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IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

P E T I T I O N

Against the Bill – Praying to be heard by counsel, &c.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF LICHFIELD DISTRICT COUNCIL

SHEWETH as follows:

1. A Bill (hereinafter called “the Bill”) has been introduced into and is now pending in your honourable House intituled “A Bill to Make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes”.
2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.

3. Clauses 1 to 36 set out the Bill's objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.
4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill ("Phase One of HS2") are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.
7. Your Petitioners are the local authority for the District of Lichfield ("the District") and have been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of their area. Amongst other functions of your Petitioners is that of the local planning authority in respect of most types of development, and your Petitioners are responsible for general planning and the preparation of development plans. Your Petitioners have a statutory duty to investigate the existence of, and to control nuisances within their area.
8. The Bill would authorise the compulsory acquisition of certain interests in land or property of your Petitioners, to which they object, and in accordance with the standing orders of your honourable House, notice has been served on your Petitioners of the intention to seek such compulsory powers.

9. Your Petitioners allege that they and their property, rights and interests in their area and the inhabitants thereof would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.

Introductory

10. Your Petitioners oppose the Bill in principle. Whilst your Petitioners acknowledge that the principle of the Bill is established at second reading, your Petitioners' views on the subject are so strong, they must be recorded in this petition.
11. Your Petitioners do not believe that the proposed railway will lead to the claimed economic benefits flowing to residents and businesses within the District and indeed in terms of the environment will have a significant adverse impact. If the Bill is passed, then your Petitioners expect to see full and proper mitigation of the impacts of the proposals in the District and a commitment on the part of the Promoters and the Nominated Undertaker to construct and use the proposed railway in a way which prevents or minimises harm to local communities.
12. There are very many matters which cause great concern to your Petitioners, arising from the proposals in the Bill. Some of these points apply generally to the whole length of the line within the District and some of the points are specific to particular sites. Your Petitioners are hopeful that many of their concerns can be met by agreement with the promoter of the Bill. The District is the only one in the County of Staffordshire in which works are proposed under the Bill. Your Petitioners have for a long period of time been working closely with Staffordshire County Council ("SCC") on how best to respond to the proposals in the Bill. Many of the concerns raised by your Petitioners are shared by SCC and your Petitioners support many of the points made by SCC in their petition.

Part 1: Site Specific Issues

Lowering of vertical alignment at Hints

13. Your Petitioners are concerned about the impact of the construction and operation of the railway near to the village of Hints. Here, the route would be in deep cutting and will result in loss of part of two ancient woodlands and cut through an area identified in the Staffordshire Landscape Character Assessment (2000) as being of high

landscape quality, and in close proximity to the Hints Conservation Area. Noise arising from trains and maintenance of the railway is of great concern to the community here for a number of reasons, not least because the curvature of the railway here is such that it will require relatively frequent track maintenance, which is likely to be carried out at night time. The route also dissects a number of Public Rights of Way/bridleways in this area.

14. Your Petitioners consider that the mitigation that is proposed by the Promoters at this location is inadequate and that a modification to the vertical alignment is required, in conjunction with an 810 metre cut and cover tunnel between Roundhill and Rookery Ancient Woodlands and beyond Brockhurst Lane. This modification would provide greater environmental and social benefits and would enable Brockhurst Lane to pass over the railway resulting in little impact on agricultural businesses in the local area.

Heathland Compensation at Whittington

15. Your Petitioners consider that a change is required to the location of the proposed compensatory heathland habitat that is proposed between the railway and the A51 near Horsley Brook Farm and which is illustrated on sheet numbers 3-63 and 3-64 of the deposited plans. Your Petitioners are of the view that this habitat would be far better located adjacent to Whittington Heath Golf Course, which is already a heathland site, because that would increase the ecological connectivity of one habitat to the other, increasing both heathland areas resistance to future perturbation (for example the effects of climate change). It would also avoid the difficulties of changing existing farmland into heathland, and could fit in with the golf club's own proposals for mitigation of the loss of their land (see below).

Whittington Heath Golf Club

16. The proposed works as planned will have a devastating impact on Whittington Heath Golf Course, a very well used facility in the District which is also one of England's earliest golf courses. The golf club provides local employment, a social venue and an opportunity for physical activity. Your Petitioners support the golf club's aspirations to remain functional continuously as an 18 hole course. Your Petitioners ask your honourable House to require that measures should be put in place to ensure the continued operation of the club as an 18 hole course.

Lowering the railway under the A38 and West Coast Main Line

17. To the east of the city of Lichfield, the proposed railway would pass over the West Coast Main Line, the A38 and the South Staffordshire Rail Line, and will be carried on a series of embankments and viaducts. This will result in a detrimental impact on the setting and historical appearance of the city, notably the three spires of Lichfield Cathedral, and bring noise and visual impacts to residents in the parish of Streethay. The railway would continue on an embankment, and would include a grade separated junction for the continuation of the Phase Two route at Fradley. That junction would bring landscape, visual and noise impacts on the open countryside that could not, in your Petitioners' opinion, be mitigated. Considerable amounts of open countryside and farmland would be lost as a result of these proposals. As the route continues on embankment to meet the West Coast Main Line it would then have a significant impact on the tranquillity and character of the Trent and Mersey Canal Conservation Area. There would be further loss of farmland and dramatic visual and noise impacts to isolated residences in Kings Bromley and surrounding areas.

18. The detrimental effects described above would all be mitigated, and in some cases resolved, if the railway were to be lowered so that it passed underneath the A38, the South Staffordshire Railway and the West Coast Main Line at this location. It would, as the Environmental Statement ("the ES") says, provide significant environmental benefits (CFA Report 22, para 2.6.38 to 2.6.32). Any such proposal should also facilitate the future extension of the Wyrley and Essington Canal as well as accommodating the existing facilities at Lichfield Cruising Club. Your Petitioners are of the view that the significant environmental benefits of their proposal can be justified and would urge your honourable House to adopt it by amending the Bill accordingly.

Flat's Lane and Knox Grave Lane

19. Your Petitioners acknowledge that there will be severe impacts on existing residents and property on Knox Grave Lane and Flats Lane. The construction of the railway would result in the obliteration of dwellings there. Without prejudice to any decision that might be taken by your Petitioners in its role as local planning authority, and in particular having regard to the importance of the green belt, in which very special circumstances must be demonstrated if new development is to be permitted, your Petitioners support in principle those residents whose properties are to be

demolished and who wish to progress plans for their relocation to new properties in the vicinity of the existing community. To facilitate and justify the need for any such plans, your Petitioners would require assurances from the Promoters that properties will indeed be demolished as part of the scheme.

