

**IN PARLIAMENT**

**THE HOUSE OF LORDS**

**SESSION 2015–16**

**PETITION** against the

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL**

**Against** – on Merits – Praying to be heard by Counsel, &c.

**THE HUMBLE PETITION of HERTFORDSHIRE COUNTY COUNCIL**

**YOUR PETITIONER DECLARES** that:

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your noble 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 Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes."
2. Your Petitioner is specially and directly adversely affected by the whole Bill.

**YOUR PETITIONER**

3. Your Petitioner is the local authority for the county of Hertfordshire (hereinafter called "the County") as established under the Local Government Act 1972 ("the Act"). The Act conferred significant powers and duties upon Your Petitioner, and subsequent enactments have further increased the scope of these powers and duties. Overall, your Petitioner is responsible for the provision of public services in the County and amongst other functions, your Petitioner is the highway and traffic authority for most roads within the County.
4. Works authorised under the Bill would be carried out within the County and your Petitioner and the County's inhabitants are injuriously affected by the provisions of the Bill, to which your Petitioner objects for the reasons amongst others, hereinafter appearing.

## YOUR PETITIONER'S CONCERNS

5. Your Petitioner is supportive, in principle, of the proposal to construct a new high speed railway between London and the West Midlands ("HS2 Phase 1"). The petition against the original Bill for HS2 was withdrawn following assurances from HS2 in relation to slip roads onto the M25 and footpath diversions. Those assurances have dealt with a number of your Petitioner's concerns and include:
- (a) dedicated slip roads onto the M25 to be provided to alleviate traffic on the locality;
  - (b) diversion of the Bridleway Rickmansworth 004 along Shire Lane; and
  - (c) works on Tilehouse Lane.
6. However, the Bill contains significant changes since the original assurance was sought. In particular, the significant alterations include:
- (a) the extension to the Chiltern Tunnel by 2.6km;
  - (b) an increase in material excavated;
  - (c) an increase in vehicle movements;
  - (d) an extension in time for construction;
  - (e) the loss of sustainable placement area 2;
  - (f) the use of slip roads by all construction compounds; and
  - (g) the utilisation of natural resources.
7. Your Petitioner sets out below more detail on certain of the above issues, but in many cases, those assurances make provision for further information from HS2 and confirmation that mitigations will be implemented to deal with your Petitioner's concerns.

### *Extension to the Chiltern tunnel and increase in material excavated*

8. The Bill provides for the HS2 route to pass beneath part of the Chilterns Area of Outstanding Natural Beauty ("AONB"). A 13.5km tunnel would commence south of the M25 and emerge at Mantle's Wood in the Central Chilterns.
9. In response to the petitions regarding the Chilterns AONB, the High Speed Rail Bill Select Committee recommended that the Chiltern tunnel be extended by 2.6km from Mantle's Wood to the location of the South Heath tunnel north portal in the original scheme. Your Petitioner has a number of concerns about the extension of the

Chiltern Tunnel. The extension of the tunnel will result in an increase in material excavated, an increase in vehicle movements and an increase in construction time.

10. The extension to the Chiltern Tunnel will result in larger volumes of material being excavated from the southern portal, where the amount of spoil arising from its construction would increase by 19%. The Environmental Statement produced to accompany the Bill lacks clarity regarding the amount of additional material that will be extracted as a result of this extension and its method of disposal. Your Petitioner requests that the Promoter be required to provide information regarding the exact volume of spoil arising from the construction, to the nearest 100 tonnes, and assurance that spoil entering the County will only be spoil arising from the extension to the Tunnel and not from other works for HS2 Phase 1.
11. Supplementary Environmental Statement 3 produced to accompany the Bill suggests the total quantity of surplus excavated material that will require disposal during construction will be approximately 12,573,420 tonnes. Failure to deliver details regarding the amount of excavated material and where the excavated material will be disposed of will extend disruption to the local area and detrimentally impact on the local people. With the loss of the sustainable placement area 2, there is a greater issue regarding where the extra material excavated is to be relocated. Your Petitioner requests that the Promoter be required to provide a precise figure of additional material to be deposited in the County to fully assess its potential impact.
12. Your Petitioner raises these issues given the importance that it places not only on the environment, with the increased significant adverse landscape and visual effects, but also the health effects of removing this additional material through the tunnel's south portal.
13. To deliver this commitment, your Petitioner requests that the Promoter be required to provide further information, confirming the amount of materials to be excavated and deposited, detailing the manner it will be excavated and providing information on what landscape mitigation will be undertaken both during and post construction. Your Petitioner requests detailed plans showing the proposed profiles and sections, before and after profiles, isopachyte drawings, and a detailed landscape impact assessment. Further, Your Petitioner seeks an assurance that only trees grown in the United Kingdom and native to the United Kingdom will be used for any tree planting.

