

# North Warwickshire Borough Council

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**This matter is being dealt with by  
David Harris**

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Your ref :

Our ref : DH/JHB C7 (dh4)

Date : 8 July 2011

**To : All Members of the Council**

Dear Sir / Madam

## **Extraordinary Full Council – Monday 18 July 2011**

You are hereby summoned to attend an Extraordinary Meeting of the Council, to be held in the Council Chamber, the Council House, South Street, Atherstone, on Monday, 18 July 2011 at 5.30pm.

The following business will be transacted:

1. Evacuation Procedure
2. Apologies for absence/Members away on official Council business.
3. Declarations of Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Fox, Hayfield, Lea, May, B Moss, Sweet and membership of the various Town or Parish Councils of Councillors Barber (Ansley), Butcher (Polesworth) Davis (Atherstone), Fox (Shustoke), Freer (Atherstone), Lewis (Kingsbury), Moore (Baddesley Ensor), Morson (Dordon), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury), Pickard (Atherstone), M Stanley (Polesworth), Y Stanley (Polesworth) and Winter (Dordon) all of which interests are deemed to be declared at this meeting.
4. To agree the response to HS2 consultation – Report of the Assistant Chief Executive and Solicitor to the Council enclosed herewith.

Yours faithfully

Chief Executive

**Agenda Item No 4**

**Full Council**

**18 July 2011**

**Report of the Assistant Chief Executive  
and Solicitor to the Council**

**HS2 (High Speed Rail Route)**

**1 Summary**

- 1.1 This report gives the response to the consultation on the preferred route for HS2.

**Recommendation**

- a That the Borough Council's response be sent to Government on the consultation for the preferred route of HS2; and**
- b That delegated authority be given to the Assistant Chief Executive and Solicitor to the Council in consultation with the HS2 spokesperson and opposition spokesperson to endorse the 51M submission in response to the consultation.**

**2 HS2 Consultation**

- 2.1 As members will be aware consultation is currently being carried out by Department of Transport and HS2 Ltd on the National Strategy for Rail and the Preferred Route for the first phase of HS2. The deadline for comments is 29 July 2011.
- 2.2 The Borough Council has been working with the various North Warwickshire Action Groups and organised a series of Shadow Road shows. The ones carried out to date have been successful and have allowed a wide spectrum of Borough residents to know and understand the consultation process. In addition an article has been placed in North Talk.
- 2.3 At the national level the local authorities along the route have joined forces and created a group called 51M (The expected cost to each constituency in the country of building HS2). This group submitted a comprehensive paper to the Transport Select Committee and they are now working on a response to the national consultation. The Borough Council is a partner local authority and as such is working to develop this joint response. At the time of writing this report a draft submission is not yet available. It is therefore requested that delegated authority be given to the Assistant Chief Executive and Solicitor to the Council, in consultation with the HS2 Spokesperson and Opposition Spokesperson, to endorse the 51M response to the Government's consultation on the preferred route of HS2.

- 2.4 The content of the response will cover the following matters:
- Business case
  - Strategy of High Speed Rail
  - Classic Rail enhancements
  - Line of Route Consultation
  - Freight Issues
  - Appraisal of Sustainability (impact on Natural and Historic Environment including Habitats)
  - Visual and noise issues
  - Contaminated sites along the route
  - Agricultural impact, particularly loss of high grade agricultural land and severance of farmland
  - HS2 Route alignments and maintenance facilities and construction sites
  - Impacts on realigning road and rail routes
  - Other transport implications
  - Hydrology and flood issues
  - Legal issues
  - Mitigation
- 2.5 Officers have also been working with Officers from Warwickshire County Council, Warwick District Council and Stratford District Council. The County Council will be taking to the Overview and Scrutiny Committee and then Cabinet their suggested response. This is available on the County Council's website – [www.warwickshire.gov.uk](http://www.warwickshire.gov.uk).

### 3 Council's Response

- 3.1 Attached as Appendix A is the suggested response from this Council to the HS2 consultation. As the 51M response will relate to the overall business case the response is tailored to be more local in its perspective.
- 3.2 The Council's response is an overall objection to the proposal. However, it is important for the Borough Council to highlight mitigation as a very important issue causing major concern if the go ahead is given to the proposal. For this reason the response is firstly an objection. Secondly there is a section on what mitigation is wanted, if known, or what mitigation we would like to explore.

