

Executive

Response to Department for Transport Consultation on High Speed Rail

4 July 2011

Report of Strategic Director, Planning, Housing and Economy

PURPOSE OF REPORT

To enable Members to agree the proposed responses to the seven questions posed in the Department for Transport's consultation upon High Speed Rail with respect to both the proposed national high speed rail strategy and on the recommended line of route for an initial London to West Midlands section of the railway.

This report is public

Recommendations

The Executive is recommended:

- (1) To agree that the Council should make representations in response to Consultation questions 1-3 objecting to the national high speed rail strategy in general accordance with the comments expressed in Section 3 of this report , those made by the "51M" group to the Transport Select Committee, and subject to the agreement of the Lead Member for Planning, in accordance with the "51M " group's further comments on this matter
- (2) To agree that the Council should make representations in response to Consultation questions 4-6 expressing severe concerns about the paucity of information and concerns about several details of the scheme as consulted upon in general accordance with the comments contained in sections 4-6 of this report, and subject to the agreement of the Lead Member for Planning in accordance with any further representations made on behalf of "51M" as a critique of the Appraisal of Sustainability
- (3) To agree that the Council should make representations in respect of Consultation question 7 in accordance with the comments in Section 4.33-4.34 of this report
- (4) To delegate to the Strategic Director of Planning Housing and Economy , in consultation with the Lead Member for Planning, the final wording of the consultation responses to be made in general accordance with recommendations 1-3 above

Executive Summary

Introduction

- 1.1 The Executive considered a report on 7 March 2011 informing them of the Department for Transport's then recently commenced consultation. The Executive resolved to:
- (i) Agree to join with other local authority along the preferred route to campaign against the proposals.
 - (ii) Agree to make available up to £50k from the Planning Control Reserve
 - a) as a contribution towards the fund being formed to campaign against the proposals.
 - b) to fund ancillary work required to assist in the detailed assessment of the impact upon individual properties and amenities
 - c) delegate to the SDPHE and portfolio holder the final distribution of the funding.
 - (iii) to ask the Planning Committee to steer the detailed assessment of impact and to make the Council's representations thereon
 - (iv) to require the SDPHE to bring a further detailed report to the Executive towards the end of the consultation period to enable consideration of the Council's formal response to the consultation.

This report seeks to cover (iii) and (iv) above. The Chairman of Planning Committee has agreed that consideration of this report by the Planning Committee would be repetitious and superfluous.

- 1.2 The Department of Transport issued copious amounts of documentation to assist in considering the consultation.

These are listed and explained at para 2.1 below.

They can be viewed on the library pages of the DFT website (<http://www.highspeedrail.dft.gov.uk>) and a full hard copy set is available in the Members Room.

- 1.3 Conclusions

- Based on the analysis undertaken by the "51M" group of Councils your officers consider that the economic case for the London-Birmingham and Y network proposed is seriously flawed and that the Council should object to the proposals
- There are substantial concerns about the impact of these proposals upon communities and individual properties in the District as set out in Sections 4-6 of this report. Furthermore the Consultation lacks the level of detail necessary for precise impacts upon individual properties to be ascertained. As a result the Consultation is seriously flawed

Background Information

2.1 The Department of Transport has issued a suite of documents to support and explain their case for the proposition of a high speed rail network in the UK and for the specific first phase of the construction of HS2 from London to the West Midlands. The documents are:

- (i) the main consultation document which sets out the case for the national high speed rail network and the national high speed rail strategy in Part 1 and explains the government's proposals for HS2 London-West Midlands.
- (ii) a consultation summary document (which is attached as Appendix 1)
- (iii) the economic case for HS2 (the Y network and London – West Midlands). This deals with passenger demand, the benefits, costs and economic impact of the proposed Y network, presents an economic appraisal and the case for a new conventional speed line and tests their assumptions.
- (iv) the London-West Midlands Appraisal of Sustainability (AOS). This consists of a main report (in two volumes) which provides a scheme description, explains the process policy drivers, sustainability baseline, and looks at a wide variety of sustainability issues ranging from archaeology and biodiversity impacts to noise and vibration and waste generation. The AOS also has six separately bound appendices dealing with 1) the appraisal process, 2) Greenhouse gas emissions, 3) socio-economic report, 4) associated assessment reports, 5) technical reports and 6) preferred scheme and main alternatives. There is also a non-technical summary which I have attached as Appendix 2.
- (v) HS2 Route Engineering Report which describes the proposals section by section of the line. At Appendix 3 I provide the four pages dealing with the section through Cherwell's area. There is also a general description of the proposed railway construction.
- (vi) HS2 Strategic Alternatives Study which provides an explanation of the London to West Midlands rail alternatives and is also an update to the Economic Appraisal.

2.2 In October 2010 the Council resolved that:

"This Council notes the Government proposal for a high speed rail route from London to Birmingham and that the publicised route impacts on villages in this District. This Council believes that there is an insufficient business case for this proposal. This Council therefore instructs officers to prepare a report to the Executive setting out how the Council will campaign with like minded neighbouring Councils to stop HS2".

