

HS2

Mitigation of significant community effects on public open space and community facilities

This factsheet sets out the approach that is expected to be taken to mitigate the loss of public open space and community facilities, and the circumstances in which the Secretary of State might acquire additional land for the purpose of mitigation, if or when required across the Proposed Scheme.

1 Introduction

- 1.1 High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in phases: Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route to Crewe. Phase 2b will extend the route to Manchester, Leeds and beyond (the 'Proposed Scheme').
- 1.2 The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act (2017). In July 2017, the Government introduced a hybrid Bill to Parliament to seek powers for the construction and operation of Phase 2a. A hybrid Bill to seek powers for the construction and operation of Phase 2b is expected to be introduced to Parliament in 2020.
- 1.3 HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.4 The work to produce the Phase 2b Bill will include an Environmental Impact Assessment (EIA), the results of which will then be reported in an Environmental Statement (ES). The ES would be submitted alongside the Phase 2b Bill when it is introduced to Parliament. The emerging findings of the EIA were reported in a working draft Environmental Statement (WDES)¹ that was consulted on in late 2018.
- 1.5 As was the case with Phase One and Phase 2a, when the Phase 2b Bill is introduced to Parliament, the Secretary of State will also publish draft Environmental Minimum Requirements (EMRs). The EMRs will set out the environmental and sustainability commitments that will be observed in the construction and operation of Phase 2b.
- 1.6 A series of information papers were produced for the Phase One and Phase 2a hybrid Bills, explaining the commitments made in those Bills and EMRs. It is the Secretary of State's intention to follow a similar process for the Phase 2b Bill. These information papers for Phase 2b will be used to provide information about Phase 2b itself, the powers contained in the Phase 2b Bill when it is introduced to Parliament and how decisions on Phase 2b have been reached. It is currently proposed that these information papers for

¹ The WDES presented draft environmental information based on a stage in the ongoing design and assessment process for the Proposed Scheme. It included a description of the existing environment; an evaluation of the anticipated environmental impacts of the Proposed Scheme; and the measures being proposed at the time to manage the anticipated impacts. The ES submitted alongside the hybrid Bill will reflect any changes made following further work on the design and EIA, the WDES consultation, and any further consultation on the Proposed Scheme.

Phase 2b will be published at the time the Phase 2b Bill is introduced in Parliament.

- 1.7 The Secretary of State for Transport will be ‘the Promoter’ of the Phase 2b Bill. The Promoter will also eventually appoint a body responsible for delivering the Proposed Scheme under the powers to be granted by the Phase 2b Bill. This body will be known as the ‘nominated undertaker’. There may well be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Phase 2b Bill, the policies established in the Phase 2b EMRs and any commitments provided in the Phase 2b information papers.
- 1.8 These Phase 2b Factsheets have been produced to provide information on the emerging proposals for measures to manage the design process for Phase 2b and to control impacts which may arise from the construction and operation of the Proposed Scheme. These measures may then be applied to Phase 2b as commitments made through the eventual Phase 2b Bill, EMRs or information papers.

2 Overview

- 2.1.1 This factsheet sets out the approach that is expected to be taken to mitigate the loss of public open space and community facilities, and the circumstances in which the Secretary of State might acquire additional land for the purpose of mitigation, if or when required across the Proposed Scheme.

3 Public open space and community facilities affected temporarily

- 3.1.1 Where there will be a temporary but significant effect on a community resulting from the temporary loss of public open space or a community facility, mitigation is likely to take one of the following forms:
- improvements or alterations to the remaining portion of the public open space (in instances where the public open space is partially occupied) or community facilities, e.g. reconfiguring pitch layouts or relocating play areas;
 - improvements to other public open spaces or community facilities in the area;

- improving accessibility to other existing public open space or community facilities; and/or
- identifying land owned by the relevant local authority that could be brought into use as public open space or used to accommodate community facilities with its agreement.

3.1.2 Where land used as open space or as a community facility is temporarily occupied by the Proposed Scheme, there would be a statutory requirement for the land to be restored in accordance with a scheme agreed with the owners of the land and the relevant local authority.

4 Public open space and community facilities affected permanently

4.1.1 Where there is a permanent and significant community effect resulting from the permanent loss of public open space or a community facility, mitigation is likely to take one of the following forms:

- improvements or alterations to the remaining portion of the public open space (in instances where the public open space is partially occupied) or community facility, e.g. reconfiguring pitch layouts or relocating play areas;
- provision of compensatory open space or community facilities as part of the design of the permanent works;
- improvements to other public open spaces or community facilities in the area;
- improving accessibility to other existing public open space or community facilities; and/or
- identifying land owned by the relevant local authority that could be brought into use as public open space or used to accommodate community facilities with its agreement.

4.1.2 Where none of these other mitigation measures would provide suitable mitigation, as per the approach with Phase One and Phase 2a, the Secretary of State could potentially acquire land for the mitigation of permanent significant effects on community facilities.

4.1.3 Where a community facility is owned and operated as a commercial enterprise (i.e. is not in public or charitable ownership; or, does not provide publicly or charitably funded services) the above would not apply. In such cases, the nominated undertaker would endeavour to work with the affected landowner to help them identify a solution which would enable them to

continue to operate, on the basis that they could be eligible for compensation.

5 Significant in-combination and isolation effects on community resources

- 5.1.1 Significant in-combination effects on open space and community facilities may arise from the combination of two or more residual significant air quality, sound noise and vibration, visual or heavy goods vehicles (HGVs) construction traffic effects.
- 5.1.2 Community isolation effects may arise where the Proposed Scheme will sever or disrupt routes which are used for access between residential properties and community facilities on a regular basis.
- 5.1.3 Where reasonably practicable, the mitigation of significant in-combination and isolation effects on community resources and public open space during construction would be identified on a case by case basis in relation to the specific individual effects which will be experienced by the affected community resource.
- 5.1.4 It is acknowledged that these effects may have particular implications for schools. The nominated undertaker would endeavour to work closely with local education authorities and individual schools to identify reasonably practicable measures to mitigate residual significant in-combination and isolation effects.
- 5.1.5 Consultation and engagement on the Proposed Scheme would be carried out at key stages in its development.

6 More information

- 6.1.1 Further factsheets and details on the Proposed Scheme can be found at: www.hs2.org.uk/phase2b