



## Phase 2b Western Leg Information Paper

### C1: Information for property owners

This paper outlines the arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the Bill.

It will be of particular interest to those potentially affected by the Government's proposals for high speed rail.

This paper was prepared in relation to the promotion of the High Speed Rail (Crewe - Manchester) Bill. Content will be maintained and updated as considered appropriate during the passage of the Bill.

If you have any queries about this paper or about how it might apply to you, please contact the HS2 Helpdesk in the first instance.

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## 1 Introduction

- 1.1 High Speed Two (HS2) is the Government's scheme for a new, high speed north-south railway, which is being taken forward in a number of phases. Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route from the West Midlands to Crewe. The Phase 2b Western Leg will connect Crewe to Manchester. As set out in the Integrated Rail Plan, published in November 2021, HS2 East is proposed to deliver a new high speed line from the West Midlands to East Midlands Parkway.
- 1.2 HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works under the terms of a Development Agreement entered into with the Secretary of State for Transport.
- 1.3 The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act 2017 and Phase 2a by the High Speed Rail (West Midlands – Crewe) Act 2021.
- 1.4 In January 2022, the Government introduced a hybrid Bill to Parliament (hereafter referred to as 'the Bill'), to seek powers for the construction and operation of the Phase 2b Western Leg (the Proposed Scheme), which is called the High Speed Rail (Crewe – Manchester) Bill. The Proposed Scheme comprises the Phase 2b Western Leg from Crewe to Manchester and several off-route works. It also facilitates the delivery of Northern Powerhouse Rail by providing the Crewe Northern Connection and junctions and other infrastructure to be used in future schemes.
- 1.5 The work to produce the Bill includes an Equalities Impact Assessment and an Environmental Impact Assessment (EIA), the results of which are reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed

Scheme. For more information on the EMRs please see Information Paper E1: Control of environmental impacts.

1.6 The Secretary of State for Transport is the Promoter of the Bill through Parliament. The Promoter will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill. This body is known as the 'nominated undertaker'. There may be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Bill, the policies established in the EMRs and any commitments provided in the information papers.

1.7 These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the Proposed Scheme have been reached.

## **2 Overview**

2.1 This information paper sets out the arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the Bill.

2.2 Any reference in this information paper series to compulsory purchase legislation is a reference to legislation as it applies in England. When the Secretary of State acquires property in Scotland, Scottish law will apply. Affected property owners in Scotland should seek local advice from those who specialise in this area.

## **3 Design development**

3.1 The design of the Proposed Scheme to date provides the level of detail necessary for the purposes of the Bill and the requirements of the ES in accordance with Standing Orders of Parliament.

- 3.2 The level of detailed design necessary for the scheme to be constructed is developed after the Bill has secured Royal Assent and contractors have been appointed to both design and construct the new railway and have produced the detailed design within the limits set in the Bill as enacted. The outline programme of these major infrastructure works is contained within the ES.
- 3.3 The nominated undertaker understands that parties affected by the Proposed Scheme want certainty as soon as possible, but it is often not until a contractor is appointed and has completed detailed design after Royal Assent that the nominated undertaker will be able to provide the level of detail to be able to address all of the affected parties concerns such as the position of final land boundaries.
- 3.4 Detailed design is carried out by the contractor in individual sections of the route or for certain parts of the structure such as a new bridge or viaduct and details are submitted to the Local Authority for approval.

## **4 Continuing communication**

- 4.1 The Secretary of State and HS2 Ltd have already conducted several major mailing exercises with a view to keeping those most affected by the Proposed Scheme informed about its expected impacts on their properties. In addition to letters and leaflets publicising consultation events, letters to owners were sent out when the preferred route was first announced on 15 November 2016; when draft safeguarding maps were published; when safeguarding was confirmed; when the working draft Environmental Impact Assessment report was published; and when the Bill was deposited in Parliament.
- 4.2 During the passage of the Bill and following Royal Assent, the Secretary of State will undertake a continuing communications exercise with the owners and occupiers of property that is expected to be subject to compulsory acquisition for the Proposed Scheme.

4.3 As a minimum, this communications exercise will include correspondence sent to property owners and occupiers, at a stage when the Proposed Scheme has reached an appropriate level of detailed design, giving them:

- an indication of whether the property which they own or occupy is likely to be required, and if only a part of the property is likely to be required, which part; and
- the best estimate available of the date on which such property is likely to be required.

