

# HS2

## High Speed Rail (London – West Midlands)

**Supplementary environmental information report**

Temporary Closure of Public Rights of Way in CFA 16

April 2025

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High Speed Two (HS2) Limited has been tasked by the Department for Transport (DfT) with managing the delivery of a new national high speed rail network. It is a non-departmental public body wholly owned by the DfT.

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# 1 Introduction

## 1.1 Background to High Speed Two

- 1.1.1 The hybrid Bill for High Speed Rail between London and the West Midlands ('the Bill') was submitted to Parliament together with an Environmental Statement (ES) in November 2013 ('the main ES'). The Bill was amended a number of times following its submission resulting in five Additional Provisions (APs) which were each accompanied by Supplementary Environmental Statements (SES).
- 1.1.2 Any new or different significant effects that were likely to result from changes to the design which did not require amendments to the Bill; changes to construction assumptions, new environmental baseline information and corrections to the main ES were reported in Supplementary Environmental Statements (SEs). These were deposited alongside the APs.
- 1.1.3 The Bill was enacted in February 2017 to become the High Speed Rail (London – West Midlands) Act 2017 ('the HS2 Act'). The HS2 Act confers the necessary powers required to construct, maintain and operate the HS2 railway from London to the West Midlands.
- 1.1.4 HS2 comprises the construction of a new railway approximately 230km (143 miles) in length between London and the West Midlands. Passenger services will be provided by new high speed trains from 2026, which will travel at speeds of up to 360kph (225 mph).

## 1.2 Introduction to this SEI and its purpose

- 1.2.1 This Supplementary Environmental Information (SEI) report describes changes to temporary closures of Public Rights of Way in Community Forum Area (CFA) 16 during the construction phase of HS2 and assesses the likely significant effects of these changes on environmental receptors
- 1.2.2 Where likely significant effects are predicted to exceed those reported in the ES (as amended) and, despite the implementation of the controls set out in the Environmental Minimum Requirements (EMRs), are predicted to remain, these are reported as new significant effects (NSE).

## 1.3 The Environmental Minimum Requirements

- 1.3.1 The HS2 EMRs set out the high-level environmental and sustainability commitments that the Government has entered into through the hybrid Bill process.

- 1.3.2 The EMRs consist of a suite of framework documents which: (i) define the mechanisms by which the nominated undertaker will engage with communities and other key stakeholders; and (ii) implement environmental and sustainability management measures designed to protect communities and the environment during detailed design development and construction. The nominated undertaker is the body, appointed by the Secretary of State for Transport (SoS), responsible for delivering Phase One of HS2.
- 1.3.3 The nominated undertaker, taking forward the detailed design and implementation of Phase One of HS2, is required by the SoS to comply with the EMRs. The components of the EMRs are described in the EMR General Principles (CS755 02/17, February 2017).
- 1.3.4 The controls contained in the EMRs, along with powers contained in the HS2 Act and the Undertakings given by the Secretary of State, will ensure that impacts which have been assessed in the ES (as amended) will not be exceeded, unless any new impact or impacts in excess of those assessed in the ES:
- results from a change in circumstances which was not likely at the time of the ES<sup>1</sup>;
  - would not be likely to do be environmentally significant<sup>2</sup>;
  - results from a change or extension to the project, where that change or extension does not itself require environmental impact assessment (EIA) under either (i) article 4(1) of and paragraph 24 of Annex 1 to the EIA Directive<sup>3</sup> ; or (ii) article 4(2) of and paragraph 13 of Annex 2 to the EIA Directive<sup>4</sup>; or
  - would be considered as part of a separate consent process (and therefore further EIA if required).

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<sup>1</sup> In addition, Supplementary Environmental Statements and Additional Provision Environmental Statements were published and tabled by the Promoter in July 2015, September 2015, October 2015 and December 2015

<sup>2</sup> i.e. a situation that could not reasonably have been anticipated at the time of the Environmental Statement. This covers all effects (both positive and negative)

<sup>3</sup> 2011 consolidated EIA Directive (2011/92/EU)

<sup>4</sup> Broadly, this would not allow those changes or extensions to the project (once it has received Royal Assent) which would give rise to adverse environmental effects within the EIA

## 2 Scope

- 2.1.1 Section 63(3) of the High Speed Rail (London – West Midlands) Act 2017 Act (“the Act”) amends Regulation 9 (relating to subsequent applications) of the Environmental Impact Assessment Regulations. In particular Regulation 9, paragraph (1)(b)(ii) of the Environmental Impact Assessment Regulations is amended to specifically reference the Act.
- 2.1.2 Regulation 9(3) allows the relevant planning authority to request further environmental information (under Regulation 25) where they believe environmental information currently provided is deemed not adequate to assess the significant effects of the development on the environment.
- 2.1.3 This Supplementary Environmental Information Report (SEI) provides further environmental information to the ES (as amended) so as to satisfy any requests under paragraphs 9 and 25 of the EIA Regs by the relevant planning authorities, West Northamptonshire Council and Stratford on Avon Council when considering any relevant subsequent applications.
- 2.1.4 Additionally, Paragraph 1.1.3 of the High Speed Rail (London – West Midlands) Environmental Minimum Requirements (EMR) General Principles states that:
- “The controls contained within the Environmental Minimum Requirements (EMRs) [...] will ensure that impacts which have been assessed in the ES will not be exceeded, unless any new impact in excess of those assessed in the ES results from a change in circumstances which was not likely at the time of the ES...”
- 2.1.5 Furthermore paragraph 3.1.8 states:
- “In the circumstances in the first bullet point of paragraph 1.1.3, if the significant adverse impacts identified in the ES are likely to be exceeded, the nominated undertaker will take all reasonable steps to minimise or eliminate those additional impacts. If despite these reasonable steps, significant impacts remain the nominated undertaker will report them.”
- 2.1.6 Consequently, this document also provides a report to meet the requirements of paragraph 3.1.8 of the EMR General Principles.