2.3 In March 2011 a report was presented to Executive. As noted at 1.1 above the Executive agreed to the Council joining a grouping of Councils all along the line whose aim was to oppose the proposal. This group is now known as "51M". The name derives from the cost of this proposal to every constituency in the United Kingdom of £51m. Oxfordshire County Council is not a part of this grouping, but they have recently resolved "to oppose the proposals on the grounds that over £750m will apparently be spent on developing the scheme when that money could provide better value for money by implementing

schemes already worked up that will deliver economic growth across South East England and Oxfordshire". The Spatial Planning and Infrastructure Partnership (SPIP) are also considering their position, and are likely to have concluded similarly by the date of the Executive.

- 2.4 Given the complexity of assessing the business case, which needs specialist transport economic knowledge, and the complexity of assessing some of the technical aspects of the case which are common to all the authorities conjoined as "51M", the group has instructed a range of consultants to prepare reports that provide a critique of the business case, and enable a cogent argument to be deployed. Consultants will also provide the group with other technical reports assisting in the overall consultation response.
- 2.5 Alongside the governments' consultation the House of Commons Transport Select Committee is also looking at the governments' high speed rail proposals. The work of the consultants instructed by "51M" has been first used to make a submission to that Committee. I provide at Appendix 4 the covering letter and main arguments which have been submitted by 51m on this Council's behalf (with the Lead Member's agreement.) to the Transport Select Committee. These arguments were supplemented by a 200 page 15 chapter document.
- 2.6 Further work is underway to add to the above document to complete "51M"'s submissions to the DFT consultation. It is hoped that this will be available during June to enable the Executive to endorse that document as representing this Council's position on the part one questions posed in the consultation. It is also hoped that 51m will provide a critical analysis of the Appraisal of Sustainability in the same timescale.
- 2.7 It will be seen on page 23 of the consultation summary (Appendix 1 of this report) that the government seeks views upon the consultation under seven headings/questions.

1. This question is about the strategy and wider context:

Do you agree that there is a strong case for enhancing the capacity and performance of Britain's inter-city rail network to support economic growth over the coming decades?

2. This question is about the case for high speed rail:

Do you agree that a national high speed rail network from London to Birmingham, Leeds and Manchester (the Y network) would provide the best value for money solution (best balance of costs and benefits) for enhancing rail capacity and performance?

3. This question is about how to deliver the Government's proposed network:

Do you agree with the Government's proposals for the phased roll-out of a national high speed rail network, and for links to Heathrow Airport and to the High Speed 1 line to the Channel Tunnel?

4. This question is about the specification for the line between London and the West Midlands:

Do you agree with the principles and specification used by HS2 Ltd to underpin its proposals for new high speed rail lines and the route selection process HS2 Ltd undertook?

5. This question is about the route for the line between London and the West Midlands:

Do you agree that the Government's proposed route, including the approach proposed for mitigating its impacts, is the best option for a new high speed rail line between London and the West Midlands?

6. This question is about the Appraisal of Sustainability:

Do you wish to comment on the Appraisal of Sustainability of the Government's proposed route between London and the West Midlands that has been published to inform this consultation?

7. This question is about blight and compensation:

Do you agree with the options set out to assist those whose properties lose a significant amount of value as a result of any new high speed line?

The Case Against a New High Speed Rail Network

3.1 The economic case for HS2 is made in the consultation document of that name referred to in para 2.1(iii) above. It concludes that there is a strong case for a high speed rail network based on the Y configuration. They say that a cautious strategic level assessment of the Y configuration shows a Benefit Cost Ratio (BCR) of 2.6. BCR represents the level of benefit per pound spent by government e.g. if a scheme generates £2 for every £1 spent that gives a BCR of 2.0. The London – Birmingham section as a stand-alone proposition falls down to 2.0 (still offering a positive economic case). By their own figures if one excludes wider economic impacts (which are highly unpredictable and difficult to measure) this falls even lower to 1.6.

3.2 "51M"s experts however fundamentally disagree with this conclusion. In their analysis the following issues arise:

- a) There are much cheaper incremental alternatives, which can best meet the forecast demand but in a quicker and more responsive manner.
- b) Demand forecasts are optimistic.
- c) The rail industry has a poor record of passenger forecasting.
- d) The level of service provision proposed is over optimistic and undeliverable.
- e) High speed rail will not achieve modal shift from air and therefore will not achieve the climate change benefits ascribed to it.
- f) The benefits assumed are too high.
- g) The scheme will have little impact upon rebalancing the current regional economic imbalances.
- h) It will have negative impacts upon existing rail users in many cases.
- i) Little or no justification proven for the Heathrow or HS1 links proposed.

- j) HS2 is critically different to the European examples that DfT rely upon to justify their regional economic case.

In the following paragraphs I seek to expand upon each of these issues/criticisms. More detail can be found in Appendix 4 and even more in the source document of “51M” ’s full submission to the Transport Select Committee.