4.4 This procedure will not apply in cases where property is subject to an agreement to purchase under any non-statutory HS2 property purchase scheme, or to compulsory acquisition in relation to a subsoil interest only.

4.5 HS2 Ltd (and, in due course, the nominated undertaker) will maintain a 24/7 helpdesk which will enable all property owners and occupiers to contact HS2 Ltd and its property advisers.

4.6 The contractor will appoint Agricultural Liaison Officers to act as a point of contact for affected parties in rural areas to understand more about the timing and impact of the works as the detailed design is developed and approved.

## **5 Assistance to residential property owners**

5.1 HS2 Ltd has been meeting with affected property owners on request since plans for the Proposed Scheme were first made public in 2013. More recently, HS2 Ltd has written to those property owners known to be affected along the line of route and invited them to contact HS2 Ltd if they wished to discuss their particular circumstances with the Land and Property team.

5.2 Since safeguarding was published on 15 November 2016 and updated 17 July 2017, 27 September 2017, 6 June 2019, 15 April 2020 (for individual sites) and 7 October 2020, owner-occupiers of property within the affected area have been able to serve blight notices, requiring the Government to consider purchasing their property on compulsory

purchase terms (before it is actually required for the Proposed Scheme). This is a statutory process, not specific to the Proposed Scheme.

- 5.3 In addition to the statutory processes that relate to the safeguarded area, property owners inside and out of this area may be eligible for one of a number of schemes, in most cases depending on the distance of the land or property from the Proposed Scheme. These schemes are non-statutory, formulated specifically for properties affected by HS2. They include property purchase schemes and cash payment schemes. Property owners may have more than one option available to them.
- 5.4 Please see Information Paper C5: Property schemes for non-statutory purchases or refer to the 'Guide to HS2 Property Schemes: Phase 2b'.

## **6 Assistance to business**

- 6.1 Businesses displaced by the Proposed Scheme will be compensated within the provisions of the relevant compulsory purchase legislation - generally known as the 'Compensation Code'. The Compensation Code is described in existing guidance published by the Ministry of Housing, Communities and Local Government and also in Information Paper C8: Compensation code for compulsory purchase. This recognises the importance to businesses displaced from their existing premises (by compulsory purchase of those premises for public works) of being able to relocate to another site. The Compensation Code normally provides for the cost of such relocation to be taken into account under the heading of disturbance compensation.
- 6.2 The Secretary of State considers that the Compensation Code provides a fair basis for compensation in respect of such costs. They will expect the nominated undertaker to take all reasonably practicable steps to limit the impact of the Proposed Scheme upon existing businesses, thereby keeping to a minimum the need to incur liability for disturbance compensation to such businesses under the Compensation Code.
- 6.3 To assist existing businesses that do need to move due to the Proposed Scheme, assistance will be provided to find suitable alternative premises,

the Secretary of State will establish where applicable an agency service at the Secretary of State's expense (or that of the nominated undertaker) where there is sufficient demand for such a service. The agency service will help firms to identify their property needs and advise them on what suitable property might then be available where necessary.

- 6.4 Close contacts will be established with property agents, landowners, developers and local authorities to ensure that reliable and effective information is provided. Alternatively, or where appropriate, the Secretary of State (or the nominated undertaker) will pay those businesses the reasonable costs of appointing their own agent to find suitable premises as part of their compensation.
- 6.5 This agency will not act as adviser to displaced businesses in formulating their claims for compensation.
- 6.6 The Secretary of State recognises the importance for existing businesses being able to plan their relocations with as much advance information as is reasonably practicable, to ensure a smooth transition of their operations from one location to another.
- 6.7 Therefore, once the Bill has received Royal Assent, the Secretary of State or the nominated undertaker will endeavour to provide businesses with a longer period in which to relocate than the three months specified in the Bill, where this is practicable. In such cases, the Secretary of State's overall aim will be to provide as long a period as is practicable, commensurate with the co-ordinated progress of the works.

## **7 More information**

- 7.1 More detail on the Bill and related documents can be found at [www.gov.uk/hs2-phase2b-crewe-manchester](http://www.gov.uk/hs2-phase2b-crewe-manchester).

## References

Compulsory Purchase and Compensation, MHCLG, April 2010

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