

+Title: High Speed 2 – Phase 2b Crewe to Manchester and West Midlands to Leeds safeguarding Date: 23/5/22 DMA No: DFTDMA251 Lead department or agency: Department for Transport Other departments or agencies: HS2 Ltd		De Minimis Assessment (DMA)	
		Stage: Final	
		Source of intervention: Domestic	
		Type of measure: Other	
Summary: Rationale and Options		Contact for enquiries: Highspeedrail@dft.gov.uk	
Total Net Present Value £-5,800	Business Net Present Value NQ	Net cost to business per year <small>(EANDCB in 2019 prices)</small> £mNQ	

Rationale for intervention and intended outcomes

Safeguarding is a technical term for an established part of the planning system that protects large-scale infrastructure projects, such as roads or railways, from conflicting developments. It provides a statutory mechanism by which Local Planning Authorities (LPAs) must consult HS2 Ltd on new and undecided planning applications which fall within the safeguarded area. If Safeguarding is not updated there is a risk that the land required for the construction and operation of the HS2 line could be developed. This could lead to increased costs to the public purse and/or disrupt the programme.

The Secretary of State announced the HS2 route from Crewe to Manchester and the West Midlands to Leeds (Phase 2b) in November 2016. Safeguarding Directions and an associated Impact Assessment (IA) in respect of the Phase 2b route were published at the same time. Since that date safeguarding Directions have been reissued to reflect the latest design requirements.

In November 2021 the Integrated Rail Plan (IRP) was announced. This confirmed the Crewe to Manchester Section (Phase 2b West) and a smaller section of the Phase 2b East from the West Midlands to East Midlands, with further route studies to be undertaken to examine the best options to get to Leeds. The Phase 2b West Bill

Describe the policy options considered

Option 0, do nothing. This is the baseline option which reflects no variation to land in scope of the October 2021 Safeguarding Directions. The main impact of not issuing revised Safeguarding Directions for Phase 2b would be that land that may be needed for the construction and operation of the HS2 could be developed. This could lead to increased costs to the public purse and/or disrupt the programme.

Option 1, is the do-something option, and reflects the issue of updated Safeguarding Directions reflecting revised land requirements on the Phase 2b West and as set out in the relevant maps at <https://www.gov.uk/government/collections/safeguarding-information-and-maps-for-hs2>. This option prevents potentially conflicting development within these areas, and releases land no longer required from planning controls. The precise extent of the safeguarding zone is determined by HS2 Ltd's up to date plans for the railway where developments have the potential to impact on the construction or operation of HS2. This will require LPAs to consult HS2 Ltd on relevant planning applications for land within the safeguarded area.

Rationale for DMA rating

This intervention does not impose costs to business above £5m. Due to the minute nature of the safeguarding change (2.54ha comprising of only 1 additional property), using the methodology enacted in previous Safeguarding IAs for consistency we calculate a cost in NPV terms of approximately £5800.

Will the policy be reviewed? No		If applicable, set review date:		
Are these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes

Senior Policy Sign-off:

✓

Date:

13/05/2022

Peer Review Sign-off:	✓	Date:	13/05/2022
Better Regulation Unit Sign-off:	✓	Date:	23/05/2022

1.0 Policy Rationale

Policy background

1. This De Minimis assessment sets out evidence for the impact of implementing revised Safeguarding Directions for the HS2 line between Crewe and Manchester, and the West Midlands to Leeds known collectively as “Phase 2b”.
2. Safeguarding Directions are an established planning tool used to prevent potentially conflicting development with proposed pieces of infrastructure to mitigate the risk of disruption and additional costs. Directions provide a statutory mechanism under the Town and Country Planning (Development Management Procedure) (England) Order 2015, by which LPAs must consult HS2 Ltd on new and undecided planning applications which fall within the safeguarded area and provide HS2 Ltd with a statutory remit to comment on such applications. Safeguarding Directions also trigger statutory blight provisions made under the Town and Country Planning Act 1990, whereby owner-occupiers of properties within the safeguarded area may apply to sell their property to the Government before legislation is passed by serving a blight notice.
3. Safeguarding Directions were first published for the Phase 2b route in November 2016 when the proposed route was published for consultation. Since that time, the route of Phase 2b has evolved following further consultation and development of the railway’s design. Land requirements have changed, with some land no longer needed having been removed from safeguarding, and other land which is newly required having been added. The net impact is that more land is now expected to be required.
4. The Phase 2b West Bill has now been deposited so safeguarding Directions have once again been reissued to reflect the Phase 2b West Bill limits and show the latest route designs. At this time we are not splitting the Directions or IA to reflect Phase 2b West and East. We will look to separate once a decision has been made on the route to Leeds.
5. Although Safeguarding Directions are not considered to be “qualifying regulatory provisions”, as defined in Part 2 of the Small Business Enterprise Act 2015, we have previously published and continue to update assessments in relation to the issue of Safeguarding Directions where they impose larger-scale changes to land requirements for transparency purposes.