- 3.3 The DfT’s economic analysis is based upon an unrealistic “do-minimum” comparator to test the business case for HS2 against. There are better alternatives that could have been used as comparators. The chosen approach is contrary to the basic principles of undertaking a business case analysis and has led to a distorted picture as to the need for and benefits of HS2. Issues about the level of passenger growth and the value of time saved are open to subjective judgement. Huge increases in capacity can be produced on the relevant parts of the network with relatively simple and far cheaper steps than HS2, which will address current overcrowding issues earlier than the 2026 opening of HS2. These incremental steps include the impact of Evergreen 3 on providing alternative and almost as quick journeys between Birmingham – London as on the main line, thereby relieving pressure on Euston; changing configuration and lengthening West coast main line trains; managing peak demand through ticket pricing; and undertaking infrastructure capacity improvements at pinch points. These measures could produce over 200% capacity improvement at substantially lower cost (see para 13 and Table 1 in Appendix 4).
- 3.4 Demand growth – The DfT have used assumptions of growth derived from extrapolating forward for 35 years a level of growth for long distance rail travel over the last 15 years which has been unprecedented. Forecasting is inherently uncertain but to take a period of exceptionally high growth is certainly not a conservation approach. A significant error of this type in growth forecasting undermines the Benefit Cost Ratio (BCR) which would fall to a level below the normal test for government supported projects.
- 3.5 Furthermore, the rail industry has a poor record of forecasting demand for major rail projects. For example on HS1 it was predicted that by 2006 25 million passengers would be using that system, whereas the true figure is only 9 million. It would appear that lessons have not been learned from that mistake. It is considered that the international examples that DfT utilise are not reliable comparisons as they sit differently in high speed and classic rail contexts and should not be used to base assumptions about traffic growth.
- 3.6 Service provision – The business case is based on being able to operate up to 18 trains per hour in each direction, and is said to be based upon technological improvements to signalling systems. Based on experience in other countries the maximum realistic capacity is 12-15 trains per hour. A reduction of this order, together with the use of some of the train paths for trains to/from Heathrow and to enable connection to HS1 will significantly reduce the available range and frequency of HS2 services between London and West Midlands. This reduction in train numbers will have a major impact on the business case. Concern is also expressed about the reliability of the service when high speed trains are entering the system having been utilised for part of their overall journey on the classic rail network further north. This is likely to result in these trains being late causing severe issues for the high

speed service.

- 3.7 Modal shift – There are no air services from Birmingham to London. Whilst Manchester is served from London other air routes are from further north. Therefore in Phase 1 (London – West Midlands) it is highly unlikely to achieve any shift, and even on the Y only Manchester really represents a possibility as the journey time savings from further north are not significant.
- 3.8 Benefits – In the economic case the DfT have assumed that time spent on trains is wasted for business travellers. They have taken no account of modern technology which allows such travellers to use their time on the train productively. This assumption seriously undermines the benefits assigned to HS2 in their business case. £18bn of the £44bn benefits are said to be from the benefit of shorter journey times, of which £14bn is based on business traveller's time. If this benefit is removed the BCR is seriously undermined still further (potentially to less than 1.0 for Phase 1 and 1.2 for the Y system).
- 3.9 Rebalancing the national economy – The DfT emphasises the desirability of rebalancing the economy and reshaping the economic geography of the UK. However it is well established in academic literature that the benefits of high speed rail between regional centres and a dominant capital city are likely to go to the capital rather than the regional centres. Therefore whilst the regional centres may gain something from the new network a significantly greater benefit will be seen in London.
- 3.10 Impact upon existing rail users. Considerable research has been undertaken by Christopher Stokes (a consultant acting for "51M") into the service disbenefits of HS2. In the main documentation submitted to the Transport Select Committee (supporting Appendix 4 to this report) a large number of individual impacts upon West Coast main line services, the West Midlands suburban network, Midland main line, East Coast main line and Great West main line are itemised. As far as Cherwell is concerned it is predicted that there will not be any negative impacts upon the Chiltern Rail service, although I think it can be envisaged that there may be a small diversion of current trade onto HS2, dependent upon the pricing structures of the two lines.
- 3.11 Justification/impacts of HS1 and Heathrow links. The DfT proposal involves linking HS2 to Heathrow and to HS1. The passenger forecasts are far too low to make this an economically viable proposition. Train paths made available for trains going to and from Heathrow and to and from HS1 (i.e. through trains to/from continental Europe) will detract from the number of London – Y network and West Midlands trains, to the detriment of the business case.
- 3.12 It is recommended that the above comments in Section 3, be used as the Council's responses to the first 3 questions in the consultation, together with the endorsement of the 51m comments which will be reported upon when received.

Anticipated Impact Upon Cherwell

- 4.1 The second part of the DfT's consultation concerns the specific proposals concerning the HS2 proposal between London and the West Midlands and seeks opinions about the principle and specification chosen, the route

selection process, the specific route, and about mitigation measures. (Questions 4 and 5 in para 2.7 above).

