

## Private means of access

This factsheet outlines how it is expected that the permanent effects of the Proposed Scheme on private means of access would be managed.

# 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.
- 1.1.4 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.
- 1.1.5 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.
- 1.1.6 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 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.

- 1.1.7 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.
- 1.1.8 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 how it is expected that the permanent effects of the Proposed Scheme on private means of access would be managed.

## 3 Terminology

- 3.1.1 The term 'private means of access' is used when referring to a wide range of routes which connect premises such as homes, businesses and community facilities to the public road network. For the purposes of this factsheet, the term can also be applied to internal routes within landholdings, such as farms, and field accesses connecting directly to a road.
- 3.1.2 Private means of access may serve a single property or be shared by a number of users, and they may be vehicular, pedestrian or shared by different classes of traffic.
- 3.1.3 The term 'accommodation works' is used to describe works undertaken by the nominated undertaker, for landowners adjacent to HS2 works, to accommodate the Proposed Scheme as part of the overall mitigation strategy to minimise impacts.

- 3.1.4 The term 'accommodation access' is used to describe a realigned, diverted or replacement private means of access to be provided by the nominated undertaker as part of that strategy.
- 3.1.5 The term 'accommodation bridge' is used to describe a structure carrying an accommodation access over or under the new railway.

## **4 Existing private means of access affected by the Proposed Scheme**

- 4.1.1 The Proposed Scheme will cross, or otherwise affect, a wide variety of private means of access. Other works ancillary to the Proposed Scheme, such as road realignments and junction alterations, will also affect private means of access at various locations.
- 4.1.2 Because of this variety, there can be no standard approach to dealing with existing private means of access. Each location has to be considered on a case-by-case basis on its own merits.
- 4.1.3 A separate factsheet on maintaining access to residential and commercial property during construction, addresses the issue of temporary effects on private means of access. For further details please see the Western Leg Factsheet: Maintaining access to residential and commercial property during construction.
- 4.1.4 In locations where the Proposed Scheme permanently affects an existing private means of access, it is expected that the Phase 2b Bill would make specific provision, in certain cases, to accommodate that access, and for other cases, provides the necessary powers to enable the access in question to be accommodated. The purpose of these provisions is to ensure that private access is reinstated or maintained following completion of the works.
- 4.1.5 The exact works will depend on each case, but may include:
- locally realigning the existing private means of access;
  - providing a new accommodation bridge over/under the new railway;
  - diverting the existing private means of access to a nearby road crossing of the new railway to avoid the need for a separate structure;
  - combining a private means of access with an access that serves the new railway or associated facilities such as balancing ponds;
  - combining a private means of access with a realigned or diverted public right of way;

- combining several private means of access into a single shared-use route; and
- closing the private means of access, where a suitable alternative route is already available or where the affected landholding is acquired as part of the Proposed Scheme.

## **5 Accommodation access standards**

- 5.1.1 The objective will be to provide an accommodation access that is similar in width, surfacing and boundary treatment (e.g. gates and fencing) to the existing private means of access.
- 5.1.2 The detailed standards to be adopted at each location would be discussed with the affected landowner(s) as part of the compensation arrangements.

## **6 Accommodation accesses with shared use**

- 6.1.1 Where two accommodation accesses of a different standard (in terms of width, surfacing and boundary treatment) are combined, the higher standard would be adopted.
- 6.1.2 Shared-use accommodation accesses may be provided with suitable gating arrangements to protect the interests of each party. These can include separate or shared gates, and any locking arrangements will be agreed as appropriate to the circumstances at each location.
- 6.1.3 In the case of accommodation bridges that are shared with public rights of way, extra width would be provided on one side to help keep vehicles and pedestrians separate.

## **7 Farm accommodation bridges**

- 7.1.1 Accommodation underbridges carrying internal farm routes beneath the new railway would be sized in accordance with the expected usage requirements and these would vary from one location to another.
- 7.1.2 However, as general guidance, dimensions will typically range from 3 metres wide by 2.8 metres high for cattle underpasses<sup>1</sup> to 4.5 metres wide by 4.25

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<sup>1</sup> Values based on Technical memorandum H9/71 'Cross section design of road verges and central reservations on or under Bridges' (Department for Transport).

metres high on routes traversed by large agricultural vehicles, machinery and implements<sup>2</sup>.

- 7.1.3 Accommodation overbridges carrying internal farm routes above the new railway will typically be 4.7 metres wide between parapets (or 5.6 metres where shared with a public right of way).
- 7.1.4 In the case of dairy farm accommodation underpasses that are shared with public rights of way, extra width would usually be provided on one side to help provide separation between cattle and the pedestrians, cyclists or equestrians using the structure.
- 7.1.5 Prior to the completion of the detailed design process, the nominated undertaker would be required to consult the owner/tenant of an agricultural holding regarding the detailed design of works proposed to be undertaken on any part of that holding.

## 8 More information

- 8.1.1 Further factsheets and details on the Proposed Scheme can be found at: [www.hs2.org.uk/phase2b](http://www.hs2.org.uk/phase2b)

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<sup>2</sup> Values based on the 'Report of the Study Group on Dimensions of Agricultural Bridges and Underpasses' (Department for Transport, 1985).



