

Maintaining access to residential and commercial property during construction

This factsheet outlines the emerging proposals for how access to residential and commercial property would be maintained where the construction of the Proposed Scheme requires the temporary closure of highways.

1 Introduction

- 1.1.1 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. The Western Leg of Phase 2b comprises an extension of the network to Manchester and a connection to the West Coast Main Line at Golborne, and is referred to as the Western Leg hybrid Bill. The Eastern Leg of Phase 2b currently comprises an extension of the network from the West Midlands through the East Midlands to Leeds.
- 1.1.2 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.
- 1.1.3 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.
- 1.1.1 In February 2020, the Government announced its intention to draw up an Integrated Rail Plan. This will recommend a way forward on scoping, phasing and sequencing the delivery of HS2 Phase 2b, Northern Powerhouse Rail, Midlands Rail Hub and other proposed rail investments across the north. At the same time, the Government asked HS2 Ltd to prepare the Western Leg hybrid Bill, provided it does not prejudice any recommendations or decisions that will be taken in this plan, which will be published by the end of the year.
- 1.1.2 It is intended to deposit a Western Leg hybrid Bill seeking powers to construct and operate this phase in Parliament in early 2022 or sooner if possible (the Proposed Scheme). The work to produce the 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 Bill when it is introduced to Parliament. As was the case with Phase One and Phase 2a, when the 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 of the Proposed Scheme.
- 1.1.3 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 Western Leg Bill.

These information papers will be used to provide information about the Proposed Scheme itself, the powers contained in the Bill and how decisions on the Proposed Scheme have been reached. It is currently proposed that these information papers for the Western Leg of Phase 2b will be published at the time the Bill is introduced in Parliament.

- 1.1.4 The Secretary of State for Transport will be ‘the Promoter’ of the Western Leg Bill. The Promoter will also eventually appoint a body responsible for delivering the Proposed Scheme under the powers to be granted by the 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 Bill, the policies established in the Western Leg EMRs and any commitments provided in the Western Leg information papers.
- 1.1.5 These Western Leg factsheets have been produced to provide information on the emerging proposals for measures to manage the design process for the Proposed Scheme and to control impacts which may arise from the construction and operation of the Proposed Scheme. These measures may then be applied to the Western Leg as commitments made through the eventual Bill, EMRs or information papers.

2 Overview

- 2.1.1 This factsheet outlines the emerging proposals for how access to residential and commercial property would be maintained where the construction of the Proposed Scheme requires the temporary closure of highways.
- 2.1.2 For works in Scotland, the term ‘highway’ used in this document should be understood to mean ‘road’, ‘footpath’ or other route to which the public has lawful access as the context requires. Similarly, the term ‘highway authority’ should be understood to mean ‘roads authority’.

3 General provisions

- 3.1.1 To construct the Proposed Scheme, it may sometimes be necessary to temporarily close or otherwise alter a highway, and temporarily divert traffic, pedestrians and/or other users.
- 3.1.2 HS2 Ltd expects to follow the approach of other large infrastructure projects through measures set out in:

- the provisions of the eventual Western Leg Bill;
- obligations on the Proposed Scheme as a result of the EMRs, which include the Code of Construction Practice; and
- provisions contained in the Compensation Code.

3.1.3 In summary, the general approach would be to ensure that reasonable pedestrian access to premises abutting the highway is maintained. This would include consideration of access for disabled people. Additionally, where reasonably practicable, vehicular access would be maintained.

3.1.4 These provisions would ensure that the safety and convenience of the travelling public are appropriately addressed during the design and construction of the Proposed Scheme.

3.1.5 This factsheet deals specifically with access arrangements.

4 Expected provisions in the Bill

4.1.1 Following the approach in place for Phase One, and proposed for Phase 2a, it is expected that measures for managing the temporary closure, diversion or alteration of highways would be applied to the Proposed Scheme as commitments made in the eventual Western Leg Bill. These measures are expected to include, for example:

- requirements for the nominated undertaker to provide reasonable access for pedestrians going to and from premises abutting on a highway¹ affected by the nominated undertaker's temporary closure, diversion or alteration for the works to construct the Proposed Scheme, if there would otherwise be no such access;
- processes for the relevant highway authority to be consulted by the nominated undertaker prior to the nominated undertaker temporarily closing a highway that is specified in the Western Leg Bill. The purpose of such consultation being to ensure public safety and, so far as reasonably practicable, to reduce inconvenience to the public; and
- processes for requiring the nominated undertaker to seek the consent of the relevant highway authority for the temporary closure of a highway that is not specified in the Western Leg Bill, with the relevant highway authority being able to give such consent subject to such conditions as

¹ The term 'highway' is used here to include footways and footpaths, as well as carriageways.

the relevant highway authority may reasonably require in the interest of public safety or convenience.

- 4.1.2 Again following the approach adopted on Phase One, and proposed on Phase 2a, it is expected that measures would be applied to the Proposed Scheme by the eventual Western Leg Bill to manage the process of the nominated undertaker providing, where necessary, new highways in substitution for any existing highways which may be stopped up in connection with the construction of the Proposed Scheme.

5 The Code of Construction Practice

- 5.1.1 The provisions of the eventual Western Leg Bill would also be reinforced by the Code of Construction Practice, which would require the nominated undertaker to, where reasonably practicable, maintain public rights of way for pedestrians, cyclists and equestrians affected by the Proposed Scheme, including making reasonable adjustments to maintain or achieve inclusive access.
- 5.1.2 Traffic management plans are expected to be produced in consultation with the relevant highway and traffic authorities and emergency services. These would include, as appropriate, temporary and permanent closures and diversions of roads and public rights of way. For more information about traffic management plans, see the Western Leg Factsheet: Management of Traffic during Construction.
- 5.1.3 Where hoardings affect access to, or obscure visibility of, businesses or community facilities, signs would be displayed to notify highway users that the businesses remain open. The nominated undertaker would expect to signpost diversionary routes to the businesses, and to alternative community facilities if a community facility is closed.
- 5.1.4 The nominated undertaker will also communicate regularly with affected parties throughout the period of the construction works.

6 Further provisions

- 6.1.1 Where reasonably practicable, vehicular access to residential and commercial premises would be expected to be maintained.
- 6.1.2 The nominated undertaker would ensure that people with restricted mobility continue to have access to services and buildings where such access and services are temporarily disrupted during the construction works.

- 6.1.3 Where the normal means of access must be diverted or blocked off, alternative safe routes for wheelchair users and ambulant disabled persons would be identified, taking into account existing hazards and obstructions such as pavement kerbs and lamp-posts.
- 6.1.4 Where particular difficulties are identified, arrangements would be made on a case-by-case basis.

7 More information

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