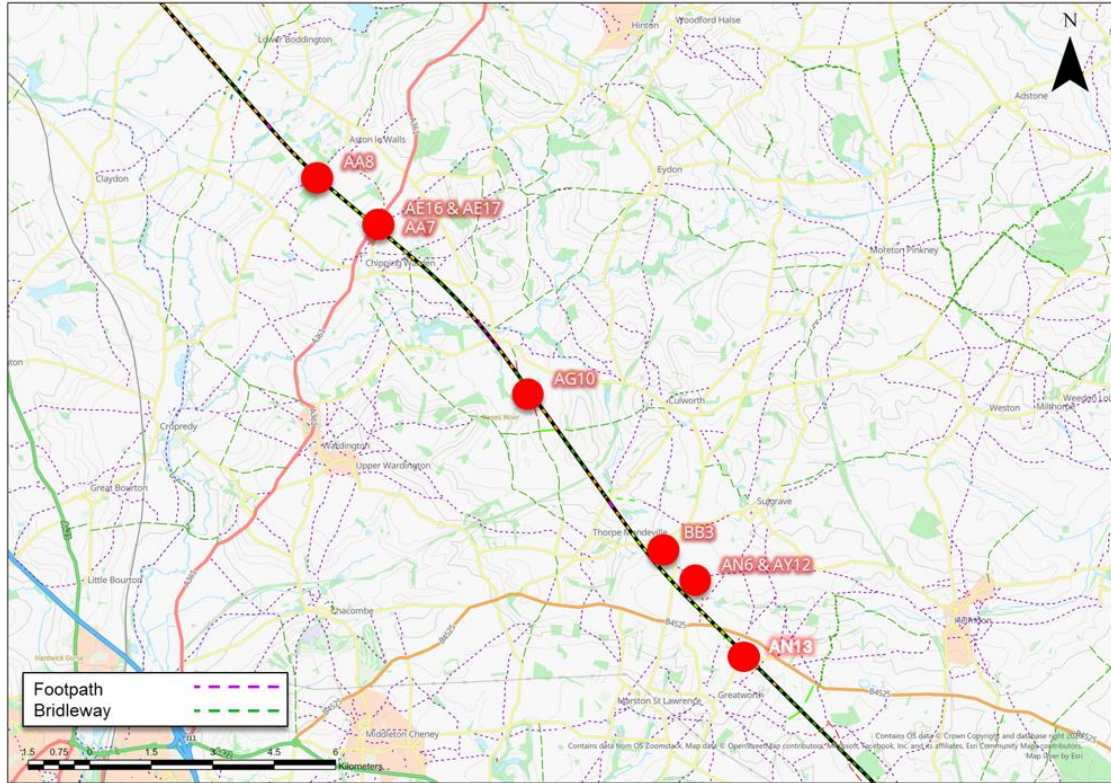
## 3 Site and works description

- 3.1.1 This SEI report specifically addresses the temporary closure of five Public Rights of Way (PRoW) in the Community Forum Area (CFA) 16.
- 3.1.2 The PRoW closures assessed in this report area as follows:
- The temporary closure of Footpath SM101 for approximately 2-2.5 years is designed to facilitate the safe construction of Boddington Cutting, Footpath SM101 Realignment, Low Boddington Embankment and a drainage system.
  - The temporary closure of Footpath SM96a for approximately 3.5 years is to facilitate the safe construction of Lower Radbourne North Viaduct and Upper Radbourne Embankment.
  - The temporary closure of Bridleway SM96 for approximately 3.5 years is intended to facilitate the safe construction of Lower Radbourne North Viaduct and Upper Radbourne Embankment.
  - The temporary closure of Footpath SM33 for approximately 4 years is designed to facilitate the safe construction of A423 Banbury Road Overbridge, Southam Embankment and a maintenance access track.
  - The temporary closure of Footpath SM24 for approximately 5 years is intended to facilitate the safe construction of River Itchen Viaduct and Leamington Road Embankment.
- 3.1.3 The locations of the affected PRoW are illustrated in Figure 1 and Appendix B.
- 3.1.4 According to the ES, all PRoW mentioned in this report are used by fewer than 200 people per day.
- 3.1.5 This report serves as a retrospective assessment, focusing on any new or different significant effects that have already transpired and continue until the completion of permanent diversions for the PRoW.
- 3.1.6 Details regarding the PRoW, their closure and opening dates (dependent on the completion of permanent diversions), can be found in Appendix A.
- 3.1.7 All of the PRoW are located in a rural setting and are integral components of broader Public Rights of Way networks in the local vicinity.



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**Figure 1: CFA 16 ProW - New of Different Significant Effects**





## 4 Summary of changes from the ES (as amended)

### 4.1 Changes to the engineering design and construction methodology from the ES (as amended)

- 4.1.1 Since the submission of the ES (as amended), it has been necessary to make changes to engineering design and construction methodology for works within CFA 16. These changes have resulted in the temporary closures of nine PRoW. These changes are described below.

#### **Engineered Design and Construction Methodology as described in the ES (as amended)**

- 4.1.2 The scheme as assessed by the ES (as amended) assumed the completion of PRoW or their associated diversions before significant construction earthworks commenced.
- 4.1.3 This approach aimed to create a safe and secure area for PRoW and associated diversions to cross the construction site while earthworks occurred around the PRoW area.
- 4.1.4 Additionally, the scheme expected that earth excavated from other parts of the route would be placed on-site for building embankments and landscaping, with the goal of retaining as much material on-site as possible. However, this would be done in phases, to enable areas close to PRoW crossings to remain at ground level until permanent diversions had been completed.
- 4.1.5 Taking these factors into account, the scheme, as evaluated in the ES (as amended), assumed PRoW crossings in the construction area at ground level, specifically avoiding intersections with embankments, cuttings, or other landscaping features.