### 4 Report Implications

#### 4.1 Environment and Sustainability Implications

- 4.1.1 A Sustainability Appraisal accompanies the consultation but does not cover the issues in detail and will be part of the consultation response.

The Contact Officer for this report is Steve Maxey (719438).

## HS2 Response by North Warwickshire Borough Council

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**The response given below is made on behalf of North Warwickshire Borough Council. This response is in addition to the response from 51M which the Borough Council supports.**

### **Context**

Before answering the formal consultation questions the Borough Council would like to set out in bullet form the context of where the line will go and some of the implications on the residents and companies of North Warwickshire directly or indirectly affected by the route.

- 12.6 km of mainline.
- 6 km of route into and out of Birmingham
- Leads to the demolition of one listed building
- Affects 38 SSI's, wildlife and eco sites
- Affects one Scheduled Ancient Monument
- Affects 3 listed buildings with one being demolished
- Affects one archeological site
- Affects over 5000 properties
- 10,000 space car park at the proposed station at the NEC will create traffic journeys through rural roads of North Warwickshire and the already congested motorway network in the vicinity
- Modelling will need to be carried out to establish the impact of this additional traffic on the Air Quality Management Area to the south of Coleshill
- Train station and monorail depot will create pressure for further development in the Green Belt
- Coleshill Manor is a major office campus and recent investment has totalled over £10m. The newest buildings on site, which houses the head offices of Subaru UK and IM Properties will be directly affected and may even require demolition and replacement.
- The technical report for noise and vibration provides very little data regarding the actual impact of HS2
- The technical report talks about noise from the HS2 in addition to existing railway noise but this will simply not be the case in North Warwickshire as the proposed route introduces railway noise to previously unaffected areas, This impact will be magnified in rural locations in the Borough

**The following section deals with the formal questions relating to both the National Strategy and the Proposed route between London and the West Midlands**

#### **1. Strategy and Wider Context**

**Do you agree that there is a strong case for enhancing the capacity and performance of Britain's inter-city network to support economic growth over the coming decades?**

## HS2 Response by North Warwickshire Borough Council

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North Warwickshire Borough Council agrees there is a case for improvements to be made to the national rail network particularly in terms of the non-monetary benefits. However, the Borough Council does not believe that a strong case to build a new line to solve all the current perceived and actual problems has been made. More cost effective solutions can be delivered at a fraction of the cost.

As one of the stated aims of HS2 is to support economic growth and the inter-city network then improvements to the West Coast Mainline (WCML) should be seen as a more cost effective solution. Such improvements would deliver economic benefits, particularly to the city of Coventry. Coventry is the key hub in the Coventry and Warwickshire sub-region and requires significant investment. Reducing the inter-city services on the WCML will not help in this objective. In fact the economic benefit of the scheme is to the south with over 70% of the jobs being located in the south. This will only exacerbate the bias towards the south-east.

In addition the majority of jobs created will be relocated rather than new ones. This again is at odds with the Government's idea of economic growth through **new** job creation.

### 2. The case for high speed rail

**Do you agree that a national high speed rail network from London to Birmingham, Leeds and Manchester (the Y network) would provide the best value for money solution (best balance of costs and benefits) for enhancing rail capacity and performance?**

No - The 51M submission gives in detail the flawed business case.

The assessment of value for money is flawed. For example time spent working on the train is discounted, which is not a true reflection of the situation of how time on the train is used.

In addition the Borough Council believes that benefits of the scheme are far greater to the south-east economy than to the rest of the country. It does not address the north-south divide.

The benefit to the West Coast Mainline of building a dedicated high speed line is not realised. The WCML Route Utilisation Strategy does not indicate any benefit to the wider community until at least 2026 and in fact talks about increased over crowding rather than less. How can this be seen as a way of enhancing rail capacity and performance?

### 3. How to deliver the Government's proposed network?

**Do you agree with the Government's proposals for the phased roll-out of a national high speed rail network, and for links to Heathrow Airport and to the High Speed 1 line to the Channel Tunnel?**

## HS2 Response by North Warwickshire Borough Council

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No as the delivery and type of delivery relies on the Government's business case being acceptable and this is not the case.

Much of the business case is related to the need to transfer air travel to rail but how can this be achieved if the Heathrow link is not done until phase 2. This seems to at odds with the strategy. If Government decides to go ahead with the scheme then the link to HS1 should be a given – if HS2 and beyond are going to happen there has to be the link to Europe – not everyone wants to go to London as their destination.

Although the Borough Council opposes the scheme if the line were to go ahead then the line should be built quickly in order to avoid a hybrid scheme of high speed and classic rail. It can not give the benefit to the north as listed until it is a truly high speed line. Also this will mean that blight and disruption to residents and companies in North Warwickshire is minimised. North Warwickshire has already seen the building of the M42, M6 and the M6 Toll and understands the noise, dust and disruption of building a major infrastructure scheme.

#### **4. The specification for the line between London and the West Midlands**

**Do you agree with the principles and specification used by HS2 Ltd to underpin its proposals for new high speed rail lines and the route selection process HS2 Ltd undertook?**

The principles and specifications are unclear as they relate to North Warwickshire. For example one of the principles is avoiding residential areas but in North Warwickshire the Delta Junction in particular affects a large number of residential, commercial and educational properties.

Changes have been made to the route, for example, around Ladbrooke to move the line further away from the village which then creates a curve. This seems at odds with the specification of the size of curve to accommodate the speed of trains. Why can this not happen in other areas if it is achievable in one location? The rationale for changes is unclear and needs to be made transparent and made consistently.

What are the principles behind where a green bridge or tunnel is acceptable? This needs to be made transparent and if acceptable in one location then should be acceptable in others.

#### **5. The route for the line between London and the West Midlands**

**Do you agree that the Government's proposed route, including the approach proposed for mitigating its impacts, is the best option for a new high speed rail line between London and the West Midlands?**

No.

There is no detailed information to give a detailed and informed response to this question. A full Environmental Assessment has not been carried out.

## HS2 Response by North Warwickshire Borough Council

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It is unclear what the mitigation measures actually are and how they affect individual areas. The comments below are made therefore without detailed knowledge of or understanding of any measures that may be incorporated into the scheme in North Warwickshire and how far these will mitigate against the noise and vibration of the scheme.

In all of the documentation there is cursory mention of the area around Water Orton even though this is one of the worst affected areas along the whole proposed line with both routes in and out of Birmingham as well as the mainline. There is a detailed description of the line up to the NEC and then a cursory mention of a route into Birmingham and then past Tamworth and on to Lichfield. The report omits to say that there is a triangle of lines in and out of Birmingham.

There is no mention of on or off site tree planting, bunds, etc. and where these will take place. Off-site measures will be particularly important but there is no mention of how these will be achieved. Will CPO be used if the land owner is uncooperative and has this been taken in to account in the cost of the scheme?

It is unclear the exact amount of land take, particularly in North Warwickshire where it is four tracks rather than just 2 around the Delta junction.

Noise will be an issue. There are no noise contours to make an informed decision. It is unclear how the information relating to noise and the properties it affects has been arrived at since no detailed work has been published.

With motorways in the vicinity the impact of noise seems to have been given a cursory consideration in the Water Orton, Gilson, Coleshill, and Middleton areas. However this does not take into account the difference in type of noise. It was clear from the sound booths for the official HS2 road show in Water Orton that the noise of the motorways was minimal and that the approaching, present and departing trains would increase the noise levels considerably. A full Environmental Impact Assessment is required to determine the detailed effects of noise on residents and businesses in the Borough.

As part of HS2 is a junction being incorporated into the scheme near to Lea Marston / Hams Hall for a potential spur to the East Midlands? If this is the case then this has not been referred to in any literature for the consultation process unlike the Heathrow spur.

It is unclear if any changes have occurred at all in the Water Orton area to the original specification. Changes were referred to in a meeting with HS2 but these have not been highlighted.

It is also unclear what impact the reduction in speed of the trains in the Delta junction will have in terms of noise and vibrant.

Vibration – in addition to noise the vibration is a concern. In the sound booths it was clear that the vibration of the trains, particularly those in cutting, was far greater than those on viaduct. Experience from HS1 also leads to questions of the impact of vibration. The vibration would be worst felt in Water Orton and in particular the Water Orton Primary School; Dunton Hall (a listed building); and, the villages of Gilson and Middleton. It is unclear if any mitigation measures can take place to reduce these impacts.