Problem under consideration

6. Land which is owned by third parties is required to construct and operate the proposed HS2 railway. Should that land be developed, it has the potential to conflict with HS2. This development, in turn, risks increasing costs to the project from disruption, delay or additional compensation payable for land that is later subject to compulsory purchase. Regardless of any development undertaken on the land, the Secretary of State would anticipate acquiring the property to be able to construct and operate the railway.

Rationale for intervention

7. The rationale for intervention is to prevent a circumstance of government failure, whereby land needed for the construction of HS2 is developed for other means ultimately resulting in larger costs to Government when acquiring the land.

8. To protect the proposed alignment of a road or railway from conflicting development, the Secretary of State can issue a direction, known as a Safeguarding Direction, under Articles 18(4), 31(1) and 34(8) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
9. The Safeguarding Directions are issued to LPAs by the Secretary of State for Transport. Those LPAs are then required to consult with HS2 Ltd when determining relevant planning applications for land within the limits shown on the safeguarding plans attached to the Safeguarding Directions, except where that type of application is exempted.
10. Government intervention through the issue of Safeguarding Directions also provides landowners and investors with advance warning that their proposed development may conflict with plans for HS2. With that warning, it is possible for discussions to take place between the developer and HS2 Ltd to examine whether it is possible to avoid that conflict, either by changing the HS2 design, or by the landowner amending their proposed development. The issue of Safeguarding Directions also triggers access to the statutory blight regime whereby eligible property owners of residential property, small businesses or agricultural holdings can apply to sell their property to the Secretary of State in advance of need and receive statutory compensation as if their property was subject to compulsory purchase.
11. The Safeguarding Directions that were issued in June 2022 update and replace previous Safeguarding Directions issued in respect of Phase 2b. Since the Phase 2b Safeguarding Impact Assessment was issued in 2020 there have been small changes to the planned Phase 2b route, resulting in changes to the numbers of properties which require safeguarding, and the area of land safeguarded. Additionally, we have used some revised assumptions for the length of time Safeguarding Directions for Phase 2b may need to remain in place.
12. Since the Phase 2b Safeguarding Impact Assessment was issued, there have been several moderate changes that have required an analytical re-assessment of the costs. These can be summarised by:
 - Small changes to the design of the Phase 2b route, leading to no significant change to the hectareage required to be safeguarded
 - Changes to assumptions around economic growth, resulting in changes to future wages, hence on administration cost due to additional safeguarding
 - Changes to the numbers of property owners who have already sold their properties to the Secretary of State, and so can now be considered sunk costs.

Policy objective

13. The primary objective of issuing Safeguarding Directions in relation to Phase 2b of HS2 is to prevent development that would otherwise hamper HS2 Ltd's ability to build and operate the route from Crewe to Manchester and the West Midlands to Leeds or increase the costs or risks of doing so. The secondary objectives include minimising the administrative burden for LPAs, and reducing cost and risk for landowners along the line of the route who may otherwise embark on development that may conflict with the railway.

Options considered

Option 0 – Do Nothing - Retain the Safeguarding directions as per October 2021

14. The main impact of not issuing revised Safeguarding Directions for Phase 2b would be that the land that may be needed for the construction and operation of HS2 could be developed further in a manner that could increase costs to public purse from the need to pay additional compensation, disrupt the programme of construction of the railway, or delay the expected benefits from the programme to passengers and the wider economy.
15. There could be impacts on developers who might invest in schemes on land that may be required and may subsequently be subject to compulsory purchase, therefore losing their potential return on investments.

Option 1 – Update safeguarding directions (preferred option).