Modifications to link onto the West Coast Main Line

20. Your Petitioners note that the Bill contains provision for a junction with the West Coast Main Line at Handsacre. Your Petitioners seek assurance that the Promoter will re-examine the alignment of the railway at this location to determine whether or not a horizontal shift of the railway or a diversion of the Trent and Mersey Canal could be achieved. Your Petitioners believe that one of the aforementioned modifications would facilitate a lowering of the railway (by avoiding the need for two separate crossings over the Trent and Mersey canal) which would reduce environmental impacts and enable greater environmental and community benefits than are currently shown in the ES. Your Petitioners respectfully highlight to your honourable House that such a modification would complement a lower alignment under the A38 (see below) while facilitating a lower grade separate junction (required for Phase Two) that may be less complicated in engineering terms. Your Petitioners would urge your honourable House to examine the options mentioned above, and amend the Bill accordingly should it see fit.

Site specific highways issues

21. Your Petitioners support the petition of SCC (who are the highway authority) on the following matters raised in their petition for the reasons set out by SCC:
- (a) the provision of a green bridge at Bangley Lane to mitigate severance of connectivity for wildlife at that location;
 - (b) the proposed alignment of Drayton Lane and the “future proofing” of the proposed new bridge;
 - (c) the proposed alignment of Shirral Drive;
 - (d) the proposal to reduce the headroom to 2.7m at Brockhurst Lane, where it passes under the proposed railway;

- (e) the proposal for additional safety works to Watling Street;
- (f) the phasing of the highway works and temporary closures of Cappers Lane, Darnford Lane and Lichfield Road;
- (g) use by construction traffic of Cappers Lane and Lichfield Road (at Whittington).
- (h) the widening of Wood End Lane, the inclusion of pedestrian facilities from Gorse Lane to its junction with the A515 Lichfield Road and the upgrading of the junction of Wood End Lane with the A515 Lichfield Road.
- (i) routing of construction traffic from the A38 along Wood End Lane rather than along the A5127 and A51, so as to avoid Lichfield City Centre and low bridges on the A5127.

Part 2: General Issues

General: mitigation

22. Your Petitioners remain unconvinced that the proposals set out in the Bill generally have been designed to take account fully the needs of residents and businesses in the District. Unlike other transport schemes, the route does not follow existing transport corridors but instead cuts through farm land and open countryside. Save for the few specific cases mentioned in Part 1 of this petition (and in particular in relation to modifications to the link onto the West Coast Main Line) your Petitioners do not propose that the line of the route should be altered laterally to any great degree, but they make this point in support of their general view that the Promoters should be required to provide significant enhancements for the benefit of residents of the District, who will experience no benefit from the construction of the works.

General: authorisation procedures

23. In line with the Crossrail and Channel Tunnel Rail Link Acts, the Bill contains provisions which provide outline planning permission for the development authorised by the Bill and disapply a number of other statutory regulation regimes which would normally apply in relation to the construction of works, including the listed buildings and conservation area controls in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Traffic Management Act 2004. Your Petitioners wish to ensure that

if those controls are to be removed or suspended then in their place there is a robust alternative approval mechanism in each case, in which your Petitioners play a full part. Your Petitioners will, in conjunction with other local authorities affected by the Bill, be seeking to ensure that such arrangements are put in place, but if that is not achieved then your Petitioners would respectfully request that the promoter of the Bill be required to accept satisfactory arrangements including realistic timescales for the consideration of applications.

General: provision of information and consultation

24. Your Petitioners have serious concerns over the provision of information supplied by the promoter of the Bill, both prior to the deposit of the Bill and up to the date of the deposit of this petition. This has meant that thorough and detailed assessments of the proposed project, its impacts and benefits have been impossible to compile. Your Petitioners are concerned that requests for further information and responses to specific requests remain outstanding. In particular, your Petitioners are still to be satisfied about the adequacy of the Environmental Statement. Baseline assumptions made over a number of generic issues have still to be substantiated. Ancillary documentation such as the proposed Code of Construction Practice whilst admittedly still in draft form is neither acceptable in principle, nor in its presumptions, proposals and extent of detail. Your Petitioners have repeatedly asked for 3D baseline modelling information so that they can produce photomontages, but this has not been forthcoming, even though the Promoters have confirmed they have it.

Agriculture and rural economy

25. Your Petitioners are concerned about the impact that the proposed works will have on rural businesses in the District and the rural economy generally. A number of farms in the District will be affected by the proposals, in particular by virtue of the exercise of compulsory powers of acquisition of land, and many farms will suffer severance. Individual farmers will no doubt make their own views known through their petitions, but your Petitioners concern is about the overall effect on the rural economy generally. In that respect, your Petitioners urge the select committee of your honourable House, when hearing petitions of farmers, rural landowners and the National Farmers Union to take into account the general effect of the proposals on the rural economy in the District. Your Petitioners are unconvinced that the ES has

properly assessed the overall impact on the rural economy in the District, including the effect on local farming, businesses and open countryside (including the effect on amenity value).

26. Your Petitioners are hopeful that the promoter will assist in providing support to affected farmers and land owners to ensure they are left with viable areas of farmland and other businesses. Where businesses are required to relocate as a direct result of the scheme, Your Petitioners are hopeful that the promoter will provide and implement a relocation strategy that will be produced in conjunction with Your Petitioners, including in their role as Local Planning Authority.

Assessment methodology for smaller communities

27. Your Petitioners have serious concerns about the way in which the Promoters have undertaken the assessment of air quality, noise and other impacts in the ES. In particular, your Petitioners strongly disagree with the blanket proposition that a lower scale of effect should apply in cases involving clusters of fewer than 10 properties. Other Regulatory regimes recognise that there can be an air quality impact on single or small numbers of properties. Your Petitioners request your honourable House to require that the Promoters will amend their air quality assessment in the ES so that it includes an assessment of the effects on single and small numbers of properties.

Code of construction practice: drafting

28. Your Petitioners are concerned that the draft CoCP that has been published is inadequate in a number of respects, and that the wording used is often too imprecise. Your Petitioners will discuss the detailed concerns with the Promoters but in the event that agreement is not reached, your Petitioners will ask your honourable House to require the Promoters to amend the draft CoCP accordingly. In addition, your Petitioners respectfully ask your honourable House to require the Promoters to undertake that where the nominated undertaker or its contractor complies with the control measures set out in the final CoCP and those measures prove to be ineffective, flexibility will be given to explore alternative control measures and the most suitable option adopted.
29. Your Petitioners may also have similar concerns about the local environment management plans (“LEMPs”) which will accompany the code of construction practice.

Unfortunately, your Petitioners cannot make further comment as they have not seen even an early draft of a LEMP, so they reserve their position on that aspect.