There is no indication of any green bridges in North Warwickshire.

### **6. Appraisal of Sustainability**

**Do you wish to comment on the Appraisal of Sustainability of the Government's proposed route between London and the West Midlands that has been published to inform this consultation?**

There are inconsistencies between the AoS and the main report. Different sums are quoted, particularly in terms of number of jobs and cost benefit. This means it is difficult to assess even the limited information that is available.

There is no information for example of how the report comes to the conclusion that only 10 properties in North Warwickshire will be the most affected by the scheme. This is from a potential 4700 properties that it originally states will be affected. Due to the lack of information on what the mitigation measures will be an informed response is difficult.

### **7 Blight and compensation**

**Do you agree with the options set out to assist those whose properties lose a significant amount of value as a result of the any new high speed line?**

What do you mean by significant? Is it only these which will be eligible for compensation?

The 30 properties around Water Orton that will be ultimately cornered by transport routes it is not sufficient to say it is bad now so it doesn't matter. An appropriate compensation scheme needs to consider not just the loss of value but of the change in living conditions. If a property is within a certain distance of the line there should be an option that it is bought, if the owner wishes, with suitable relocation expenses as well as the opportunity to purchase a like for like property.

The impact of the scheme may not be known within 12 months of the opening of the scheme so there should be an additional fund that can be used for repair and damage to properties some ten to 15 years later that may be cause by vibration or subsidence.

Compensation should not only be given to individuals but to the community that the scheme is running through as they ultimately pay a price for an additional piece of



infrastructure. This could be the opportunity that where there is off-site planting that these areas are opened for the general public to use. Improved footpath / cycle links are created as well as creating wildlife linkages.

Relocation as well monetary compensation should also be an option. For example, Water Orton Rugby Club (Old Salts) may not be able to afford to purchase land in the Water Orton area, as well as reestablish rugby pitches and build a replacement club house.

In the literature it refers to "Further Phases" and implies that those along future parts of the route need not comment on the blight and compensation measures now as they will change in the future. However this is misleading and may lead to fewer responses from those further up the line.

### **Additional Comments:**

#### **Mitigation**

Although the Borough Council strongly objects to HS2, if the decision is taken to go ahead with the scheme it would like to discuss what mitigation measures will take place as early as possible and before detailed engineering plans have been drawn.

The following gives an indication of the type and extent of the mitigation that the Borough Council would expect: The list is not exhaustive and further discussions would be necessary:

- Green bridge south of Water Orton over the current proposed cutting close to the Water Orton Primary School
- Green Bridge or tunnel to the east of Gilson
- Green Bridge or tunnel to east of Middleton
- Physical noise reduction measures to the west of Coleshill – planted bunds may be an option
- Non-intrusive noise barriers on all viaducts
- Viaducts to be built in traditional materials such as brick rather than concrete to reduce their visual intrusion
- Substantial off site tree and shrub planting
- Purchase of land and then full replacement of rugby pitches and club house facilities at Water Orton
- Reinstatement of public rights of way, including public footpaths
- Purchase of suitable premises and full relocation expenses of businesses at Coleshill Manor and Coleshill Hall Farm
- Mitigation to address vibration issues
- Particular measures to address vibration on Dunton Hall, a listed building
- An alternative solution for the diversion of the road at the Aston Villa FC Training Ground which divides the training site and will cause security as well as practical issues

## HS2 Response by North Warwickshire Borough Council

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- Suitable practical solutions for those farms divided by the route in order to ensure the continuity of the farm enterprise
- Suitable measures to make sure that invertebrates can continue to travel across country
- Ensure and maintain connectivity of biodiversity sites
- Mitigation measures as a result of the new station and car park at the NEC. This would include improved bus services across the Borough as well as traffic management schemes to reduce rat running through the rural country lanes of the Borough and to allow residents of the Borough the use of the new facilities
- Compensation should be given to the local community that the scheme is running through as they ultimately pay a price for an additional piece of infrastructure. This could be where there is off-site planting that these areas are opened for the general public to use. Improved footpath / cycle links are created as well as creating wildlife linkages.
- Other mitigations measures may arise as the scheme becomes more detailed on a local level