16. Option 1, the preferred option, is to update and reissue Safeguarding Directions for Phase 2b of HS2. This will increase the safeguarded zone by approximately 2.54ha (net). This option will provide effective signals to developers, planners and HS2 Ltd where potential conflicts may become more likely and allows for unnecessary costs or risks to be mitigated.
17. The extent of safeguarding is based on engineering need, i.e. only the land that it is anticipated will be required to construct and operate HS2 is safeguarded. This protects land and property that may be needed for construction and operational purposes but does not infringe unnecessarily on the legitimate rights of landowners to develop land.
18. The size of the safeguarded area was carefully considered. It was felt that a narrower zone would run a significantly higher risk that some subsequent developments would interfere with the project and may result in developers incurring costs preparing developments that are not compatible with the HS2 programme. A wider zone would place a greater restriction on development and administrative burden on LPAs without significantly reducing the risks to the project. The acquisition of land and property under the statutory blight regime that is unlikely to be required for the construction or operation of the railway would not represent prudent use of taxpayers' money.

2.0 Rationale for De Minimis Rating

19. We calculate the net cost to business of pursuing the update to Safeguarding Directions would be approximately £5800 NPV. This is due to the small increase in safeguarded land (approx. 2.54ha, comprising of one property).

3.0 Costs and Benefits

Option 0 – Do Nothing

20. This is the option against which Option 1 is compared.
21. In this Option, the safeguarding zone remains as it was in October 2021.
22. An absence of Safeguarding Directions covering the new area deemed necessary for construction would generate an administrative burden on HS2 Ltd to monitor planning applications made in relevant local planning authorities to determine whether it would be necessary to object to them. In addition, there would be an additional administrative burden on LPAs which would be expected to consider whether HS2 was a relevant issue to consider in determining a planning application (whether HS2 Ltd objected or not). This IA has not estimated or monetised this cost. It is expected that this will be linked to the number of planning applications made that HS2 Ltd will find necessary to object to.

23. There could be negative impacts for developers, who might invest in developments that may in future, if the railway proceeds along the proposed route, be subject to compulsory purchase, increasing costs and risks to the project, and also risk developers losing expected returns from the investments. This IA has not estimated or monetised these costs.

Option 1 – Update the safeguarding zone as shown in the maps published alongside the Safeguarding Directions

Summary

Monetised Costs

24. Annual costs associated with the properties acquired earlier than required as a result of a successful application to the statutory blight regime.
25. Administrative costs imposed on the LPA of having to consult with an additional stakeholder when determining relevant planning applications in scope of safeguarding controls. Although, we have calculated these to demonstrate an upper bound on cost, we have not considered the cost to HS2 Ltd from Option 0 as an offset.

Unmonetised Costs

26. Small indirect costs to businesses who may have planning applications rejected due to the objections of HS2 Ltd, forcing them to spend time and resources either amending their initial application, or the opportunity cost of not being able to proceed with their initial preferred application. These have not been monetised both due to a lack of cost information, and due to available information on volumes of referrals to HS2 Ltd. As safeguarding will provide clear signals to the market/landowners on the status of their land, the volume of referrals are expected to be very low, hence a low (unmonetised) cost. Such costs are also expected to be very small relative to potential losses from investments made for developments, which may have to be surrendered as part of a compulsory sale.

Monetised Benefits

27. One-off costs incurred through acquisitions due to blight, may be recovered when such property will be back on the market for rental purposes or sale. This is currently not quantified, and treated as a pure transfer payment. For the purpose of this IA, this benefit has not been estimated, as the focus is on the administrative costs/burden the activities pose, which are not avoidable in the short term.

Unmonetised Benefits

28. The issue of Safeguarding Directions will reduce the risk to developers potentially making investments that they subsequently cannot progress or are subject to compulsory purchase (at a cost to the taxpayer) as a result of HS2 if the railway ultimately proceeds. These have not been monetised due to a lack of available data. The benefit from early signalling to the market is that it allows better planning for businesses on their plans, whether it is about relocation, or redesigning their developments to avoid abortive expenses have also not been monetised.