Code of construction practice: engagement and compliance

30. Your Petitioners are concerned to ensure that the level of community engagement by the Promoters will be much better during the construction process than it has hitherto. Effective community engagement and a mediation mechanism must be put in place to shape emerging details and smooth the implementation stage. Your Petitioners request your honourable House to require the Promoters to ensure that a refocused and more effective mechanism for the Promoters and the Nominated Undertaker is put in place, working with the community through the design and construction stage (including the evolution of detailed designs for elements and also LEMPs) and resolving issues that emerge. Your Petitioners also believe that independent arbitration or mediation arrangements should also be put in place, and an Ombudsman system created (see later) who can deal expeditiously and in a cost and time efficient manner with disputes that do not get resolved in relation to construction issues.

Code of construction practice: ecology

31. Your Petitioners are concerned that the draft CoCP does not include sufficient detail to give confidence that adequate ecological protective measures will be adopted when the works are carried out or that those measures will be informed by relevant expertise or incorporate appropriate techniques. The proposed Environmental Minimum Requirements (EMR's) and Environmental Management System are also very generalised. Your Petitioners ask your honourable House to require assurances that the Promoters and the Nominated Undertaker will follow BS42020 and that local planning authorities will have a meaningful role in LEMP preparation.

Construction: hours of working: control under planning conditions

32. Your Petitioners respectfully suggest that they should be able to specify, in respect of any development authorised by the Bill, the hours and days of the week in which work may be carried out. Those hours should be a matter falling within the ambit of arrangements which are to be approved by your Petitioners under clause 19 of and Schedule 16 to the Bill. The table set out in paragraph 4 of Schedule 16 to the Bill

should, in your Petitioners' respectful submission, be amended to include inappropriate proposed hours of working as a ground on which your Petitioners may refuse to approve those arrangements. Hours of working are a crucial matter which your Petitioners, as local planning authority need to be able to modify in order to preserve the local environment and local amenity.

Construction: hours of working: site specific hours

33. Your Petitioners would hope and expect that through the CoCP and LEMP agreement processes described below, uniform site specific hours of operation for the different worksites will be agreed with the promoter of the Bill. Your Petitioners will be seeking to ensure that the promoter of the Bill agree to such requirements. If they do not, your Petitioners submit that the promoter of the Bill should be required to agree uniform hours.

Construction: hours of working: "shoulder hours"

34. Your Petitioners also note that the Promoters are arranging for deliveries of material to be made to the worksites outside the suggested periods of time for construction work, which could result in deliveries being made to worksites from 7.00am and up to 19.00 on weekdays and potentially for activities associated with tunnelling 24 hours a day, 7 days a week. Your Petitioners are always willing carefully to consider the movement of abnormal loads along the highway outside their normal construction hours. The movement of loads along the highway before these hours would, however, be an increase well above normal construction hours, and could result in lorries moving heavy loads well into the evening, causing danger to pedestrians and other traffic, particularly in poor weather or during wintertime, and noise and inconvenience to the residential and business areas through which they would travel. Your Petitioners therefore request that the delivery times and tunnel facilitating works should be limited to the normal hours of construction work of 8.00am to 6.00pm Mondays to Fridays, 8.00am to 1.00pm on Saturdays and no working on Sundays and Bank Holidays adopted by your Petitioners. Should it be necessary for deliveries or related activities to take place outside the normal hours of construction work, your Petitioners request that all such deliveries should be agreed in advance with your Petitioners, so that the reasonableness of the request can be considered and as much notice as possible can be given to residents and businesses within the District by the

Nominated Undertaker, and the Nominated Undertaker can make arrangements with your Petitioners to mitigate the impact of any such deliveries. The Promoters should also put in place sufficient provisions to ensure the safety of the public, particularly pedestrians, at all times.

Community fund

35. Your Petitioners request that the promoters of the Bill should be required to establish a community fund which should be made available for the use of your Petitioners, other public bodies, charities and other organisations as a means to offset the environmental and other damage that will be caused to the inhabitants of your Petitioner's area, in the absence of any gain. The fund should enable your Petitioners and others to provide for replacement and additional facilities, infrastructure or other mitigation. There is relevant and recent precedent for the establishment of such funds in respect of other major infrastructure projects, for example on HS1 and the Hinckley Point nuclear power station.

Ecology: miscellaneous

36. Your Petitioners have a number of concerns in relation to the way in which the Promoters have assessed ecological effects in the ES, and they request your honourable House to require the Promoter to provide additional environmental information in a number of important regards. Your Petitioners also have concerns about the methods that the Promoters have proposed for dealing with ecological issues during the construction phase, and in the design of the permanent works. The deficiencies which need to be addressed include the following:
- (a) The Bill makes provision for a large number of balancing ponds to be constructed as part of the works. The ES states that all balancing ponds will normally be dry. Your Petitioners believe that this is a missed opportunity to create water habitat along the route and make up for the loss of ponds and areas of open water.
 - (b) Your Petitioners have concerns about the source of materials proposed to be used for embankments in their area, and are keen to promote the use of materials that are appropriate for the local ecology. Detailed information is

required from the promoters, and your Petitioners request that they be given greater controls over the source of the materials to be used.

- (c) The ES says that woodland and grassland planting will be provided to replace lost heathland, which your Petitioners consider to be inappropriate. Heathland is a rare and priority habitat for the part of Lichfield that is most affected by the proposed works, and compensation should consist of new heathland creation.
- (d) The ES does not cover the impacts of and mitigation for utilities diversions required as a result of the proposed works. In places impacts have the potential to be significant. Given that these diversions are an integral part of the works, your Petitioners require assurances that impacts will be properly assessed and mitigation included in the final scheme.
- (e) There is no inclusion of ancient and veteran trees in the Environmental Statement; they have not been assessed as an important natural or cultural asset, despite their national importance, which is recognised in the National Planning Policy Framework. This is a significant omission and your Petitioners require assurance that the ES will be supplemented accordingly.
- (f) In the ES, mitigation for impacts on designated sites and ancient woodland have not been addressed by proposals to enhance areas of those sites not affected by HS2. This type of repair could be a valuable form of mitigation and your Petitioners request your honourable House to require the Promoter to supplement the ES accordingly and give assurances that this type of mitigation will be used where appropriate. One way in which this could be achieved is by the removal of rhododendron and other invasive species from the sites.
- (g) The CoCP will be supplemented by Local Environment Management Plans (“LEMPs”). Your Petitioners wish to ensure that LEMPs will be prepared in a manner that ensures that effective mitigation and compensation of ecological impacts will be consistently applied, and seek assurances accordingly. Your Petitioners seeks further assurance that the LEMPs will ensure that compensation habitat design is appropriate as regards the impacts being mitigated and the local area, and delivers habitats of biodiversity value, for example by basing planting on NVC communities, preparing habitat

specifications that should be met, monitoring those habitats once planted, and allowing for intervention should the specifications not be met.