- 4.2 At Appendix 5 I attach plans showing the alignment being promoted by DfT. Travelling south to north the line would first enter the district for a short section to the north of Godington. The proposed line is generally following the former Great Central railway line, but north of Godington it will deviate further north on new viaducts (approx 3 metres high) over the Padbury Brook. It is assumed, but not confirmed, that the former railway embankment and bridge will remain in situ and thereby shield the village of Godington to some extent.
- 4.3 The route then passes back into Aylesbury Vale DC's area passing the village of Chetwode before passing back into Cherwell to the east of the main part of Newton Purcell village. The line would travel on a raised embankment parallel to, and just to the north of, the former railway embankment. It is not clear if the former railway embankment adjacent will stay or go. The line would then pass over the existing A4421 just to the north of the existing redundant railway bridges and abutments. No information is available whether these former structures will stay or go. The plans submitted with the consultation show a diversion of the A4421 to the north west of the current alignment to pass over the new rail line (8 metres above the new rail height. Long embankments to north and south lift the road to that level. Accommodation works to the existing roadway are needed so that the existing road can still function as the access to houses north and south of the HS2 line and to serve the end of the Barton Hartshorn Road.
- 4.4 Proceeding north-westwards the proposed HS2 line regains the Great Central alignment (albeit in wider cutting) and travels in low cut to the A421. A new bridge to take the A421 across the railway would be needed. The line continues north westwards in increasingly deep cutting passing between Warren Farm and The Oaks Farm. Just short of the Mixbury Lodge to Fulwell Road the line would start to deviate north eastwards from the former railway line remaining in deep cutting as it passes under that road and north of Tibbetts Farm. To the north-east of Mixbury the line would need to come out of cutting and pass over a short viaduct to cross the deep valley of a small brook flowing eastwards to the Great Ouse River at Fulwell. The line would then pass back into deep cutting for 300-400m (8 metres deep approx) before re-emerging onto embankment and viaduct (10 metres high) as it crosses the Great Ouse River heading onto Aylesbury Vale again to pass between Westbury and Turweston and hence into South Northamptonshire Council's area to the north-east of Brackley.
- 4.5 When trying to assess the impact of a new engineering project of this scale there are a whole range of issues that have to be looked at. The proposal will need a full Environmental Assessment (EA) to be undertaken upon it before it is able to proceed to a Hybrid Bill stage. This EA has yet to be done. Consultees are restricted to the information available from the engineering and line drawings, and from the Appraisal of Sustainability (AOS). The AOS, whilst containing some useful information, is lacking the impact information which would be available with an Environmental Statement. This provides the Council, and local residents, with a difficulty. It is not possible to be definite about the degree of impact upon residential amenity, biodiversity etc. without the fuller information. Therefore you will see in the following paragraphs that a repeated statement that more

information is needed and that therefore an objection has to be raised at this time.

4.6 Section 2 of the AOS provides HS2 Ltd's overview of the potential impacts (attached as Appendix 6 to this report). This report will now provide relatively brief comments upon the range of impact issues as they affect Cherwell communities and individuals and environment, before addressing the issues of specification, route selection and mitigation. The issues to be covered are:

- Landscape impact
- Noise and vibration
- Biodiversity
- Cultural heritage i.e. listed buildings, conservation areas, archaeology
- Water resources and flooding
- Highway issues (including footpaths)
- Residential amenity
- Community integrity
- Air quality
- Soil and land resources
- Local economic impacts upon farms and businesses

4.7 Landscape Impact – The Council's Landscape Planning Officer has commented as follows

I have visited all the points at which there is public access to the proposed line and also Fringford and Cottisford due to their association with Flora Thompson.

The line dissects a relatively small area on the eastern side of Cherwell district and although the route physically only occupies 5.5km the visual impacts extend well beyond this.

The landscape character is one of unspoilt undulating arable and pasture land with good hedgerow and associated tree cover. In places there are small to substantial blocks of woodland. A number of small villages are relatively sparsely located within 5km of the line.

Accessible points

1. Godington Footpaths. The line will be on a viaduct at this point as it travels through the valley. From the Cherwell side approaching from Godington there will be some screening provided by the disused rail track which I estimate to be 6m high and has some scrub cover making the screen higher. The power line gantries are likely to be visible. The existence of a disused line very close to a new one may well have the effect of making the area look quite degraded visually as there will be an area of dead ground between the two lines. It would be preferable to remove the original line and utilise the spoil in constructing the new line. Visual Impact substantial

2. Newton Purcell. A sizeable part of the village is within the 500m examination zone of the line. The line is 3.5m above grade with a bridge over track plus power lines. This will necessitate a considerable bridge and engineering works which will be intrusive on a small village which is very close. I would assume that some properties will be too close to be retained as the ground re-modelling required will be considerable. Substantial impact +!

3. Footpath at 627 319 The track is almost at grade here where it runs along the line of the disused railway. Here the impact will be caused by the overhead power lines. The existing track at this point is currently well screened by vegetation but it is not clear if it will be possible to retain this. I think possibly on one side of the track but not

the other as there will be some cutting which there is not at present. Impact moderate to substantial.

4. Footpath at 624 325. the track will be slightly cut in here. Again due to the earthworks required it may not be possible to retain all the existing screening. Impact moderate to substantial

5. A421. The proposed line crosses the A421 by way of a bridge. The landscape is relatively flat and the approach to the bridge along a long straight road. The bridge will rise above the A421 creating a large structure over the road. Substantial impact.

6. Featherbed lane. The line will be in cut, not significantly visible at this point but a new bridge will be required with associated earthworks. Impact moderate to substantial

7. Mossycorner Lane. In cutting as it passes directly past Mixbury with a small length of viaduct before passing into cutting again. Unlikely to be visible in summer due to intervening vegetation. Likely to be visible in winter. The village is just outside the 500m examination zone. Moderate visual impact, possibly substantial in winter.

8. Fringford. The periphery of Fringford is approx 2.7km from the proposed route. I don't think that it will be visible due to intervening vegetation.

9. Cottisford. The periphery of Cottisford is approx 3.7km from the rail route. Due to the topography and intervening tree cover I don't believe the line will be visible from the village.