Costs

Transition Costs

29. No transition costs have been calculated in this assessment since no transition measures are necessary.

Ongoing costs

LPA Administration Costs

30. Safeguarding Directions require LPAs to consult with HS2 Ltd when determining planning applications for land within the limits shown on the safeguarding plans that are attached to the Safeguarding Directions. Although some of this work may occur even in the absence of safeguarding (and indeed it is likely that LPAs would have to devote resource to deal with the uncertainty inevitable in a no-safeguarding world), the Directions would place a small additional administrative burden on both LPAs and HS2 Ltd.
31. We have estimated an upper bound to the potential additional administrative costs to the LPAs along the Phase 2b route. These reflect the additional costs associated with the notification process for planning applications and requirement for LPAs to consult with HS2 Ltd for each case.
32. So, for the cost estimation, we have assumed that safeguarding increases the time it takes for a local authority planning officer to deal with a relevant planning application within the safeguarding zone by three hours. This is the same assumption used in the original Phase 2b IA and its subsequent iterations. Furthermore, this assumption is consistent with that used as part of the Phase One consultation and associated decision on safeguarding. The planning officer would be responsible for assessing whether planning applications received related to land within the safeguarded area, consulting HS2 Ltd and addressing any queries raised by HS2 Ltd. The cost will therefore be the extra time per application times the number of applications times the labour cost, over the incremental safeguarding period.
33. We have assumed that the average hourly basic pay of a local planning authority officer is £19 per hour based on analysis of the Annual Survey of Hours and Earnings¹ and have up-rated this by 26.5% to allow for pensions, national insurance contributions and other overheads as per TAG A4.1 guidance.
34. The updated safeguarded zone amounts only to an additional 2.54ha of land. Assuming that planning applications occur at a rate of 0.068 per hectare per year (based on DfT's analysis of 2021 MHCLG planning statistics along the Phase 2b route), the number of total applications in the new safeguarded zone is expected to be a minute 0.17 per year. To be consistent with reality we will assume the rate is 1 per year.
35. For the purposes of this assessment, we have assumed that Safeguarding Directions will be in place for Phase 2b until 2042.
36. Table 1 below outlines the profile of staff administrative costs over time. The net present cost has been calculated using the HM Treasury Green Book discount rate of 3.5 per cent. The costs have been assumed to apply right up to 2042. For simplicity, we have assumed a flat application profile throughout the period. The NPV administration cost from additional safeguarding is estimated at £1404.66 at 2021 prices.

Table 1 – HS2 property administration costs (2021 prices)

¹ See: 2021 edition, SIC2007 Table5.5a: [Earnings and hours worked, UK region by industry by two-digit SIC: ASHE Table 5 - Office for National Statistics \(ons.gov.uk\)](https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics?msckid=5652f1babbd011ec8202b3472967dcb4)

² See: Table P124A, <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics?msckid=5652f1babbd011ec8202b3472967dcb4>

³ See: TAG Data Book November 2021 v1.17

Administrative costs (Do Something - 2021 prices)					
Year	Applications	GDP Growth	Real Wage	Total Cost	Present Value
2022	1	6%	£23.96	£71.89	£71.89
2023	1	2%	£24.46	£73.39	£70.90
2024	1	1%	£24.79	£74.36	£69.42
2025	1	2%	£25.19	£75.57	£68.16
2026	1	2%	£25.61	£76.84	£66.96
2027	1	2%	£26.06	£78.18	£65.82
2028	1	2%	£26.51	£79.53	£64.70
2029	1	2%	£26.96	£80.88	£63.57
2030	1	2%	£27.41	£82.22	£62.44
2031	1	2%	£27.85	£83.56	£61.31
2032	1	2%	£28.30	£84.89	£60.18
2033	1	2%	£28.74	£86.23	£59.06
2034	1	2%	£29.19	£87.57	£57.95
2035	1	2%	£29.63	£88.90	£56.84
2036	1	2%	£30.12	£90.36	£55.82
2037	1	2%	£30.62	£91.85	£54.82
2038	1	2%	£31.11	£93.34	£53.83
2039	1	2%	£31.61	£94.84	£52.85
2040	1	2%	£32.11	£96.34	£51.86
2041	1	2%	£32.61	£97.84	£50.89
2042	1	2%	£33.11	£99.33	£49.92
Total Cost				£1,787.90	
Net Present Value				£1,269.21	

Cost of Maintaining Properties

37. Safeguarding Directions also trigger something known as ‘statutory blight’. This means that property owners within the safeguarded area may be eligible to serve a blight notice asking the Secretary of State for Transport to buy their property prior to it being needed for construction. Safeguarding Directions may therefore result in the Government acquiring residential and smaller business properties earlier than would otherwise be the case in the Do Nothing scenario.
38. These earlier purchases impose a cost to the Government associated with managing the properties for a longer period. It is expected that the Government will, in the intervening period between the year each property is acquired and when they will need to be vacated to permit construction, let the large majority of properties. During this intervening period, the Government is required to incur a number of running costs to maintain the properties in a condition that permits them to be rented such as, condition survey, electrical survey, gas appliances survey and any necessary upgrade works. Therefore, due to safeguarding, these costs will be incurred earlier and for a longer period.
39. We estimate the Government will incur an annual cost of £3,618⁴ per property from conducting upgrade works, condition surveys, electrical surveys and gas appliance surveys. This is derived from HS2 Ltds actual spend on their property portfolio over the past 11 months on their Phase 2b property portfolio. The additional costs generated as a result of safeguarding reflect the longer period the Government now holds the properties it requires for HS2.
40. As per the experience of HS2 Ltd, the Government will incur one-off upgrading costs in purchased properties. The average one-off upgrading cost incurred to HS2 Ltd per property along the Phase 2b route over the last 11 months has been £11,355⁴. For this analysis we assume this will be the one-off cost going forward.

