

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 11 JUNE 2013

Title of report	HIGH SPEED RAIL PHASE 2 – UPDATE ON CONSULTATION
Key Decision	a) Financial No b) Community No
Contacts	Councillor Alison Smith 01530 835668 alison.smith@nwleicestershire.gov.uk Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk Head of Regeneration and Planning 01530 454782 david.hughes@nwleicestershire.gov.uk
Purpose of report	To update Cabinet on the Chief Executives consultation response relating to the proposed High Speed Rail Phase 2 Exceptional Hardship Scheme
Reason for Decision	To note the Chief Executives consultation response relating to the proposed High Speed Rail Phase 2 Exceptional Hardship Scheme
Council Priorities	Safer and Healthier District Business and Jobs
Implications:	
Financial/Staff	None
Link to relevant CAT	Not applicable
Risk Management	No implications
Equalities Impact Assessment	The consultation response seeks to protect the rights of property owners impacted by the proposed HS2 line.
Human Rights	Not applicable
Transformational Government	Not applicable

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	None
Recommendations	<p>THAT CABINET:</p> <p>I. NOTES THE CONSULTATION RESPONSE OF THE CHIEF EXECUTIVE TO THE PROPOSED HS2 EXCEPTIONAL HARDSHIP SCHEME.</p>

1.0 BACKGROUND

1.1 At the same time as announcing the HS2 initial preferred route in January 2013, the Government issued a consultation on the Exceptional Hardship Scheme. The deadline for this consultation was 20th May 2013.

2.0 CONSULTATION RESPONSE TO THE HS2 EXCEPTIONAL HARDSHIP SCHEME

2.1 The Government has consulted on draft proposals for an Exceptional Hardship Scheme for people adversely affected by the initial preferred route for the High Speed Rail link from Birmingham to Leeds and Manchester. Clearly this scheme has a significant impact upon residents and businesses in the District.

2.2 The principle of an Exceptional Hardship Scheme is welcomed however, it is essential that it addresses the implications of the announcement of the initial preferred route. If the criteria are overly stringent, it will compound the impact on local people and will have a negative impact on the local property market and people's ability to move house or business. In undertaking this consultation the Government have had to issue clarification as a result of the experiences from Phase 1 and legal challenge; particularly relating to the location criteria and valuation of property. It is important therefore that the Council make representation to the Government as these issues have a major impact on local residents who could be affected by the proposed line.

2.3 The deadline for the consultation was the 20th May, consequently the Chief Executive, in consultation with the Deputy Leader, has submitted a response on behalf of the Council. The response is set out in Appendix A.

3.0 HS2 PUBLIC CONSULTATION IN NORTH WEST LEICESTERSHIRE

- 3.1 Along with the County Council, the District Council is currently working with the HS2 executive to make arrangements for the HS2 executive to run public consultation events in the District. Unfortunately the exact timing of these events is not known but it is envisaged they will be in late summer. Representations' have been made to the HS2 Executives that events are held in the 3 main affected areas of significant population in Measham, Ashby and Castle Donington in suitable community facilities.
- 3.2 Community updates and briefings, including sharing the lobbying statement to Government, will continue to be made through the NWLDC web-site and community events such as the Parish Briefings.



High Speed Two: West Midlands - Leeds and Manchester, and a Heathrow Spur (Phase Two) Exceptional Hardship Scheme for Phase Two Consultation

Once you have reviewed your response and are happy with it, please click 'next' at the bottom of this page and then 'submit' your response on the following page.

HS2 Exceptional Hardship Scheme Consultation for Phase Two

This consultation seeks your views on the Government's proposals to introduce an exceptional hardship scheme for Phase Two of the high speed rail network for Britain. The scheme would protect interests of mainly residential and small business owner-occupiers of properties who can demonstrate that they have a need to sell their property within the lifetime of the scheme.

This website enables visitors to submit their responses to a series of consultation questions on these proposals. The consultation closes at 5pm on 20th May 2013 and the website will be open for receiving comments until this closing date.

For more information about HS2 and this consultation, or if you wish to respond to other HS2 consultations, please go to our website by clicking on the " " tab.

This online process is designed by Ipsos MORI on behalf of HS2 Ltd.

Please click the Next button below to start your consultation response. Please note that by clicking Next you are agreeing with the for this consultation.

For any of the questions in the response form, if you do not have any comments then please leave the box(es) blank.

Please note that the character limit for each open ended box is 4,000 characters. If you want to provide a longer answer than this for any of the questions than please email it to the following email address:

Please note that the closing date is 5pm on 20th May 2013. Please ensure your response is sent by this date.