#### **Engineering and design changes since the time of the ES (as amended)**

- 4.1.6 During the development of the design several changes to the design, constructability, safety changes to the design, constructability, safety risks and programme have occurred. The changes are similar for each PRoW in the departure and are summarised below.
- 4.1.7 Since the ES (as amended) was published, the construction programme has been adjusted to minimise the use of imported and exported aggregates. This adjustment focuses on reusing the majority of excavated material for

embankments and landscaping, aiming to keep as much material on-site as possible. An ES-proposed borrow pit and materials processing centre was not realised meaning excavated material was required earlier in the programme.

- 4.1.8 As a consequence, cuttings, embankments, and earthworks are now constructed earlier in the programme, occurring before the completion of PRow and associated diversions. This leads to PRow crossings that are not at ground level, making them unsafe to cross while construction activities are ongoing.
- 4.1.9 Due to the commencement of earthworks, structures construction, stockpiling, and other activities related to permanent works, it is currently not feasible to reopen footpaths and bridleways in most locations across CFA 16 where PRow crosses the construction site. This decision is based on safety and security considerations. The reopening of PRow will only be feasible after the completion of permanent assets, such as overbridges and viaducts.

## **4.2 Topics impacted**

- 4.2.1 The effects of the changes detailed above have been assessed in respect of all environmental topics reported in the ES (as amended) following the appropriate assessment methodologies as set out in the Scope and Methodology Report and Addendum, inclusive of Technical Appendices where relevant. Following a review of the combined changes in circumstances detailed in the preceding paragraphs new significant effects have been identified with respect to the following:
- Traffic and Transport.
- 4.2.2 A review of the environmental topic identified above is reported in Section 5 of this report.
- 4.2.3 None of the other environmental topics reported in the ES (as amended) will experience additional environmental impacts as a consequence of these changes that result in new or different significant environmental effects when assessed in line with the methodologies specified in the Scope and Methodology Report (SMR).
- 4.2.4 It should be noted that the SMR specifies that effects to local communities relating to the severance of public rights of way (PRow) (public footpaths and bridleways) and highway and pedestrian diversions, are assessed under the Traffic and Transport topic except where PRow are a "promoted" destination in their own right as a recreational resource. None of the PRow closures considered in this report comprises a "promoted" destination and

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therefore the potential for impacts to the local community are therefore included within Section 5 (ES Volume 5, Appendix CT-001-000/2).

- 4.2.5 As stated in Section 1.2, the purpose of this document is to report new or different likely significant effects that exceed those reported in the ES (as amended).

## 5 Assessment of changes

### 5.1 Traffic and transport

#### Introduction

- 5.1.1 This section of the report describes the environmental baseline in relation to traffic and transport that is relevant to the assessment. It then identifies any new or different likely significant environmental effects as a result of the changes introduced in Section 4, compared to the ES (as amended).

#### Scope, assumptions and limitations

##### Methodology

- 5.1.2 The assessment scope, key assumptions and limitations for traffic and transport are as set out in Volume 1, the SMR (Volume 5: Appendix CT-001-000/1) and the SMR Addendum (Volume 5: Appendix CT-001-000/2). This report follows the standard assessment methodology.
- 5.1.3 Definitions as defined in the Scope and Methodology Report Addendum (CT-001-000/2), Annex I, Section 3.

##### Assumptions and limitations

- 5.1.4 Local assumptions and limitations for traffic and transport are set out in the main ES (Volume 2, CFA 16, Section 12).

#### Environmental baseline

- 5.1.5 The existing baseline for traffic and transport is as set out in Volume 2, Section 12 of the main ES.

#### Effects arising during construction

##### Avoidance and mitigation measures

- 5.1.6 The CoCP (see Volume 5: Appendix CT-003-000/1) will include measures which seek to reduce the impacts and effects of deliveries of construction materials and equipment, including construction lorry trips during peak background traffic periods. The CoCP includes HGV management and control measures.
- 5.1.7 Other measures in the CoCP include clear controls on vehicle types, hours of site operation, and routes for heavy goods vehicles, to reduce the impacts of road-based construction traffic. To achieve this, generic and site-specific management measures will be implemented during the construction of the

works on or adjacent to public roads, bridleways, footpaths, and other PRoW affected by the works as necessary.

## **Assessment of significant effects**

### **Footpath SM101**

- 5.1.8 The ES initially anticipated a temporary diversion for Footpath SM101, lasting approximately 16 months with an additional 250 m. Due to changes in the construction programme, Footpath SM101 will now be closed for about 24-30 months without any diversion.
- 5.1.9 As a result, a new adverse effect of moderate significance has been assessed, contrasting with the initially identified minor effect in the amended ES. This alteration leads to a change in the overall significant effect.

### **Bridleway SM96a**

- 5.1.10 The ES assumed that Bridleway SM96a would remain open throughout the construction phase of the project. Due to changes in the construction programme, Bridleway SM96a will be closed for approximately 3.5 years without diversion.
- 5.1.11 Consequently, a new adverse effect of moderate significance has been assessed, and this effect was not assessed for the PRoW in the ES (as amended).

### **Footpath SM96**

- 5.1.12 The ES assumed that Footpath SM96a would remain open throughout the construction phase of the project. Due to changes in the construction programme, Footpath SM96 will be closed for approximately 3.5 years without diversion.
- 5.1.13 As a result, a new adverse effect of moderate significance has been assessed, and this effect was not assessed for the PRoW in the ES (as amended).

### **Footpath SM33**

- 5.1.14 The ES assumed that Footpath SM33 would remain open throughout the construction phase of the project. Due to changes in the construction programme, Footpath SM33 will be closed for approximately four years without diversion.
- 5.1.15 As a result, a new adverse effect of moderate significance has been assessed, and this effect was not assessed for the PRoW in the ES (as amended).

### **Footpath SM24**

- 5.1.16 The ES assumed that Footpath SM24 would remain open throughout the construction phase of the project. Due to changes in the construction programme, Footpath SM24 will be closed for approximately five years without diversion.
- 5.1.17 Consequently, a new adverse effect of moderate significance has been assessed, and this effect was not assessed for the PRoW in the ES (as amended).

### **Assessment of Effects with No Changes in Significance**

- 5.1.18 This SEI report acknowledges PRoW within CFA 16 that will undergo alterations in user or length but will not introduce any new significant effects that was not identified in the ES. These PRoW are Footpaths SM116A, SM200, SM/90/1 and SM/89.

### **Other mitigation measures**

- 5.1.19 Throughout the construction programme, continuous efforts will be made to keep PRoW open for as long as reasonably practicable and safe. Closures have been strategically phased throughout 2021 and 2022 as construction progresses, ensuring that closures only began when earthworks activities approached the vicinity of the PRoW.
- 5.1.20 While this approach doesn't eliminate or mitigate the significant impact, it does minimise the duration of closure to the shortest feasible timeframe.
- 5.1.21 The reopening of PRoW will commence promptly after the completion of permanent diversions. This reopening will also be phased, gradually increasing connectivity over a two-year period.
- 5.1.22 EKFB has restricted closures to PRoW within its construction area limits, limiting closure extents. This allows the public to walk along PRoW up to the edge of the construction area. While this doesn't fully address the issue of severance, it allows the public to use PRoW networks in their local area and reduces the overall community impact from the loss of amenity.
- 5.1.23 Strategic signage has been placed to inform PRoW users about upcoming closures, reducing the likelihood of them reaching the closure without prior knowledge of severe route changes.

## 6 Conclusions

Table 1 provides a summary of the new significant effects anticipated because of the changes described in Section 4.

It is not expected that any further new or different significant effects are likely due to changes to PRow during the construction phase.

**Table 1. Summary of new significant effects**

Environmental Disciple/Category	Effect
Traffic & Transport – Severance	<u>No effect to Moderate (New Significant Effect)</u> <ul style="list-style-type: none"><li>• Footpath SM96a</li><li>• Bridleway SM96</li><li>• Footpath SM33</li><li>• Footpath SM24</li></ul>
	<u>Minor effect in ES to Moderate (New Significant Effect)</u> <ul style="list-style-type: none"><li>• Footpath SM101</li></ul>



# 7 List of acronyms and abbreviations

Table 2: Acronyms and abbreviations

Acronym	Description
AP	Additional Provisions
BPM	Best Practicable Means
CFA	Community Forum Area
CoCP	Code of Construction Practice (Annex 1 of the EMRs)
CoPA	Control of Pollution Act
EIA	Environmental Impact Assessment
EMR	Environmental Minimum Requirements
ES	Environmental Statement
SES	Supplementary Environmental Statement
SMR	Scope and Methodology Report
SoS	Secretary of State for Transport
PRoW	Public Right of Way

## 8 References

- HS2 Environmental Statement, Volume 5: Appendix CT-001-000/1); Scope and Methodology Report (SMR).
- HS2 Environmental Statement, Volume 5: Appendix CT-001-000/2); Scope and Methodology Report (SMR) Addendum.
- HS2 Environmental Statement, Volume 2, Community Forum Area Report: CFA16 I Ladbroke and Southam
- High Speed Rail (London West Midlands), Environmental Minimum Requirements General Principal

# Appendix A

Table 3. PRoW Closure and Reopening Dates

Public Right of Way	CFA	Closure Date	Reopening Date
SM101	16	15/08/2022	Q3-2024
SM96a	16	20/12/2021	Q2-2025
SM96	16	20/12/2021	Q2-2025
SM33	16	01/06/2021	Q2-2025
SM24	16	01/10/2020	Q4-2025