⁴ Unpublished data as provided by HS2 Ltd.

41. While these costs would be incurred irrespective of whether safeguarding was in place, the introduction of safeguarding brings purchases, and therefore associated costs, forward in time. It has therefore been assumed they are incurred over the period 2022-2024, rather than in 2024 when compulsory purchase powers for Phase 2b are assumed to be in place.
42. It is important to note that the Government will obtain rental income from the properties which it owns and manages. However, as this income reflects a transfer from the occupier of the property to the Government, it is not incorporated in this analysis. The properties will also gain value from the upgrading. This value is also not assessed and incorporated into the benefit (or cost efficiency) assessment.
43. To be eligible to issue a blight notice, criteria such as being an owner-occupied residential property or a small business property need to be met. Our estimates of the number of properties issuing blight notices are based on recently updated property count estimates provided by HS2 Ltd. One property is eligible to issue a blight notice within the updated safeguarded zone. This property has not yet claimed.
44. In Option 0 (Do Nothing), all the running costs are assumed to be incurred when compulsory purchase powers are assumed to be in place, in 2024. However, in option 1 (introduction of safeguarding), a portion of these costs will be brought forward in time as additional costs are incurred between 2022 and 2023. We calculate a higher scenario whereby the property is acquired in 2022.
45. We assume that the costs in both scenarios will be equal thereafter 2024 and thus do not take these into consideration.

Table 2 - Profile of running costs under Option 0 (Do Nothing) and Option 1 (introduction of safeguarding) (2021 prices) High Scenario

Year	Option 0 (Do Nothing)			Option 1 (Do Something)		
	Blight notices	One off costs	Ongoing costs	Blight notices	One off costs	Ongoing costs
2022	1	£ 11,355.00	£ 3,618.00	0	0	0
2023	0	£ -	£ 3,618.00	0	0	0
2024	0	£ -	£ -	1	£ 11,355.00	£ 3,618.00
Total	1	£ 11,355.00	£ 7,236.00	1	£ 11,355.00	£ 3,618.00
Cost implications of safeguarding (Option 1 - Option 0) in £NPV				£	4,491.20	

46. Tables 2 presents the running costs of acquiring the property in 2022 vs 2024 in NPV terms. This is estimated to cost only £4,491.20. This is a high scenario as acquiring the property in 2023 would mean one less year of maintenance costs.

47. Table 5 summarises the total costs estimated for safeguarding. This is the LPA administration costs of Table 1 plus the property management costs of Table 2. This sums to a NPV cost of approximately £5800.

Table 5 – Total net costs of safeguarding ('do something') (Net Present Value, 2021 prices)

Cost Element	Cost
LPA administrative costs	£1269.21

Running costs	£4,491.20
Total costs	£5,760.41

Unmonetised Costs

48. There may be some indirect costs to firms who may have planning applications rejected due to the objections of HS2 Ltd, forcing firms to spend time and resources either amending their initial application, or the opportunity cost of the firm not being able to proceed with its initial preferred application. Given the increase in the safeguarded zone is so small, we deem these costs to be negligible.
49. Some costs may be imposed on a business that had its planning application objected to by HS2 Ltd, but where the objection has led to a re-design of the initial application rather than an outright dismissal of it, resulting in minimal new costs. We consider it is unlikely that objections would lead to annual costs to business exceeding £5m. In consequence, we believe it is unlikely that reissuing Safeguarding Directions would lead to significant costs to business.

Business Impact Target Calculations(*)

50. There are no costs directly incurred by business monetised here, so no Business Impact Target Calculations or EANDBC calculations have been included.

Indirect Costs and Benefits(*)

51. No indirect costs and benefits beyond what has already been established in this De Minimis assessment.

Sensitivity Analysis(*)

52. No further sensitivity analysis was undertaken in this De Minimis assessment.

Risks and unintended consequences

53. The risks linked to and the assumptions underpinning the broader HS2 project are extensively set out in HS2 documentation. These can be found at: <https://www.gov.uk/government/organisations/high-speed-two-Ltd>.
54. There are risks from not safeguarding in terms of increased costs. If there were a development on the land needed for HS2, HS2 Ltd would need to acquire that development or seek alternative construction options, which introduces risks for both HS2 Ltd and the developer.
55. Assumptions have been made about the following:
- The number of planning applications received by LPAs in various parts of the route have been based on MHCLG planning statistics - at a rate of 0.068⁵ per hectare; There are wide variations across regions, which may either lead to a higher or lower number of applications.

⁵ Data manipulated from: Table P124A, <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics?msclid=5652f1babbd011ec8202b3472967dcb4>

- The number of additional hours taken to process a planning application near the safeguarded zone to be 3 hours and the cost per hour of the officer to be £19⁶ (and increased by GDP growth forecasts and updated by 26.5% to account for non-wage costs e.g. pension contributions); These are based on the 2017 and 2020 Safeguarding provisions.
- Average annual ongoing running costs of a property to be £3,618 and a one-off cost of £11,355 per property, based on the actual spend of HS2 Ltd over the last 11 months^{6a}. We assume this will remain constant in the future.
- The total number of dwellings obtained from HS2 Ltd is a good estimate of the number of properties (dwellings, small businesses and farms) applicable to issue blight notices.

Analytical Assurance

56. The level of analytical assurance for this analysis is High. The analysis has been conducted and peer reviewed by DfT analysts who have the appropriate skills required for this work. The inputs used to conduct the analysis have been sourced from published datasets or from experts, and have undergone consultation. The data used is the best available and the level of effort to obtain them has been proportional to the scale of the impact.
57. A number of assumptions have been made regarding the number of applications, the additional time taken to review, the cost of property refurbishments as these differ by property types in the new areas now in scope for safeguarding, and the results can be sensitive to changes in these assumptions. Although these are uncertainties that would affect the monetised costs and benefits, the change is very small and the uncertainties are also very small to suggest that it would change the result or the outcomes significantly.

Wider impacts

58. There are not expected to be any wider impacts that would significantly impact the outcome of this De Minimis assessment.

Equalities Impact Assessment

59. This update of safeguarding regulations is not expected to create a disproportionate burden on those with protected characteristics. Having consulted during Phase 1, the Government decided that an EIA was not required for Phase 1, as laid out in paragraph 4.4 of the Government response to Phase 1 consultation. An EIA was not undertaken for Phase 1, 2a or for the original 2b Impact Assessments. As such, it has not been undertaken here.

Justice Impact Test

60. This update of Safeguarding Directions is not expected to create direct additional burdens on the justice system. A property owner may refer their property compensation case to the Upper (Land) Tribunal for determination, but this would be the case if they were later subject to compulsory purchase.

⁶ See: 2021 edition, SIC2007 Table5.5a: Earnings and hours worked, UK region by industry by two-digit SIC: ASHE Table 5 - Office for National Statistics (ons.gov.uk)

61. This update of safeguarding is not expected to create additional non-tariff barriers or provide additional hinderance to trade, trade standards or prospective Free Trade Agreements.

3.0 Post implementation review

62. A Post implementation review will not be required. Safeguarding is a common practice in the planning of major infrastructure developments. As such, the consequences are well understood. Previous safeguarding on Phase 1, Phase 2a and the prior route of Phase 2b means there is substantial evidence supporting this De Minimis assessment.

1. **Review status:** Please classify with an 'x' and provide any explanations below.

<input type="checkbox"/>	Sunset clause	<input type="checkbox"/>	Other review clause	<input type="checkbox"/>	Political commitment	<input type="checkbox"/>	Other reason	<input checked="" type="checkbox"/>	No plan to review
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Regulations to be reviewed every five years to ensure continued suitability.

2. **Expected review date** (month and year, xx/xx):

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	Five years from when the Regulations come into force
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3. **Rationale for PIR approach:**

Circle the level of evidence and resourcing that will be adopted for this PIR (see Guidance for Conducting PIRs):

Describe the rationale for the evidence that will be sought and the level of resources that will be used to collect it.

- **Will the level of evidence and resourcing be low, medium or high? (See Guidance for Conducting PIRs)**
- **What forms of monitoring data will be collected?**
- **What evaluation approaches will be used? (e.g. impact, process, economic)**
- **How will stakeholder views be collected? (e.g. feedback mechanisms, consultations, research)**

Rationale for not conducting a PIR:

A separate evaluation plan will be in place for the whole programme which incorporates land and property, environmental and other assessments.