- (h) In the ES it is alleged that there will be no net loss of biodiversity. This is not supported by a transparent and consistent assessment of habitat and species impacts, and other statements regarding the scope of mitigation and compensation are not justified. Your Petitioners are concerned that the basis for compensation for habitats that will be destroyed is not clear and is not published as part of the Environmental Statement. Analysis carried out in Warwickshire indicates that habitat compensation will not meet Defra biodiversity offsetting guidelines. Your Petitioners request that the Petitioners should be required to supplement the ES to meet all these failings.
- (i) Poor consideration is given in the ES to impacts on landscape features such as ponds, field trees, tree lines and small copses that are of importance for wildlife. Cumulative effects are not well considered.
- (j) The quality of and use of appropriate techniques for the establishment, management and aftercare of habitats is essential. No clear provision is included in the ES or the Bill about those matters. There is also no provision in the ES about specialised soils management for habitats such as heathland and species-rich grassland that depend on soil chemistry and type.
- (k) The proposed mitigation of impacts on populations of protected species, principally bats, will not be effective in your Petitioners' view, because it relies on replacement woodland planting that will take many years to mature.

Ecology: timing of mitigation

37. Your Petitioners are of the view that the implementation of ecological mitigation measures should not be regarded at a later stage but as an integral part of the pre-construction process. For example, protected species mitigation and habitat translocation needed due to the railway passing through ancient woodland will require translocation of woodland soils and vegetation to the mitigation site at the ground clearance stage of the main works. In other cases instatement of mitigation and compensation planting at an early stage is required to maintain the ecological resource and avoid long time periods of diminished biodiversity that would adversely

affect species populations. Your Petitioners would ask your honourable House to require the Promoters to undertake that appropriate measures are put in place to achieve those aims, including a requirement that ecological mitigation will be undertaken, where appropriate, prior to site clearance or as part of site clearance process and that in the case of habitat and species clearance or translocation, the appropriate new or replacement habitat will be ready first.

Ecology: utilities

38. Your Petitioners are concerned that there is a lack of clarity in the Environmental Statement regarding impacts of utilities diversions on designated sites, habitats and species and the minimal information provided indicates that there have not been efforts to minimise impacts. Off-route works in Lichfield are not informed by ecological survey and there is a lack of controls over impacts such as hedgerow and tree loss. Your Petitioners requires assurances that the off-route works will be subject to the same scrutiny and environmental control as the main works.

39. Your Petitioners are concerned that the impacts on ancient woodland and other habitats of principle importance have not been minimised and avoidable impacts are included in the scheme including impacts of utilities diversions on ancient woodlands and impacts on important sites and habitats related to locations of soil storage and the design of cuttings.

Ecology: severance of habitats

40. Your Petitioners are concerned that identification of key issues omits reference to the key impact of severance of ecological networks and the associated impacts on species. This of particular importance for the Hints area and the ancient woodland complex in CFA22. The effect on barn owls has not been identified in the ES, and in particular the effects of collision and turbulence effects is not acknowledged nor mitigation proposed. This ignores an impact of County significance that will contribute to the assessment of the impact of national significance for the route as a whole. The efficacy of proposed mitigation of impacts on bats is also uncertain; the conclusion that impacts will be mitigated is not supported by robust evidence. Evidence should be provided from monitoring of other schemes, for example HS1. Your Petitioners request that the Promoters should be required to provide additional

material as part of the ES to meet these concerns, and that they should be required to establish a species monitoring programme now in order to inform Phase Two design.

Environmental Statement: adequacy and accuracy

41. In accordance with the standing orders of your Honourable House, comments on the ES were invited in the newspaper notices that were published in accordance with the standing orders of your honourable House when the Bill was deposited. Your Petitioners accordingly sent very detailed comments to the promoter of the Bill in response, and these have been the subject of a report by the independent assessor appointed by your honourable House. Your Petitioner has raised a great deal of concerns about the adequacy and accuracy of the Environmental Statement.
42. Fundamental deficiencies in the ES have been identified by your Petitioners, including the following relating to ecology and trees:
 - (a) in relation to the locations from which replacement trees will be sourced, the term 'local provenance' needs to be accurately defined in the ES;
 - (b) a detailed strategy for the felling, extraction and potential utilisation of trees and woodlands along the route should be included within the ES;
 - (c) a significant lack of protected species survey coverage surrounding the area of the HS2 track bifurcation (Curborough to Fradley) area;
 - (d) the numerous amendments to the DEFRA Biodiversity Offsetting Metric that have been adopted to create the HS2 metric for the calculation of biodiversity units;
 - (e) the conclusion in the ES that all habitats currently along the HS2 route of low distinctiveness (i.e. common habitats) are considered to be in poor condition;
 - (f) the relatively low level of multiple within the HS2 metric that is attributed to habitats previously deemed irreplaceable by the DEFRA metric;
 - (g) the provision that says that areas of the operational railway (e.g. cutting slopes, bare ground etc.) should count towards post development calculations as regards total habitat value; the exclusion of your Petitioner from inputting into decisions over which habitats are to be created (and in which locations);

- (h) assumptions made in the ES that any area where current habitat was unable to be surveyed due to access being unavailable can only be of moderate to poor quality.
43. It is vital that the deficiencies in the ES identified by your Petitioners are remedied by the Promoter of the Bill, whether by way of an addendum to the Environmental Statement or otherwise. One reason this is so important is that the Environmental Minimum Requirements, which have been produced by the promoter of the Bill in draft, contain important obligations which will fall on the nominated undertaker when constructing and operating the railway, and a number of those obligations are specifically tied in to the Environmental Statement and depend upon its accuracy.

Heritage

44. Your Petitioners have a number of concerns in relation to the way in which the Promoters have assessed heritage effects in the ES, and they request your honourable House to require the Promoter to provide additional environmental information in a number of important regards. Your Petitioners also have concerns about the methods that the Promoters have proposed for treating heritage assets once construction is underway. The deficiencies which need to be addressed include the following:
- (a) there is little information in the ES concerning the modelling of archaeological potential along the length of the route, the method employed or the detailed results of the modelling process. It is therefore unclear whether this modelling process has been fully considered and appropriately utilised to inform the design of archaeological evaluation and mitigation strategies;
 - (b) Historic Landscape Character must be fully considered along the length of the route and that the results must be used to inform the design of mitigation strategies and the future restoration and enhancement of the landscape;
 - (c) the impact of the scheme on the Grade I Listed Lichfield Cathedral must be fully considered and measures must be developed and adopted to minimise the impact of the route on the setting of this iconic building and its effect on Lichfield's skyline;

- (d) heritage assets that are affected by the proposals must be appropriately evaluated and mitigation strategies designed which are commensurate with the significance of the heritage assets and scale of impact upon them;
- (e) archaeological fieldwork at the construction stage must be followed by appropriate levels of post-excavation work and publication (including the publication of technical reports, academic volumes and popular publications to achieve a wider public benefit);
- (f) the Nominated Undertaker's historic environment consultant and archaeological contractor must develop a detailed archive deposition strategy (comprising a paper and finds archive) in liaison with Staffordshire County Council's Historic Environment Team and the museum or other institution that will accept the finds.