*Extension of time for construction – fauna and land management impacts*

14. According to the Transport Assessment accompanying the Bill, updated on 30 October 2015, due to the extension to the Chiltern Tunnel, the duration of the movement of excavated material will be increased from approximately one year to approximately four years. Further, the construction activity, including but not limited to heavy plant machinery and construction compounds, will be in place for longer. This causes greater significant adverse landscape and visual impacts.
15. With the extension of time for construction, a greater length of time will be required before surrounding lands are restored, which in turn results in a greater impact upon returning populations of fauna. For example, the population of Corn Buntings found on the land, which is a species highlighted on the RSPB's list as critically rare and classified as Red List species under the Birds of Conservation Review, will be displaced as a result of HS2.
16. Your Petitioner asks that the Promoter be required to provide further information on and a plan for the longer term land management objectives, aftercare provisions and what ecological gains can be brought forward as a result of the scheme. Your Petitioner submits that this is required to set out fully how the affected areas of the County will be restored after the construction phase. Such a plan should include a mechanism for on-going management and aftercare of the new final restored landform. Your Petitioner submits that by providing this information and plan, the Promoter would better minimise the impacts on the County and its inhabitants.

*Rights of Way*

17. As a result of the extension time for construction, the temporary measures put in place on Right Of Way 50 will remain in place for an extended period of time. Your Petitioner therefore seeks an assurance that the design and width of the temporary alternatives are maintained at a minimum of 3m width for footpaths and 5m wide for bridleways to mitigate the adverse impact upon amenity. Further, your Petitioner requests that the Promoter be required to update the Environmental Statement to reflect these changes proposed in the Bill.

*Increased vehicle movements – road safety and air quality*

18. Your Petitioner has concerns in relation to the volume of vehicle movements that will occur in a concentrated area on the M25 slip road and that the County may not be able to cope with the significant increase in construction road traffic activity. Your Petitioner considers that the increased vehicle movements predicted will adversely affect road safety and increase levels of nitrogen dioxide.

19. The construction of the proposed scheme will result in additional vehicles. If this is not properly managed, this could potentially adversely affect the safety of pedestrians, cyclists and equestrians. Your Petitioner petitions for the Environmental Statement or the Health Impact Assessment document to be updated to reflect the increase in vehicle movements that will occur on the M25 slip road. Your Petitioner requests the Promoter to submit air quality monitoring data at least on a quarterly basis and agree with the local authority and Hertfordshire as public health authority where the monitoring points will be. Your Petitioner requests that the Promoter be required to produce specific detailed local traffic management plans for Maple Cross, access routes to the Chiltern Tunnel and all the construction compounds associated with the Chiltern Tunnel. This should include detail on penalties for non-adherence, records of monitoring and enforcements carried out. This information should commence at the pre-application stage and is to be made available to the local authority upon request. Further, the Promoter should commit to provide monies for additional mitigation that may be required during the duration of the construction of the authorised works.
  
20. The increase in vehicle movements will result in additional nitrogen dioxide, which is caused largely by diesel engines. The Environmental Statement does not reflect the increased vehicle movements that will occur on the M25 slip roads and therefore does not account for the potential increase in nitrogen dioxide. Your Petitioner seeks assurance that this will be updated to reflect the changes. Further, Your Petitioner petitions for monitoring of nitrogen dioxide levels during construction and for mitigation to be put in place if the thresholds were exceeded. Your Petitioner requests that the Promoter be required to provide fine particulate monitoring as soon as possible to enable a preconstruction baseline to be developed.

*Natural resources*

21. Your Petitioner requests that the Promoter be required to provide additional information regarding what natural resources will be utilised in the construction of HS2. This is considered to be a significant secondary effect of the development. Your Petitioner asks that the Promoter be required to provide information regarding the types of aggregate, the volumes expected to be used and where this will be expected to be sought from. This is important for the purposes of reviewing and maintaining a bank of mineral supply in order to mitigate potential impact on the mineral resources of the County.

Your Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers the Bill.

AND YOUR PETITIONER REMAINS, &C.

A handwritten signature in black ink, appearing to read "Pinset Masons LLP", written over a horizontal line.

PINSENT MASONS LLP

Parliamentary Agents for Hertfordshire County Council

18 April 2016