

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

POLICY DEVELOPMENT GROUP – 28 SEPTEMBER 2016

Title of report	IMPLICATIONS FOR HIGH SPEED 2 FOR THE DISTRICT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Planning & Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p>
Purpose of report	<ol style="list-style-type: none"> 1. To consider the implications of HS2 on the District; and 2. To endorse this report for consideration by Cabinet on 15th November 2016
Council Priorities	<p>Business and Jobs Homes and Communities</p>
Implications:	
Financial/Staff	<p>There are staffing implications from this report, as follows:</p> <ol style="list-style-type: none"> i) Initial contact with businesses when route announcement made: Business Focus and/or Contact Centre ii) Script prepared for initial contact with businesses: Business Focus iii) Communications strategy and detailed text: Communications iv) Investigation into reported/suspected regulatory breaches: Public Protection v) Detailed consideration of acoustic fencing / bunding: Public Protection <p>There are no direct financial implications to the District Council arising from this report. Actions set out above will be absorbed into normal work loads</p>
Link to relevant CAT	Not applicable
Risk Management	Not applicable
Equalities Impact Screening	Not applicable
Human Rights	Not applicable

Transformational Government	Not applicable
Comments of Head of Paid Service	The report is satisfactory
Comments of Deputy Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Chief Executive Director of Services Head of Planning & Regeneration Business Focus Team Manager Public Protection Team Leader
Background papers	None
Recommendations	<ol style="list-style-type: none"> 1. CONSIDER THE IMPLICATIONS OF HS2 ON THE DISTRICT; AND 2. ENDORSE THIS REPORT FOR CONSIDERATION BY CABINET ON 15 NOVEMBER 2016

1.0 CONTEXT

- 1.1 The construction of a new high speed railway through the district will have significant implications, principally while the engineering works are underway. It is considered that the Council has an important role to play, to assist local residents and businesses wherever possible, to make a balanced case in order that opportunities are maximised, and providing relevant and up to date information.
- 1.2 Expert consultants (SLC Rail) have been engaged, to provide technical and other know-how, guiding us and helping to narrow down our options and priorities.
- Representatives of SLC have met with the Director of Services and Head of Planning & Regeneration, both to agree the scope of the work, to present an interim progress report, and to present initial findings;
 - Representatives of SLC ran a workshop with Planners and others within the Council, to determine the constraints and important features of the District;
 - Key external bodies were approached (such as National Forest Company) to share information about the likely impact on their assets as a result of HS2; and
 - Materials have been prepared as a result of this work, which are appended to this report

- 1.3 The constraints work completed by SLC broke the route through the district down into three sections: Section 1 runs from Appleby Parva to Ashby; Section 2 runs from Ashby to Charnock Hill; and Section 3 runs from Charnock Hill to Lockington

Section 1: Appleby Parva to Ashby de-la Zouch

- 1.4 Issues that have been identified by HS2 Ltd to accommodate the proposed route with respect to Section 1 have potentially expensive solutions, including a need to divert the A42. Having said this, the alignment has not been finalised at this point, and it is still only speculation that the railway will run close to the A42 and broadly parallel to it. SLC has not taken account of the various rumours about the route, instead they used their experience, and discussed the issues with HS2 Ltd
- 1.5 There are major development sites along the anticipated route, that would not be able to proceed if HS2 were to be built along the currently anticipated alignment (including Measham Waterside), but a reserve site has been identified in the local plan to manage this issue in the medium term. In addition, the “Lounge” site near Ashby could also be affected. The impact of the proposed route on these development sites is principally a matter for the private landowners and developers albeit the Council has an interest where it impacts on the Local Plan.
- 1.6 In addition, extensive National Forest planting already exists and is proposed in that area, which could be affected by the route. The National Forest company takes a neutral stance towards HS2, but that has not prevented it from being helpful to the Council in terms of providing information
- 1.7 The other issue for this section is the need to cross the River Mease, which is a European designated conservation site. HS2 Ltd is aware of this issue and is currently working with Natural England to ensure an appropriate scheme of mitigation is developed.

Section 2: Ashby de-la Zouch to Charnock Hill

- 1.8 Significant improvements are already planned to junction 13 of the A42 during the Summer of 2016, and following correspondence with HS2 Ltd it has confirmed to the County Council that the expected timing of the railway’s construction is so far into the future that it is still worthwhile to go ahead with the junction improvements. There is a strong possibility, however, that further major works will be required to that junction as a result of HS2
- 1.9 There are no development sites on this section of the route, but there are sites within 1km that could be impacted in particular by noise.
- 1.10 There is a potential heritage impact on Breedon, which is to be investigated further when the detailed plans are made available
- 1.11 Finally, there is an access issue to Castle Donington that may result from the railway.

Section 3: Charnock Hill to Lockington

- 1.12 It is currently proposed that the majority of this section will be in tunnel, so the landscape and visual impacts are less than the other sections. The entrance and exit to the tunnel will

need to be carefully designed to address the 'sonic boom' that is anticipated when trains enter tunnels in particular.

- 1.13 The extent of the tunnel will result in significant amounts of soil being excavated, that will need to be moved. It is preferable that the soil is moved by rail, and not by road.
- 1.14 The location of the tunnel entrance/exit could impact on development sites, such as the SRFI, and require the demolition of the Hilton Hotel at Lockington
- 1.15 The anticipated tunnel exit has challenging levels, as it would be in a substantial flood plain, and also the line needs to cross the M1. These challenges need to be addressed by HS2
- 1.16 Finally, a Bronze Age hoard was found at Lockington in 1994, and it is a possibility that another similar archaeological discovery could be made which could significantly delay construction of HS2.