Land: clause 47: acquisition outside limits

45. Your Petitioners have specific concerns about clause 47 of the Bill. It provides the Secretary of State with power to acquire land compulsorily if he considers that the construction or operation of Phase One of High Speed 2 gives rise to the opportunity for regeneration or development of any land. Your Petitioners are particularly concerned about this clause because land which is in its area lies in close proximity to the railway. Your Petitioners do not understand why this clause is required at all and believe that it should be removed from the Bill. There are already adequate powers of compulsory acquisition in other legislation, notably the Town and Country Planning Act 1990, to enable compulsory purchase powers to be exercised by local authorities.

Landscape and visual: planning consultation

46. Given the scale and significance of the works in the District, as the local planning authority, your Petitioners seek to be consulted upon the detailed design of the landscape works. Your Petitioners have expertise that is able to adopt a strategic approach for the approval of detailed design which can then follow through to the Phase Two scheme.

Landscape and visual: study area

47. Your Petitioners have consistently voiced concern that in view of the height and extent of some of the proposed embankments and viaducts in the District, the landscape and visual study area is not sufficient. Indeed there is conflicting information regarding the spatial scope of the study: the ES Scope and Methodology Report states that the visual assessment area would be defined by the maximum extents of the Zone of Theoretical Visibility (ZTV) except in those locations where the proposed Authorised Works during construction or operation would be barely perceptible, whereas the Area Reports state that Landscape Character Area (LCA) and visual receptors within approximately one kilometre of the proposed Authorised Works have been assessed. Your Petitioners consider that this is inadequate in view of the fact much more extensive Zone of Theoretical Visibility that has been mapped and that detrimental impacts will be further reaching than described in the ES. Your Petitioners seek enhanced landscape and visual mitigation that will have wider reaching impact and this principle forms the basis for your Petitioners' proposals.

Landscape and visual: temporary works

48. Your Petitioners request assurances that ecological and landscape issues will be fully taken into account prior to establishing temporary compounds and materials storage locations. In particular landscape character and features that support ecological connectivity such as hedgerows, small woods, field trees and ponds need to be considered in compound location and design.

Landscape and visual: linear effects

49. Your Petitioners have consistently voiced concern that the visual and ecological impact of the line will extend beyond the limits of the land to be acquired and used. Your Petitioners accept that a combination of permanent mitigation earthworks and planting would reduce the effect of linearity of the railway and severance of the landscape. However your Petitioners consider that to achieve this properly throughout the line's visual envelope would require mitigation measures on land outside the Bill land limits, rather than only on severed land parcels and temporary working areas within the Bill limits. Strategically placed woodland and hedgerow planting beyond the Bill limits would also have the potential to improve visual mitigation for some receptors. As a minimum, locations where this approach should

be adopted include the area around Hints identified as a high quality landscape and in the vicinity of extensive high embankments to the east and north of Lichfield (which in any event your Petitioners believe should be lowered). Proposals should be informed by the findings of the ES (and therefore other areas would also need to be considered) and an integrated approach adopted to simultaneously deliver biodiversity enhancement and connectivity. Your Petitioners ask your honourable House to require the Promoters, in consultation with your Petitioners, to identify areas which would benefit from off-site planting in terms of landscape, visual, ecological connectivity and biodiversity enhancement and then take forward the process of additional land acquisition, if necessary using powers similar to clause 47 of the Bill but for the purpose of the provision of mitigation and advise the Secretary of State so that land can be acquired.

Local authority costs: CoCP compliance

50. Your Petitioners note that the Bill and the supporting documents adopt similar regimes to those which were established for the construction of the Channel Tunnel Rail Link and Crossrail. Your Petitioners will wish to ensure that the CoCP is complied with properly, and in that respect, your Petitioners will incur a great deal of expenditure. Your Petitioners wish to ensure that all of their reasonable expenses in monitoring construction sites are met by the nominated undertaker, together with expenditure incurred by your Petitioners in planning and programming activities related to the CoCPs and in enforcing them.

Local authority costs: authorisation costs

51. As part of the alternative consent regimes mentioned in this petition, your Petitioners must be able to recover from the promoter of the Bill or the nominated undertaker their full costs of processing applications. Your Petitioners note that the Bill provides the Secretary of State with the power to make an order relating to the payment of fees to the local planning authority in respect of requests for detailed planning consent. Your Petitioners are pleased to note this, but seek assurances from the promoter of the Bill about the level of those fees and the ability of the promoter of the Bill to cover their costs of dealing with all applications, not just those directly related to the planning provisions in the Bill, and taking enforcement action where necessary.

Sound, noise and vibration: interpretation of the National Planning Policy Framework noise guidance

52. Your Petitioners have worked closely over the last few years with other local authorities affected by the proposed construction and operation of the railway and there are concerns shared by many of those authorities and upon which common ground has been reached. One of these is a concern that the assessment of the potential noise impacts within the ES has not been conducted on a basis that is consistent with relevant national policy. There are a number of material aspects of the ES appraisal framework which are not consistent with national noise policy. With reference to the Noise Policy Statement your Petitioners are of the view that the Lowest Observed Adverse Effect Level (“LOAEL”) and the Significant Observed Adverse Effect Level (“SOAEL”) may not have not been correctly identified. These terms are adopted in the Government’s emerging planning guidance on noise. The guidance links them directly, in increasing severity, to four levels of effect:

- (a) effect;
- (b) adverse effect;
- (c) significant adverse effect; and
- (d) unacceptable adverse effect.

53. Your Petitioners are concerned that that the Promoters may not have mapped this clearly onto the EIA methodology and as a consequence may have underestimated significant adverse effects. As a consequence your Petitioners have concerns that the proposed noise and vibration mitigation may not be adequate. In the context of planning guidance. Your Petitioners are concerned about the adoption by the Promoters of LOAELs (Lower Adverse Effect Levels) and about the SOAELs (Significant Observed Adverse Effect Levels) that are standardised across the route, irrespective of the local circumstance. As a result, your Petitioners are concerned that this project could set a precedent in determining LOAELs and SOAELs which could impact on your Petitioners’ ability to control future planning applications. These concerns are shared by other local authorities on the HS2 route.

54. Furthermore, the adoption of a route wide system of LOEALS and SOAELS appears to go against the guidance on application of the National Planning Policy

Framework, which recommends that the existing noise climate around the site of the proposed operations, including background noise levels at nearby noise-sensitive properties, should be assessed. Your Petitioners suggest that the Promoters should be required to follow that guidance.

Sound, noise and vibration: basis of LOAEL

55. From the Health Impact Assessment published alongside but not as part of the ES it can be seen that the LOAEL set by the Promoter is based partially on dose response curves related to annoyance. These curves are based on the total noise experienced not just the noise from a particular source.

56. In addition, the method of identification of significant effects in relation to individual and small groups of properties means that a significant effect will only be identified where SOAELs set by the Promoter are exceeded. Below the SOAEL the method will not enable consideration of a change in noise levels (even though it has been assessed as a possible impact). Your Petitioners are concerned that when assessing significance for individual dwellings the Promoters do not take change in levels into account. The Council has concerns regarding the assessment methodology for operational airborne and groundborne noise. According to the Promoter's methodology, individual or isolated properties are only identified as automatically constituting significant effects in their own right when certain absolute noise levels, set as SOAELs, are exceeded. The Council is concerned that between the LOAEL and SOAEL the Promoter's approach to determining significant effects relies on judging the proportion of a community or clusters of properties subject to adverse impacts, and as such isolated or individual properties are automatically disadvantaged.

Sound, noise and vibration: use of 16 hour LAeq

57. Whilst it is accepted that the Promoters' use of a sixteen hour day time LAeq is standard practice, your Petitioners are concerned that this may mask the significance of impacts generated by the project in the evening when residents in your Petitioners' area have a reasonable expectation of peace and quiet and in the early morning. This principle also applies to the Promoters' use of an eight hour night time LAeq. Indeed, HS2 trains will only operate for three hours of this period. Your Petitioners are concerned that smoothing the data over an eight hour night time period may mask the significance of impacts particularly in the period between 11pm and midnight

when many residents are trying to get to sleep and five and seven in the morning when sleep patterns may be adversely affected. Your petitioners would like a re-assessment in their area for daytime, evening and night time periods as well as a spate assessment of shoulder hour operation.

58. Your Petitioners believe that a practical way to mitigate this effect would be to apply a speed restriction to trains in the evening period. Your Petitioners ask your honourable House to require that the Promoters undertake that a speed restriction of 300km/h or less will be applied to all trains running through the District between the hours of 8pm and midnight. Furthermore, your Petitioners ask that the Promoters be required to carry out an assessment of the reduction in noise levels that would arise from reducing train speeds in the period from 8pm to midnight and 5am to 8 am to a range of speeds between 275 and 300 km/h.

Sound, noise and vibration: night time assessment

59. Your Petitioners disagree with some of the parameters used to identify noise impacts. In particular, your Petitioners do not agree that a noise level of minimum 50 dB LpAeq,16hr day or 40 dB LpAeq,8hr night are the appropriate baseline levels, as these parameters preclude an effective relative impact assessment in rural areas where ambient noise levels are below 50 dB day and 40 dB night. Your Petitioners requires an undertaking that the relative change and impact in quiet tranquil areas are fully included in the assessment by utilising minimum baseline levels of 40 dB LpAeq,16hr day or 30 dB LpAeq,8hr at night

Sound, noise and vibration: barrier design

60. No proper information has been made available to your Petitioners about the design of noise barriers. Your Petitioners have a particular concern about this, because whilst barriers can be an effective way of mitigating noise, they can also be visually intrusive. Your Petitioners have some limited control over barrier design, but would also want the Promoters to ensure that local residents who will be significantly affected will have the opportunity to influence the barrier design.

Sound, noise and vibration: operational: maintenance of track and rolling stock

61. Your Petitioners are concerned to ensure that high standards are met in terms of the lifespan and maintenance of the running tracks, trains and rolling stock. Appropriate standards should be incorporated in the contracts between the Secretary of State and the Nominated Undertaker to ensure that the Nominated Undertaker meets those standards, that rail grinding activities will be carried out at a minimum frequency consistent with ensuring that no significant deterioration in operational train noise will occur and the only 'state of the art' equipment is used. Your Petitioners request that the Promoter provides a long term lifecycle assessment of noise and vibration variation with time to enable an appreciation of the likely fluctuations either side of maintenance activity.

Sound, noise and vibration: effect on gardens

62. High levels of construction and operational noise will lead to Mill House and Packington Moor Farm qualifying for noise insulation. Your Petitioners seek assurances that the Promoter will also investigate, and where practicable implement, other methods of providing mitigation against noise for people in the grounds of those premises, which are successful venues used for weddings and other events.

Sound, noise and vibration: baselines

63. Your Petitioners disagree with the Promoters' proposed maximum night time noise level criteria of 85 dB for fewer than 20 trains per hour and 80 dB for more than 20 trains per hours. For the avoidance of sleep disturbance World Health Organisation and BS8233 guidance identify a maximum internal level of 45 dB LAMax, equivalent to 65 dB externally. Your Petitioners believe lowering the LAMax level would result in a number of additional properties being identified as significantly affected and would require additional mitigation.
64. Your Petitioners seek further information on the noise model used for HS2 as based on the experience from HS1. Your Petitioners request that the Promoter carries out and provides details on the validation and calibration of HS1 measurement data so that confidence can be gained that the HS2 prediction model is accurate and appropriately validated.

Sound, noise and vibration: Rayleigh waves

65. Your Petitioners have concerns about the impact from Rayleigh waves and seek further details on the track design and the assessment of this potential issue. Your Petitioners note the promoter has recognised that Rayleigh waves may give rise to problems but seek assurances that where concern over soft ground conditions in certain locations exists, these areas will be identified and full remediation measures will be made known.

Sound, noise and vibration: mitigation

66. Your Petitioners are concerned that the indicative mitigation measures are based around train speeds of up to 360 km/h, yet the design of the railway will enable speeds of up to 400 km/h. Your Petitioners request that should the Authorised Works become operational the Promoters undertake a further noise and vibration assessment to demonstrate that mitigation measures identified in the ES remain appropriate.
67. Your Petitioners believe that all communities are entitled to the same degree of noise protection from the Authorised Works. Your Petitioners are concerned that the Promoters' view is that small and isolated communities subject to an adverse noise impact may not benefit from the level of mitigation that a larger community would receive. Your Petitioners request that the size of a community should not prejudice the degree of mitigation required and seek the Promoter to amend its noise assessment policy to include the effects on single and small numbers of properties.
68. Your Petitioners are concerned that where the proposed railway joins the West Coast Main Line at Handsacre the intensification of train movements on this section will have a significant noise impact on the Handsacre community and in particular Hayes Meadow Primary School. Your Petitioners are concerned that this was not fully assessed in the ES and request that this fully assessed in order that appropriate mitigation is identified and implemented before any works commence.