The line ploughs through valleys and raised ground, from cut to viaduct and back, completely dissecting the landscape and interrupting the landscape pattern.

There will be considerable localised impacts wherever there are substantial sections of cut or fill. In Cherwell the maximum extent of these is 10m. Allowing for 1:5 slopes this could mean cutting or filling for up to 50m either side of the rail corridor. At this stage none of this has been identified and considered. Much less any mitigation of the scars.

There will be very significant earth moving required in the construction process. Roads in the vicinity of the line are narrow country lanes unsuited to heavy traffic. Construction impacts will be considerable due to noise, dust, traffic and visual scaring.

The visual impact of the line will be much greater than shown on the sections as these just illustrate the impact for track levels and does not include the overhead power lines which add further 9-10m of structure above ground. There are also the possibility of noise baffles to reduce the sound impacts creating a landscape impact which will require mitigation in itself.

Mitigation of landscape and visual effects is most effective if it is designed into a project at inception stage as this gives opportunities to avoid, reduce, offset and if possible remedy the effects of the development. Adding on cosmetic measures such as screen planting is likely to be least successful.

The landscape is very sensitive to this development because of its nature and scale. The distribution of visual receptors and the extremely limited scope for mitigation. Accommodating a development like this without a detrimental effect to the landscape character of the area is impossible in my opinion.

It is difficult to assess the scheme at this stage due to limited information. It would be very useful to have the Zone of Visual Influence identified at this stage. The Appraisal of Sustainability Technical report Appendix 5 assumes a ZVI of 3km from

the 100m route corridor. This is a blunt instrument and very much depends on topography. This must be included in the EIA.

This is a major project in terms of size and scale. It will create a significant artificial linear structure in landscape and visual terms and a resulting substantial adverse impact with few if any benefits. Protection and enhancement of the landscape is one of the objectives of the Transport Analysis Guidance. I cannot see how this project achieves these aims.

- 4.8 All of the area of Cherwell through which the line passes is a locally designated Area of High Landscape in the adopted Cherwell Local Plan. This is not recognised in the AOS at all. As described in paras 4.2 to 4.4 the line will be in a mixture of cutting and embankment. The new construction will be a raw feature in the landscape which on-site planting will do little to alleviate in the short to medium term. The impact is not only from the new engineering structures of the line (embankments, cuttings and viaducts) but also from the view of the trains themselves and the overhead gantries. In addition one has to consider the structures that will carry roads and footpaths across the line. In our area the over bridge at Newton Purcell will be particularly obvious as will the viaduct across the Great Ouse River. Of lesser visual significance will be the A421 over bridge and the Padbury Brock viaduct but these are still substantial new structures in the AHLV. With regards to the cuttings if cannot be established, on the basis of the submitted drawings, what the land take will be as some are quite deep around Mixbury. It is therefore difficult to assess the true impact. The Council will need to seek mitigation of these impacts both on and off site.
- 4.9 A further significant consideration in landscape impact terms is the loss of tree cover. The existing cuttings and embankments provide strong linear features containing established trees. Where the existing alignment is being re-used or the line runs close to and parallel to the former line, it is considered that most of these landscape features will be lost. This will cause significant harm. In addition between Newton Purcell and Mixbury the line would run adjacent to and through two plantations. These would be severely affected as landscape features. North east of Mixbury the line has to cross a sharp sided valley on a viaduct between two deep cuttings. This is likely to be a significant feature when viewed from the footpath which runs north from Beaumont Lodge.
- 4.10 A final potential concern relates to the possibility of a site in the district being used as a power take off point. It is known that the HS2 will be electrified and will need connection to the National Grid with suitably located transformer compounds. No information is available about the location of these sites which will also need road access for maintenance. To the east and north of Mixbury an existing high voltage pylon-line crosses the proposed railway and then runs along the former Great Central railway line. At least one pylon would need to be relocated to facilitate the building of the railway. This is at the point where the Mixbury Lodge to Fulwell road crosses the line, and therefore is road served. From seeing such power take-off compounds in Kent when viewing HS1 it is considered that this feature would also be harmful to the visual amenity of this part of the countryside which is classified as being of high landscape value.
- 4.11 Noise and vibration – the AOS identifies 3 or 4 properties at Newton Purcell

as potentially experiencing high noise levels, with further housing nearby potentially eligible for noise insulation (implying relatively high noise levels). The same plans show four properties in Godington, all the remaining properties in Newton Purcell and five outlying properties (Cross Farm, Widmore Farm, The Oaks Farm, Warren Farm (4 properties), Tibbetts Farm, and Beaumont Lodge) as potentially experiencing a noticeable noise increase. It is not explained why the The Oaks Farm, which is located immediately adjacent to the line is not categorised as experiencing high noise levels. Two areas, close to the railway at Newton Purcell, and around Warren Farm are also annotated as “preliminary candidate areas for mitigation”.

4.12 In your officer’s initial view there are two other potential areas for concern. Firstly as mentioned in para 4.9 above to the north east of Mixbury the line crosses a short viaduct between two cuttings. It is thought likely that high speed trains crossing this at full speed will send a pulse of noise up and down the valley to each side, with properties at Mixbury and Fulwell likely to experience this sudden repetitive noise event. This could have a significant detrimental affect. To a lesser extent Fulwell may also experience noise from the much longer viaduct across the Great Ouse River. The AOS recognises the potential for noticeable noise in Westbury, but not in Fulwell.

4.13 The Council’s Anti-Social Behaviour Manager comments:

In their Appraisal of Sustainability document at Appendix 5.4 the HS2 organisation sets out the criteria it proposes to assess the impact of noise and vibration generated by the planned high speed rail project.

In the opening paragraphs of the report the case is made for the use of the LAeq unit of noise measurement to assess and quantify the noise levels produced by trains. A time period of 18 hrs has been chosen as the appropriate averaging period over which the LAeq is to be applied. The 18 hr time period is defined as ‘daytime’ between 06:00 and 00:00 (midnight). It is suggested that the LAeq measure ‘correlates best with the annoyance caused to humans by noise’

Whilst it is accepted that LAeq is a commonly used noise measurement the claim that it correlates as an index of annoyance is to be questioned particularly in the case of rail noise where individual noise events typically involve large amounts of sound over short periods of time followed by periods of time when the ‘nuisance’ is entirely absent. In these circumstances the use of a maximum event noise level such as LAm_{ax} may more accurately reflect the noise impact. Equally the LAeq measurement does not accurately reflect the additional impact caused when for example a train emerges from a cutting or tunnel and a nearby sensitive receptor is suddenly exposed to a significant volume of noise. This effect is in part addressed later in the report when the issue of tunnel boom is considered. It is felt that due to the depth of some of the cuttings to be employed this effect or elevated levels of noise could be a problem in these locations.

In addressing ground borne vibration mention is made of the variation in effect that can arise as a result of the underlying geology. Whilst the report is by nature general in its terms it is felt that this point is significant and should have been addressed in more detail with reference being made to specific rather than general local conditions.

Another significant omission is an appraisal of noise impacts on non residential receptors as the affect of noise on the ability for individuals to work productively and effectively should not be under estimated.

In predicting noise levels that are likely to be generated by the HS2 rolling stock reference is made to quantitative noise measurements obtained from a survey of operation of TGV rolling stock. These trains typically operate at speeds up to 300 km/hr yet the aspiration for HS2 is for trains to operate at 360 km/hr or faster. The report does concede that data for aerodynamic noise from trains travelling at 360 km/hr or faster is not currently available and as a consequence modifications to the Calculation of Rail Noise Methodology cannot be made at this time. This shortcoming does call in to question any use of an unmodified model for predicting noise levels.

4.14 Noise from the operation of the high speed railway originates from a number of sources:

- Mechanical noise from motors, fans and ancillary equipment
- Rolling noise from wheels
- Aerodynamic noise from airflow
- Catenary noise from the power pick up from the overhead lines.

The documentation does not provide noise contours so it is not possible to make any accurate assessment of the noise impact upon individual properties. This is a significant failing. We are told such information will not be available until the Environmental Statement is published. This is considered unacceptable. It is worth remembering that the operational times of the railway are proposed to be from 5am to midnight and would ultimately be carrying 18 trains per hour (at peak) in each direction. There will be a lot of noise events and they will start early and run into the night time. Maintenance to the track will take place at night, and may be the occasional source of yet more noise nuisance.

4.15 Whilst noise mitigation is referred to in the AOS no specific proposals are given, and no assumption can therefore be made of the effectiveness of such measures. In your officer's opinion it is considered that lowering the height of the line may assist further around Mixbury/Finmere, with perhaps the use of a "green" (cut-and-cover) tunnel to avoid the deep cuttings. This would have the added advantage of lowering the viaduct over the Great Ouse River. Particular concern is also expressed about the noise impacts at Newton Purcell. As the line is elevated relative to the nearest properties, noise barriers would be the only technical solution, but it is not possible to assess their effectiveness on the basis of the information currently provided.

4.16 Biodiversity. The Council's Ecologist has reviewed the records of species and habitats likely to be affected and comments as follows

*We have the following **records** of species and areas of ecological/ biodiversity interest within 500m either side of the proposed line within Cherwell District:*

Protected Species:

- Water vole (protected under Wildlife and Countryside Act 1981 as

amended)

- *Badger* (Protected under Protection of Badgers Act 1992)
- *Grass snake* (protected under Wildlife and Countryside Act 1981 against killing and injury)
- *Common Lizard* (protected under Wildlife and Countryside Act 1981 against killing and injury)

BAP Priority/ Section 41 Species and notable species:

- *Water flax beetle* – Nationally Notable invertebrate
- *Small Heath* - BAP/ Section 41 NERC Act species
- *Cinnabar* - BAP/ Section 41 NERC Act species
- *Wall* - BAP/ Section 41 NERC Act species
- *Shaded Broad-bar* - BAP/ Section 41 NERC Act species
- *Basil Thyme* - BAP/ Section 41 NERC Act species
- *Wood White* - BAP/ Section 41 NERC Act species
- *Dingy Skipper* - BAP/ Section 41 NERC Act species
- *Grizzled Skipper* - BAP/ Section 41 NERC Act species
- *Small Blue* - BAP/ Section 41 NERC Act species
- *Four-spotted* - BAP/ Section 41 NERC Act species
- *Figure of eight* - BAP/ Section 41 NERC Act species
- *Cuckoo* - BAP/ Section 41 NERC Act species
- *Lebia chlorocephala* (ground beetle) – Nationally notable
- *Stenus butrintensis* – Nationally notable
- *Psallus albicinctus* – Nationally notable B
- *Kingfisher* – amber list bird

The route passes within close proximity to a number of large ponds and lagoons (close to Finmere and Godington). There may therefore be issues with amphibians, most notably Great Crested Newts to be addressed, which could be using areas to be affected as terrestrial habitat. The lagoons may also be important for water birds which could be impacted by disturbance. The route also appears to pass through or directly adjacent to a couple of plantation and woodland areas near Finmere. There may be important nesting birds or roosting bats in these areas which would need to be surveyed for.

Bats – there are no specific records for bats but they are likely to be foraging along the watercourses and hedgerows throughout the area as well as the old LNER railway as this forms a major vegetated corridor across the wider landscape and therefore could be important for commuting and foraging bats, which may be difficult to mitigate for.

We have records of water vole throughout the district and it is likely they are present on some of the other watercourses to be affected (I identified 9 crossings of watercourses of various sizes) in addition to on the River Great Ouse where we have specific records from surveys. Similarly Otters may be present on any of these watercourses.

Badgers are likely to be widespread.

Impacts:

For all these species the principal impacts both during construction and in the long-term when trains are running will be

- *direct destruction and loss of habitat*
- *direct and indirect disturbance due to noise, lighting and habitat*

destruction/modification

- *fragmentation and loss of connectivity of habitats*
- *isolation of populations*
- *potentially direct injury and killing of individuals both during construction and when trains are running*

Protected habitats:

There is only one specifically highlighted habitat in our records namely a District Wildlife Site – the Old LNER railway LN2/3. This was previously of LWS value but has been downgraded due to loss of ecological interest. It still contains Lowland Calcareous grassland of BAP priority habitat quality and is important for butterflies and likely to be important for other invertebrates. There would be direct land loss of this area. BBOWT suggest there is a second area in proximity but I do not have records of this.

The proposed route would necessitate the loss of a number of hedgerow sections which are also likely to be BAP priority habitat and similarly a number of woodland areas which may qualify under lowland deciduous woodland.

The closest LWS is Spilsmere wood 850m to the West. I would not foresee any impacts on this however there may be disturbance from noise if it travels that far.

Likely mitigation required:

Creation of new habitats as a replacement for those lost, potentially fencing during construction and removal of reptiles/amphibians to receptor sites. Replacement bat roosts and bird nesting opportunities. Timing restrictions on work to avoid or coincide with breeding/hibernation times. Bridge designs to cater for bats, otter passes etc...

- 4.17 Attention has already been made above (in para 4.9 above) about the loss of tree cover. There is a potential for further hedgerow loss as well. The Council should be concerned that the level of information provided is currently poor. We will need to ensure that the Environmental Statement is based on current and up to date survey information to ensure compliance with the EEC Directives on the conservation of natural habitats and of wild flora and fauna.
- 4.18 Cultural Heritage – As a generality the AOS significantly underplays the significance of local designation such as conservation areas. Mixbury Conservation Area should have been recognised as a heritage asset. Mixbury also has a Grade II* listed building and the Beaumont Castle Scheduled Monument. Given the distance and intervening land form it is not considered that the impact upon the listed building and Conservation Area is likely to be significant. It is assumed that English Heritage have been asked for their comments upon the setting of the Scheduled Ancient Monument. Grade II buildings are recorded, but in our opinion an assessment of their significance should be made and so should an assessment of the impact of the proposal upon them. There are two Grade II listed building in Godington, 8 in Newton Purcell and 4 in Mixbury which

should be taken into account.

- 4.19 Archaeology. Impact information is awaited from OCC
- 4.20 Water and flooding – Detailed consideration will need to be given in the development of the project concerning:
- River crossings
 - Vulnerable flood risk areas
 - Impact upon aquifers and compliance with the water directive
 - Impact upon rivers, streams and ponds
- 4.21 Whilst the AOS maps the flood plains (Padbury Brook north of Godington, the River Great Ouse north of Mixbury/Fulwell, and its small tributary running from Fulwell towards Mixbury) and comments briefly on the aquifer situation the documentation is short on detail information and impact assessment. This will of necessity follow in the Environmental Statement. However, with particular regard to the protection of water quality this makes assessment at this time difficult. This part of Cherwell, together with the adjacent areas of Aylesbury Vale and South Northamptonshire is a high water quality area by virtue of its position at the top of the river catchment area. Article 4.7 of the Water Framework Directive states that there can be no diminution of that high water standard from high to good as a result of development without meeting the provisions of that Article.
- 4.22 Highways and footpaths – Progressing from south to north the following highway crossings are affected by the proposals:
- a) Bridlepath north of Godington – currently passes under Great Central line by underbridge – would need to be accommodated under the new viaduct.
 - b) A4421 Newton Purcell Road currently passes under Great Central line with redundant bridges still in place. Proposal appears to be to leave underbridge but stop through traffic under new line (?). New overbridge with lengthy approach embankments and diversion of line of A4421 to west proposed.
 - c) Bridlepath from Home Farm Shelswell to Finmere crosses line of old railway. No accommodation works shown. Bridge would be required.
 - d) Bridlepath from Widmore Farm to Finmere crosses line of old railway. No accommodation works shown. Bridge would be required.
 - e) A421 near Warren Farm. Relatively recent diversion of road south of old bridge point on embankment. Old bridge works remain. New bridge proposed still further south. Unclear what happens to old bridge works.
 - f) Footpath from Tibbetts Farm to Warren Farm alongside (north) of former railway line. Will need accommodation works associated with (g) below.
 - g) Roadway from Mixbury Lodge to Fulwell. Current overbridge over dismantled railway will need to be replaced.
 - h) Bridlepaths north from Beaumont Lodge and north east from Mixbury Lodge meet and continue to Westbury. The meeting point will be at a deep cutting point on new line. Will need overbridge.