Issues common to the entire route

- 1.17 There are five key issues that will be important to be aware of and for the Council to work with HS2 Ltd to manage:
 - Construction (noise, dust, temporary traffic arrangements, etc);
 - Communicating the likely noise impacts (for 9 seconds per train if travelling at 400 km/h, which if there are 9 trains per hour totals 2 mins 42 seconds per hour at any one place);
 - National Forest (deciduous trees are to be avoided along the line to avoid leaf drop, trees that are lost will need to be replaced);
 - Public opinion (NWLDC needs to carefully consider its position, and how to put that across); and
 - Road capacity (construction traffic is a temporary issue, but the two interchange stations at either end of the A42 will result in additional traffic along it)

It is intended that SLC will continue to assist the Council in this regard

The materials that have been provided

- 1.18 SLC has provided the following materials (in addition to the comparative journey times at Appendix 1):
 - Frequently asked questions;
 - Draft Strategy document;
 - Summary of key impacts;
 - Maps of the route; and
 - Full report with commentary

The maps, key impacts and frequently asked questions materials appear as Appendix 2 to this report, and the full report with commentary are also attached

2.0 OPPORTUNITIES AND POSITIVE IMPACTS

- 2.1 It is the case that HS2 already has a published compensation scheme for landowners affected by the route, including businesses and the National Forest. This means that, financially, those who are significantly affected by the proposal will not lose out.

- 2.2 More jobs will exist in the area during the construction phase, and potentially afterwards if the access to the stations at Birmingham and Toton is of sufficient quality and frequency.
- 2.3 Much improved journey times to London and the North (see Appendix 1)
- 2.4 There is potential for improved public transport links, to connect with other developments such as M&S, the SRFI, East Midlands Airport, and Coalville

3.0 PROPOSED STRATEGY

- 3.1 This is broadly in two parts: proactive and reactive. The reactive elements are considered in detail in paragraphs 3.2 – 3.4 below, and centre on a consistent message, and acting as a repository of information about HS2 for local people. The proactive elements are concerned with offering advice and assistance to those who are directly adversely impacted by the eventual route, and also securing high quality public transport links to the new HS2 stations at Birmingham Interchange and Toton, which would be easily accessible to the residents of the District.

Consistent message

- 3.2 It is important that the Council has a consistent and clear message about HS2. The position until now has been one of opposition in principle, given that the railway is to run through the District but no station is to be provided. Following more detailed consideration, including work to calculate average journey times to key destinations, it is proposed that a new position be taken by the Council:
 - i) There will be some disruption while the railway is being built, but the potential opportunities outweigh that disruption;
 - ii) There will be economic prosperity as a result of shorter journey times, with minimal environmental impact; but
 - iii) That economic prosperity benefit will only be harnessed effectively if direct, regular, efficient, affordable public transport arrangements are put into place to enable people and business in the district to access the stations at Toton and Birmingham
- 3.3 It is intended that this updated position will be endorsed by Cabinet, to provide focus for negotiations with HS2 Ltd which will be undertaken by SLC on the Council's behalf, and to manage people's expectations.

Informing people

- 3.4 It is intended that the Council's web site and twitter feeds will provide the principal communication to residents and businesses. There should be comprehensive FAQ's, and signposts to other agencies that can provide assistance. The web site should also set out how to apply for compensation

4.0 THE COUNCIL'S PROACTIVE ROLE

Business Focus

- 4.1 A list of business that are likely to be directly affected by the railway has already been compiled. This will be updated when the final route is made available. It is intended that the directly affected businesses will be approached by the Council, and offered a package of assistance comprising two key elements:
- 4.2 The first element is to signpost businesses to where they can access compensation and it is anticipated this will be straightforward.
- 4.3 The second element is to assist those businesses that need to relocate, to find alternative land and/or premises. The Council already maintains a register of available business premises and land, and affected businesses will be prioritised. It is proposed to operate a sequential approach to finding new sites for existing businesses. The first priority will be suitable sites within the District, the second priority will be suitable sites within the County of Leicestershire, and the third priority will be within the Travel to Work Area (which is a 60 minute radius).
- 4.4 On the day that the route is announced, the Business Focus Team will make the initial contact with the businesses, advising of the assistance we can offer.

Public Protection

- 4.5 The Environmental Protection Act 1990 is relevant to noise and vibration that is likely to be experienced during the construction of the railway. This is enforced by the District Council in the normal way, including through serving notice.
- 4.6 Once the railway is in operation, the Railways Act 1993 provides a defence for operators against a claim on the basis of nuisance arising from the operation of railway services, provided they are carried out without negligence. The Council does not have powers to investigate claims of negligence, so once operational, the responsibility for the investigation of any complaints would lie with the rail regulator
- 4.7 Private claims may be brought for compensation as a result of vibration, provided that the value of land or property is reduced as a result. Complainants should obtain their own legal advice
- 4.8 In the light of the limited powers, both in duration and extent, that the Council possesses, it is intended that the Council's focus should be on the acoustic management, such as ensuring that the line has appropriate fencing and bunding, to protect affected receptors as far as possible.
- 4.9 As part of the overall improvement strategy, the Council should work with HS2 to secure public transport improvements between Coalville and the EMEG area, which could form part of a bus corridor between the Birmingham and Toton interchanges.