# Appendix B

Figure 2: Location of PRoW Footpath SM101 closure

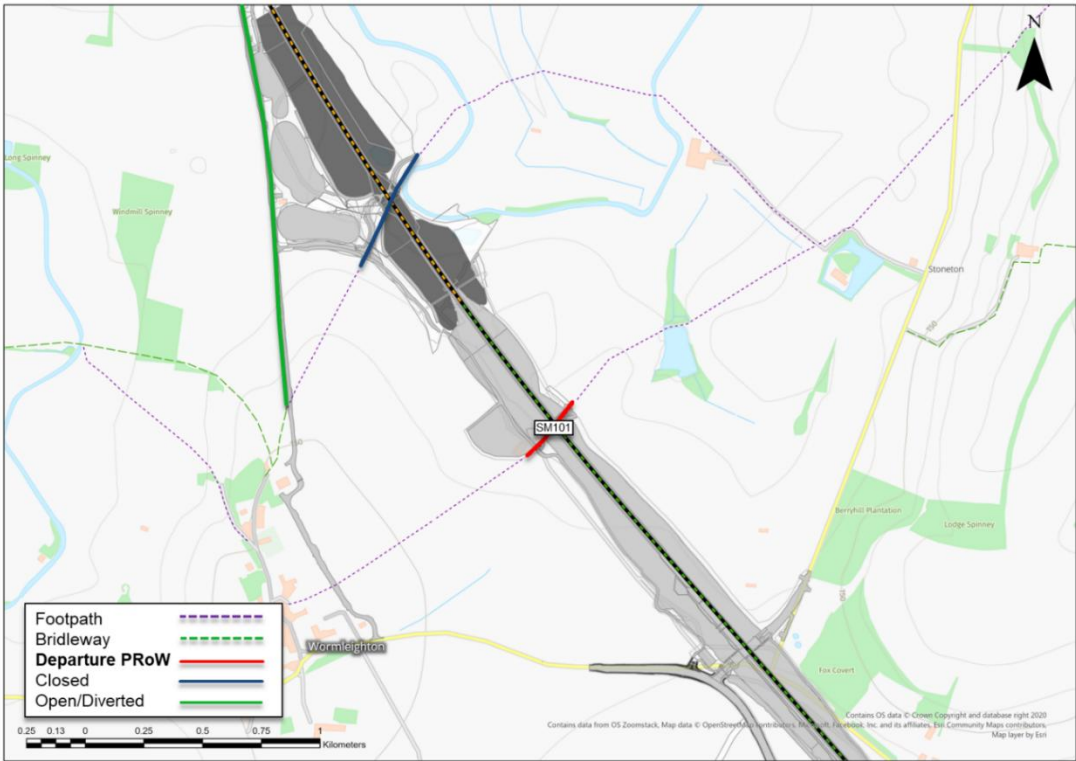
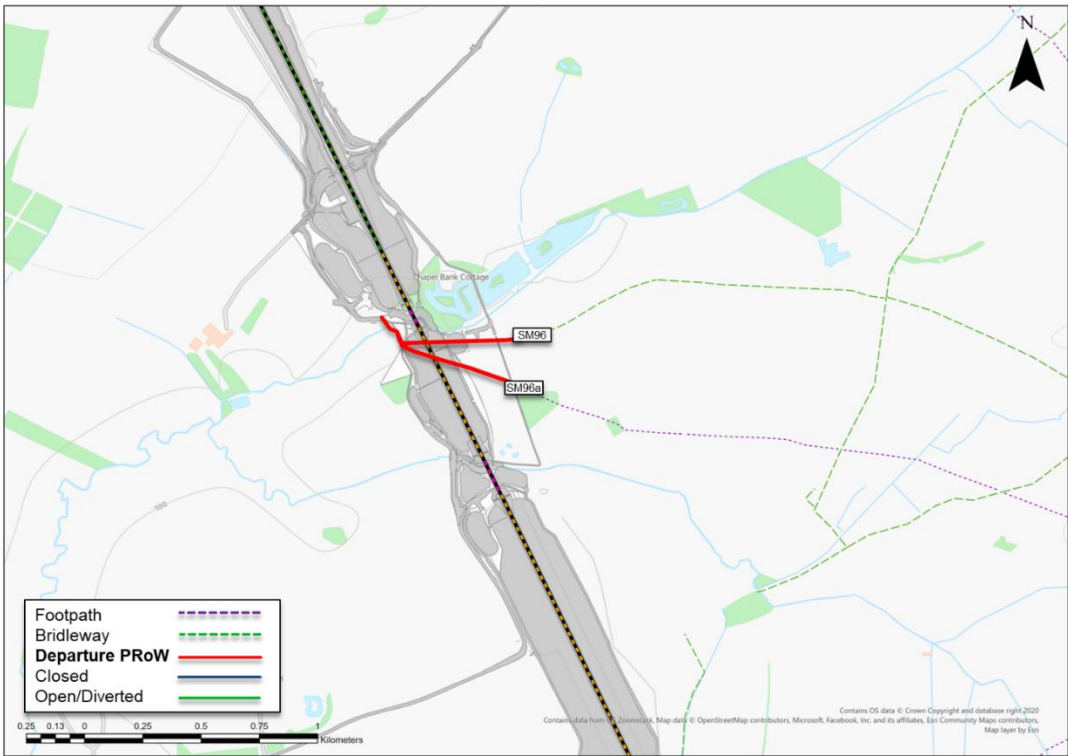
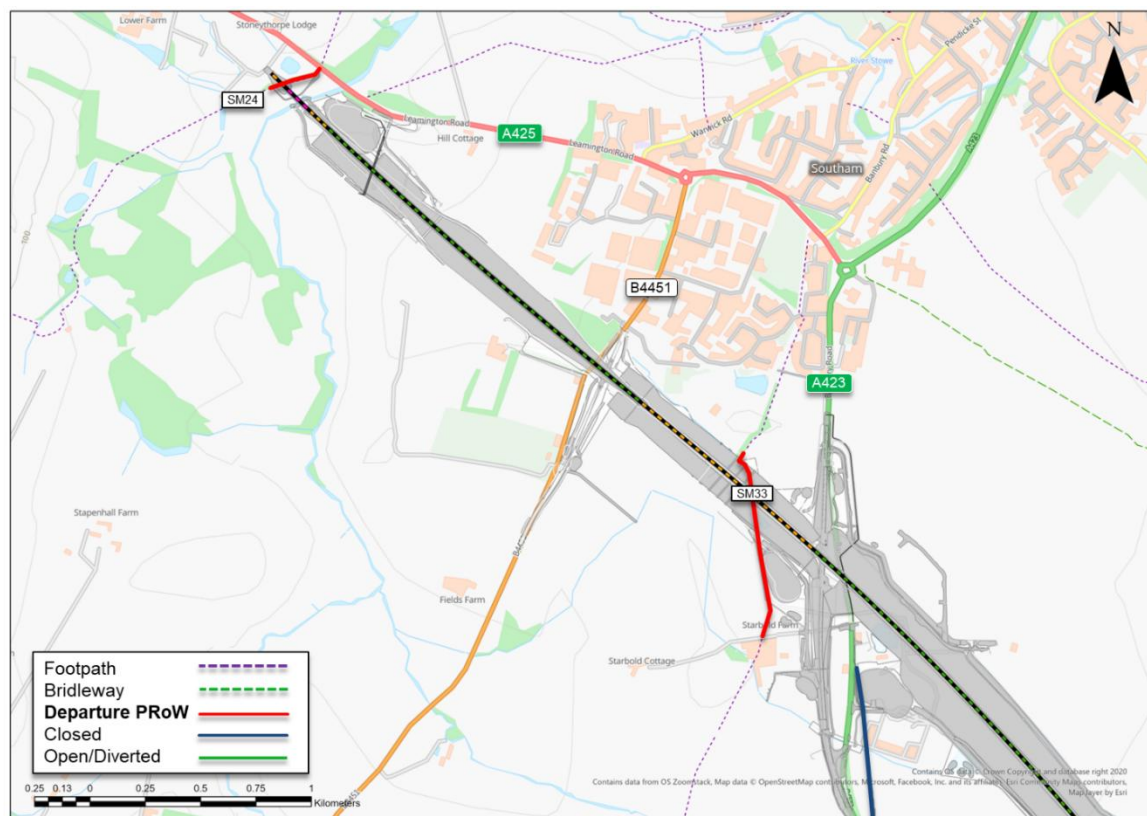


Figure 3: Location of PRoW Bridleway SM96 and Footpath SM96a closures



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**Figure 4: Location of PRow Footpaths SM33 and Footpath SM24 closures**



## Appendix C

Table 4. Works compared to the ES

Public Right of Way	ES Proposal	New Proposal	Significant Effect		Reason(s) for Changes	Permanent Works Associated with Change
			ES	New		
SM101	Diverted – 250m	Closed for approximately 2 years, no diversion	Minor	Moderate	Earthworks Programme Structures Programme Mass Haul Safety Security	Boddington Cutting Footpath SM101 Realignment Drainage system Lower Boddington Embankment
SM96a	Remaining open	Closed for approximately 3.5 years, no diversion	No Effect	Moderate		Lower Radbourne North Viaduct Upper Radbourne Embankment
SM96	Remaining open	Closed for approximately 3.5 years, no diversion	No Effect	Moderate		Lower Radbourne North Viaduct Upper Radbourne Embankment
SM33	Remaining open	Closed for approximately 4 years, no diversion	No Effect	Moderate		A423 Banbury Road Overbridge Southam Embankment Maintenance access
SM24	Remaining open	Closed for approximately 5 years, no diversion	No Effect	Moderate		River Itchen Viaduct Leamington Road Embankment