Operational railway: management zone for phases one and two

69. Your Petitioners request your honourable House to require the Promoters to establish a special management zone for the area where Phase One and Phase Two will meet.

Processes should be put in place to ensure the comprehensive coordination of project activity between Phase One and Phase Two in the District. The processes should include the appointment of a specialist project manager to be a single point of contact and to coordinate the impacts on everyone who is affected by the planning and construction of HS2 in this area.

70. Your Petitioners note that the periods within which the deemed planning permission under the Bill must be implemented and by which the powers of compulsory acquisition must be exercised are both capable of being extended by order of the Secretary of State. Your Petitioners submit that the Bill should be amended by your honourable House so that those powers to extend time periods should only be exercised in order to ensure proper coordination between Phase One and Phase Two, should Phase Two be delayed for any reason. Your Petitioners would ask your honourable House to make it clear to the Promoters that any Bill for Phase Two should not contain any similar time extensions. Your Petitioners have particular concerns in this regard in relation to the proposed Streethay temporary rail sidings. Your Petitioners would not wish to find that these sidings are used for Phase one and the land restored only for them to be re-established for use in Phase Two.
71. Your Petitioners respectfully ask your honourable House to require the Promoters to undertake that the Phase One works will all be constructed together as one project, so that disturbance and blight in your Petitioners area will not be protracted necessarily.

Operational railway: Effect on existing rail services

72. Your Petitioners share many of the concerns that have been raised by Staffordshire County Council in their petition about rail connectivity and Staffordshire, but specifically in relation to Lichfield residents and business people:
- (a) the consequences for rail services and investment in rail infrastructure in the District and in particular services at Lichfield Trent Valley Station on the West Coast main line;
 - (b) the deterioration of rail services generally between Staffordshire and London;
 - (c) longer journey times for rail users accessing the network at Lichfield travelling to the north and south;

- (d) disruption to rail services during construction of the proposed works;
 - (e) capacity for classic services at Euston;
 - (f) mitigation of additional use of existing stations in the District arising from HS2.
73. Your Petitioners request your honourable House either to amend the Bill or require the Promoter to enter into undertakings that will meet the concerns mentioned in the preceding paragraphs. Your Petitioners proposals include undertakings from the Promoters as follows:
- (a) that services linking Lichfield to London and the north west will not be reduced to levels of frequency that are lower than those existing and that Lichfield Trent Valley Station will continue to serve as a key transport interchange as part of any new transport network, including High Speed rail;
 - (b) that the relevant train operating company and the Office of Rail Regulation will be required to consult your Petitioners on the timetabling proposals for classic compatible services stopping at Stafford and Stoke-on-Trent as well as classic rail services serving other stations in the District, including Lichfield Trent Valley, following construction of both Phases of HS2;
 - (c) that the Promoter will provide a clear explanation of the impact on service performance during construction of both Phases of HS2, using the baseline train service pattern, as stated in Tables 6.6 and 6.7 from Volume 3 of the ES;
 - (d) that detailed information will be provided by the Promoter to your Petitioners about how the existing service performance will be continued during and after construction given the number and length of platforms that will be available at Euston.
74. Your Petitioners reserve their position generally so far as Euston Station is concerned, given that further significant changes are likely to be announced as a result of the response of the Promoters to the review of Sir David Higgins.

Planning: Conditions

75. Your Petitioners note that the planning regime set out in the Bill is very similar to that contained in both the Channel Tunnel Rail Link Act 1996 and the Crossrail Act 2007.

However, there is one significant difference that causes Your Petitioners considerable concern, namely sub-paragraph 2(7) of Schedule 16 to the Bill. That sub-paragraph says that the relevant planning authority may impose conditions on approval of plans and sections only with the agreement of the nominated undertaker. This tautological provision could render the planning authorities unable to impose conditions and should be struck from the Bill. Your Petitioners' concern applies to any other provision in the Bill in which authorities are given powers to impose conditions or other matters, only with the agreement of the nominated undertaker.

Planning Considerations: Compounds

76. Your Petitioners request assurances that ecological and landscape issues will be fully taken into account prior to establishing temporary compounds and materials storage locations. In particular landscape character and features that support ecological connectivity such as hedgerows, small woods, field trees and ponds need to be considered in compound location and design.

Socio-economics: economic impact assessment methodology

77. Whilst it is noted that possible employment loss in agricultural businesses as a result of the proposed scheme is being estimated at a route wide level, Your Petitioners believe the Promoters should assess possible losses on a community forum area basis because some areas are likely to be impacted at a different level from others. At a route wide level, these impacts can be obscured. Your Petitioners therefore ask your honourable House to require that the ES be supplemented in this regard.

Socio-economics: Impact of highway works on economy

78. Your Petitioners are concerned that there appears to be no reference within the Environmental Statement about the cumulative effects of construction on the ability of transporters of goods and providers of services to use the highway network during construction. The network will be impacted by increased construction traffic, road closures, diversions and other traffic management measures. Such impacts can have an effect on the local economy by impeding on the free flow of such goods and services. Your Petitioners requires an assurance that the promoter will consider these cumulative impacts and provide clear detailed information on how this will be addressed when they implement highway measures under the powers of the Bill.

Socio-economics: severance and ransom

79. Your Petitioners seek assurance that the promoter has considered how HS2 will restrict future growth within areas through which it will pass in Lichfield. Prime agricultural land will be lost along with a significant amount of land that may be required to meet future employment and housing needs. The railway also has the potential to be a significant barrier to the future expansion of settlements, employment sites and infrastructure projects. Your Petitioners are concerned about the barrier effect that railway schemes can present, with unreasonable requirements, often purely financial, being imposed by railway infrastructure operators when bridges or tunnels need to be constructed over or under railways.
80. In order to prevent that issue arising in relation to HS2, your Petitioners seek an undertaking from the Secretary of State that a mechanism will be put in place to prevent the Nominated Undertaker restricting future growth by acting as a barrier to the development of land for employment and housing, constraining the expansion of urban settlements and dissuading investment in infrastructure projects. If a need arises to provide a road crossing over or under the line the nominated undertaker should work proactively with the promoter of the scheme and in the interests of economic growth nationally, and relinquish any claim they may have for an uplift in the value of any land that is opened up for development as a result of the creation of the road.