Confidentiality and Data Protection

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). For full details of how your personal information will be used, please see the privacy policy that can be found .

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the Department for Transport or HS2 Ltd.

The Department for Transport, HS2 Ltd and Ipsos MORI will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

If you wish for your response to be treated as confidential please tick the box and write in your reasons in the box below.

(please check this box if you wish for your response to be treated as confidential, and write in your reasons below)

Are you responding on your own behalf or on behalf of an organisation or group?

Please select one option only

- Providing my own response
- Providing a response on behalf of an organisation or group

Details of your Organisation or Group

Only complete the following section if you are responding on behalf of an organisation or group – please be as detailed as you can.

If you are not responding on behalf of an organisation or group, please click on the back button and select the option for providing your own response.

What is your name, role and the name and address of the organisation or group on whose behalf you are submitting this response? The name and details of the organisation or group may be subject to publication or appear in the final report

Your Name:	Christine Fisher
Role:	Chief Executive
Name of the organisation or group:	North West Leicesters
Address of organisation or group:	Council Offices Coalville Leicestershire LE67 3FJ
Email:	david.hughes@nwleic

What category of organisation or group are you representing?

Please select ALL boxes that apply

Academic (includes universities and other academic institutions)

Action group (includes rail and action groups specifically campaigning on the high speed rail network proposals)

Business (local, regional, national or international)

Elected representative (includes MPs, MEPs, and local councillors)

Environment, heritage, amenity or community group (includes environmental groups, schools, church groups, residents' associations, recreation groups, rail user groups and other community interest organisations)

Local government (includes county councils, district councils, parish and town councils and local partnerships)

Other representative group (includes chambers of commerce, trade unions, political parties and professional bodies)

Statutory agency

Transport, infrastructure or utility organisation (includes transport bodies, transport providers, infrastructure providers and utility companies)

Please tell us who the organisation or group represents and, where applicable, how you assembled the views of members:

Please write in the box below

North West Leicestershire District Council is the local authority for North West Leicestershire. This response was approved by the District Council Cabinet.

The Government is seeking views on a number of questions in this online response form. These are in the same order as they are listed in the consultation document. In each case, the Government is interested in whether or not you agree with its proposals and why, as well as any additional evidence that you feel it should consider in reaching its final decision.

PART TWO - CONSULTATION QUESTIONS

Introduction of an Exceptional Hardship Scheme for Phase Two of the HS2 project

Before answering Question 1 please read pages 9 – 10 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Q1. Do you agree or disagree that the Department for Transport should introduce an Exceptional Hardship Scheme for Phase Two ahead of decisions on how to proceed with the routes? What are your reasons?

Please summarise your key comments within this box

Yes, it is essential that the Department for Transport should introduce an Exceptional Hardship Scheme. It is already apparent that the publication of the initial preferred route has had an impact on the property market in North West Leicestershire.

Exceptional Hardship Scheme Principles and Criteria

Before answering Question 2 please read pages 10 – 13 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Q2. Do you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative principles you would propose, including specific criteria for determining qualification for the scheme.

In this box please tell us whether you agree or disagree with the proposed criteria underpinning the Exceptional Hardship Scheme for Phase Two and explain your reasons.

The length of time between the announcement of the initial preferred route and the coming into effect of the statutory scheme could be as long as four years. This is a long time and will disadvantage any residents attempting to move house during this period.

The criteria are too harsh and restrictive. They should be opened up to larger businesses, lease holders and agricultural land holders.

In this box please specify any alternative principles you would propose, including specific criteria for determining qualifications for the scheme.

If vendors can illustrate that a property is on the market for a genuine reason, they should be compensated with the full difference between the current value and the prevailing value prior to the announcement of the initial preferred route.

Operation of the Phase Two Exceptional Hardship Scheme

Before answering Question 3 please read pages 14 – 15 in the *High Speed Two: Exceptional Hardship Scheme for Phase Two* consultation document.

Q3. Do you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two? What are your reasons? Please specify any alternative arrangements which you would suggest.

In this box please tell us whether you agree or disagree with the proposed process for operating the Exceptional Hardship Scheme for Phase Two and explain your reasons.

We agree with the process, so long as it remains demonstrably independent.

In this box please specify below any alternative arrangements which you would suggest for operating the Exceptional Hardship Scheme for Phase Two.

If you wish to attach any additional evidence to that contained in this response form, please send it as an attachment to the following email address:

Additionally, please include your name in the email, to allow us to identify you and link your additional evidence to your consultation response here.

Back

Next

Please note that if you wish to return to your response before submitting it, make a copy of your unique link below: