The procedures for making a claim for land compensation, the payment of an amount of compensation in advance of determination of the full amount payable, and for the resolution of a dispute over the amount payable, are all laid down under the compensation code. Pending final determination of the compensation payable to the landowner, the compensation code gives that person the right to claim payment in advance of up to 90% of the estimated amount of compensation payable to him, that right arising on the date on which the acquiring authority takes possession of his land.
10. The compensation code also provides the rules for calculating statutory loss payments (home loss, basic loss and occupier’s loss payments) and for the payment of interest on land compensation.
11. The compensation code assigns the role of resolving disputes over the amount of land compensation payable to a landowner to the Upper Tribunal (Lands Chamber), which is a specialist land valuation court. However, the majority of land compensation claims are in fact resolved by agreement between the landowner and the acquiring authority, usually through negotiations between their surveyors and lawyers against the background of the compensation code. The reasonable costs and professional fees incurred by the landowner are themselves payable by the acquiring authority as part of the landowner’s compensation claim.
12. Typical examples of matters that fall within the wide remit of the Upper Tribunal (Lands Chamber) include –
 - (1) The development potential of the land in the no scheme world.
 - (2) Whether the effect of compulsory purchase of part only of the landowner’s holding will have so harmful an impact on the remainder of his holding that the acquiring authority should be obliged to acquire the whole holding (a ‘material detriment’ claim).

- (3) Whether the acquiring authority ought to accept a blight notice served by the landowner.
 - (4) Whether, in the light of the particular characteristics of the land, the lack of any active market for land of that kind justifies the assessment of compensation on the basis of 'equivalent reinstatement'.
 - (5) Whether the value of any retained land has been depreciated (known as 'injurious affection') or enhanced (known as 'betterment') by the construction or operation of the public works.
 - (6) Whether the 'price' offered by the acquiring authority under the market value rule is too low.
 - (7) Whether the 'price' claimed by the landowner under the market value rule is too high.
 - (8) Whether money spent by the landowner in anticipation of being displaced from his land ought to be reimbursed by the acquiring authority under the disturbance rule.
 - (9) Whether the costs incurred by the landowner on fitting out his replacement premises exceed what was reasonable in the circumstances of his case.
 - (10) In a very rare case in which the impact of the compulsory purchase is to cause the closure of the landowner's business, the valuation of that business as a going concern.
13. Further information on the land compensation code is available in HS2 Phase 2a Information Paper C8 "Compensation Code for Compulsory Purchase" and the guidance notes listed at paragraph 10 of that information paper.

Alternative Dispute Resolution

- 14. There is increasing reliance on alternative dispute resolution procedures to resolve land compensation claims. HS2 Ltd has recently published guidance on the use of alternative dispute resolution in compulsory purchase claims for HS2. See ["Alternative Dispute Resolution – HS2 guidance for compulsory purchase claims"](#).

Advance purchase by the Secretary of State under the statutory blight regime

- 15. The owner-occupier of residential premises, small business premises or an agricultural holding situated within the safeguarded area for Phase 2a of HS2 may serve a blight notice requiring the Secretary of State to purchase his property in advance of enactment of the Bill (or, following enactment, in advance of the exercise of compulsory purchase powers). In order to qualify to serve a blight notice, the owner-occupier of such premises must own either the freehold interest or a leasehold interest with at least 3 years left to run at the date of service of the blight notice. On receipt of a blight notice, the Secretary of State will notify his decision whether or not to accept the notice within the period of 2 months laid down by law for that purpose. Following the Secretary of State's acceptance of a blight notice, the compensation payable to the owner-occupier is determined in accordance with the compensation code.

16. More information on blight notices, safeguarding and the express purchase scheme which streamlines blight notice procedure for Phase 2a of HS2 may be found in HS2 Phase 2a Information Paper C4 “Safeguarding and Statutory Blight” and the HS2 publication [“Selling your home or small business using the statutory blight or express purchase process”](#).

Compensation where no land is acquired by the Secretary of State

17. Compensation is payable to the owner of any land or right in or over land which is “injuriously affected” by the execution of the authorised works for the construction of Phase 2a of HS2. The meaning of “injuriously affected” is explained in paragraph 6.2 of HS2 Phase 2a Information Paper C8 “Compensation Code for Compulsory Purchase”. The measure of compensation is the resulting diminution in the value of the land or right.
18. Once the HS2 Phase 2a railway has been opened for public traffic for a period of 12 months, compensation may be claimed by qualifying owner-occupiers for the loss in value to their property due to physical factors such as noise, vibration, artificial lighting, under Part 1 of the Land Compensation Act 1973.

Accommodation works

19. Accommodation works will be provided as part of the detailed design of Phase 2a of HS2 in order to limit the severance and other disturbance caused to neighbouring landowners by the construction of the Phase 2a project. Examples include new access to severed land, replacement fencing, making good damage to drainage and continued supply of utility services. Accommodation works help to mitigate landowners’ losses and so reduce the compensation payable for compulsory purchase under the compensation code. More information is available in HS2 Phase 2a Information Paper C2 “Rural landowners and occupiers guide”.

Generalised blight: non-statutory compensation schemes

20. The Secretary of State recognises that the prospect of construction of Phase 2a of HS2 can create blight extending beyond the safeguarded area – known as “generalised blight”. To address generalised blight, the Secretary of State has introduced the package of non-statutory property schemes that is described in HS2 Phase 2a Information Paper C5 “Generalised Blight” and the published guidance notes for each scheme -
- Voluntary Purchase / Cash Offer – in the Rural Support Zone (RSZ)
 - Homeowner Payments
 - Need to Sell
 - Rent Back
 - Atypical Properties and Special Circumstances

4 June 2018