Socio-economics: long-term local employment

81. The construction of the works authorised by the Bill will provide additional employment in the District, not just directly on the construction sites, but indirectly as well. Your Petitioners seek a commitment that the nominated undertaker will use the local workforce and supply chain during construction of the scheme, offering opportunity for skill development and apprenticeships.

Socio-economics: support for local businesses and tourism

82. Your Petitioners are concerned that local socio-economic impacts have not been identified properly by the Promoters and no local mitigation has been proposed. The emphasis has been on a whole-route appraisal of the economic impacts. A number of businesses of significant local importance will be directly and indirectly affected by the

Bill. Your Petitioners have expended a great deal of effort during the recent recession in supporting local businesses and promoting economic growth in the District. In those areas most affected by the construction of the works authorised by the Bill, there will be a severe negative effect on local businesses, and no corresponding economic gain. Your Petitioners are keen to explore ways in which the Promoters and the Nominated Undertaker can assist your Petitioners in helping local businesses affected by the works and who will not be adequately compensated by the compensation code. Also, the compensation code will do nothing to address the overall perception that some people may have about the level of disruption to the area in general.

83. Your Petitioners request your honourable House to require the promoters to put in place a funding strategy that will help your Petitioners to better support affected local businesses, maximise skills and training opportunities arising from the construction of the works, promote local employment and procurement opportunities in relation to the construction works, and fund an initiative that ensures that the public knows that the District is open to business and tourism during the construction programme

Socio-economics: business relocation strategy

84. Inevitably, the construction of the works will require that a number of local businesses in the District will need to be relocated. Your Petitioners request your honourable House to require the Promoters to develop and implement, in partnership with your Petitioners, a business relocation strategy for affected businesses, to include the provision of advice and guidance over and above simple after the event compensation payment under the compensation code, and in particular to take proactive measures in assisting businesses finding sites preferably within Lichfield District , arranging finance and relocating in advance of the time when land acquisition takes place.

Socio-economics: business communications strategy

85. It will be essential that businesses are able to plan in advance for any disruption caused to them as a result of the construction of the works. Your Petitioners are keen to ensure that the Promoters and the Nominated Undertaker develop an effective communications strategy that is aimed at keeping businesses, including tourist facilities in the District updated on detailed work plans, and your Petitioners ask your honourable House to make provision accordingly.

Socio-economics: business rates relief

86. It is very likely that businesses will suffer a downturn in trade as a result of the construction of the works, particularly during the construction phase. Your Petitioners consider that it would be fair for those businesses who are so affected to be provided with some relief from business rates, and your Petitioners request your honourable House to require the Secretary of State to make such provision as is reasonably necessary in this regard to assist businesses who can demonstrate that they have been adversely affected by the construction of the works.

Socio-economics: loss of business rates

87. It is very likely that a large number of businesses in the District will be affected by the impacts of the construction of HS2. Unfortunately, your Petitioners can envisage businesses closing in the most badly affected area. How that can be prevented is dealt with elsewhere in this petition. In the unfortunate event that businesses are forced to close, or there is a general lowering in the rateable values of commercial property as a result of the construction of the works, there will be losses of income to your Petitioners through the business rates. Your Petitioners request your honourable House to require the Promoters to put measures in place to alleviate that financial impact.

Traffic and transport

88. Your Petitioners support SCC on the points which they make in their petition as highway authority about traffic and transport, and in particular the following issues:

- (a) concerns about the effects of construction traffic at the A38 Hilliards Cross junction, Fradley Park, roundabouts on the A5127 and Cappers Lane, Broad Lane and Cricket Lane;
- (b) highway design and in particular the use of visibility splays;
- (c) maintenance of earthworks that support highway;
- (d) management and operation of regime for highway accesses under Part 1 of Schedule 4 to the Bill;

- (e) the length of the maintenance period for new or altered highways under Part 3 of Schedule 4 to the Bill;
- (f) remedial and repair works to the highway, bridge strengthening and highway condition surveys;
- (g) carriageway pre-strengthening prior to the start of construction;
- (h) protection of public rights of way;
- (i) the impact of construction traffic access and egress at construction sites and the location of accesses.

Vertical limits

89. Your Petitioners note that the nominated undertaker is empowered under the Bill to construct any of the scheduled works within the limits of deviation shown on the deposited plans and would be empowered to deviate vertically upwards to any extent not exceeding 3 metres from the level shown for the work in question on the deposited sections. Furthermore, the nominated undertaker would be empowered to deviate vertically upwards by any extent in respect of works authorised by the Bill which are not scheduled works. Your Petitioners consider that the upward limits of scheduled works should be limited at the following particularly sensitive areas, so that only 1 metre's latitude is allowed and that suitable limits should be imposed in respect of other works. Those areas are:

- (a) the viaduct at the Parishes of Drayton Bassett and Middleton;
- (b) the Parish of Hints with Canwell from CH176.000 to CH178.000;
- (c) The Parish of Swinfen and Packington from CH179.000 to CH181.000;
- (d) The Parish of Fradley and Streethay from CH183.000 to CH186.000;
- (e) The Parish of both Fradley & Streethay and Kings Bromley from CH187.000 to CH189.000.

Waste and minerals

90. Your Petitioners support the points being made by Staffordshire County Council in their petition about waste and minerals, in their capacity as waste and minerals authority. In particular, those points include:
- (a) minimisation of the use of primary aggregates for the construction of the works and using secondary or recycled aggregates instead, where appropriate;
 - (b) formulation of appropriate disposal schemes;
91. As local planning authority, your Petitioners have particular concerns about the use of “sustainable placement” in the District. “Sustainable placement” appears to be a euphemism for the on-site placement for disposal of spoil, in order to avoid causing environmental effects (for example transportation effects) that would otherwise be associated with the off-site disposal of that material. Should the excavated material prove to be unsuitable then the development and use of borrow pits may be appropriate. If that should transpire, then your Petitioners seek a commitment from the Promoters that the Nominated Undertaker will be required to comply with the relevant minerals local plan policies.

Site visits and local committee sittings

92. Your Petitioners believe that it would be advantageous if the Select Committee of your Honourable House were to visit the District to see the sites of the proposed works and respectfully asks that it do so. It would also be of considerable benefit if some of the formal sessions of the Committee were to be held in the District, since a number of individuals within Staffordshire, your Petitioners understand, intend to petition in person and could more easily appear on their petitions at such sessions.

General

93. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, their counsel, agents and witnesses in support of the allegations of this petition, against so much of the Bill as affects the property, rights, and interests of your Petitioners and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

SHARPE PRITCHARD LLP

Agents for Lichfield District Council

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

P E T I T I O N

of

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