- 4.23 It is considered important to ensure that all existing footpaths/bridlepaths are properly accommodated during construction of, and after the opening of, any new railway line. Members may recall that during the M40 construction, another government promoted scheme, a large number of footpaths were truncated or had significant diversions made to them. These were never replaced satisfactorily. Objections should be raised if assurances are not forthcoming that this will not be repeated as a function of this scheme.
- 4.24 Of particular concern are the proposals relating to the routing of the A4421 across the proposed railway at Newton Purcell. Rather than take the road under the railway as currently the proposal is to divert the road over the line further to the west. No explanation has been given as to why it is not possible to continue with an underbridge. Because of the height of the line relative to surrounding land levels the bridge has to be approached via lengthy and high embankments. These would be harmful to the character and appearance of the landscape. The embankments will also have a significant impact upon the amenity of the two houses on the western side of the A4421 at this point. Indeed it must be questioned whether these will be viable houses after this construction, particularly that one to the south of the railway line, Station House, which will be dominated by the new railway and road infrastructure and suffer high noise levels. The raising of the road will also have the effect of raising the road noise source and may have an effect upon the amenity of the houses in the vicinity. The plans available do not make it plain whether the existing roadway under the railway will remain open; presumably not. This will impact upon community integrity - see later.
- 4.25 The amenity of rural footpaths and bridleways will be fundamentally affected by the proposal. The footpath north of Godington has a particularly remote and tranquil feel to it. This will be lost completely. Similarly the two footpaths/bridleways north and east of Mixbury, which form part of a well used dog-walking loop, will have an entirely different character once the railway is constructed. They will no longer be a source of tranquil remote recreation, but will instead be subjected to the frequent passage of trains travelling at maximum speed. Again similar expressions of concern should be expressed about the footpaths which cross or are close to the line between Mixbury and Newton Purcell.
- 4.26 Residential amenity – The impact of the new railway upon residential amenity is greater than the imposition of noise nuisance at whatever level it is experienced. It is also the affect upon the tranquility of a rural location, or the interruption of a rural landscape by modern transportation infrastructure. This impact affects communities/properties such as:
- Godington – A remote village accessed off of a dead end lane. The village which contains 15-20 properties, is tranquil and unaffected by road noise. It will in the future, if this proposal goes ahead, have significant train noise albeit that the trains will not be visible.
 - Newton Purcell – A small village astride the A4421 and suffering train the noise/disturbance and division by a road carrying relatively high volumes of HGV and other traffic transiting from the A34/M40 to Milton Keynes and the M1. The imposition of frequent train noise is an unreasonable extra burden.

- Warren Farm/The Oaks Farm – A secluded group of former farm buildings and working farm north of the A421. The proposed line charges between them in low cutting. The noise, visibility of the overhead lines/tops of trains and the accommodation works to ensure that the private access road is maintained will have a significant affect upon the whole group, especially The Oaks Farm which will be very close to the line.
- Mixbury – A Conservation Area, which is predominately an old estate village. Despite the relatively close proximity of the A43 and A421 roads the village is relatively tranquil. The train noise which will be apparent will detract from this heritage asset and the residential amenity of villages.
- Fulwell – A remote hamlet in a secluded and tranquil location. Concern is expressed that sudden noise events will result from the proposed track configuration near Mixbury, and longer noise occurrences from the River Great Ouse viaducts which are both up-wind of the hamlet.

- 4.27 Community Integrity – This is an issue where a community is sub-divided by transport infrastructure. It is considered that this is a significant concern in two locations. Firstly, at Newton Purcell. The few properties to the north of the proposed railway line will be segregated from the remainder of the village if the existing route under the Great Central Railway is to be blocked and a long and circuitous journey by foot or vehicle is necessary to get from these properties to the Church, public house, or other houses. This is unfortunate and at the very least consideration should be given to providing a footpath connection under the line.
- 4.28 The second location of concern is at Warren Farm/The Oaks Farm north of the A421. These isolated properties form a small integrated grouping. The railway will split them apart, and unless the accommodation works for the access is well done they will feel dislocated from one another, and the Warren Farm set of properties will be further removed from the main road.
- 4.29 Soil and land resources – None of the affected land is Grade 1 or II so this issue is not significant in Cherwell's case. Some concern needs to be expressed however about the relationship of the proposed line to the Finmere Quarry landfill site. Information will be required to ascertain if there will be any impact upon the usefulness of the cells of that landfill which are nearest to the line. Impacts by reason of vibration or affect upon water table would need technical assessment. This matter will have to be covered in detail in the Environmental Statement. Impact upon the use of cells may have a wider impact upon the landfill resource of the County.
- 4.30 Local economic impacts – In much the same way as a motorway it is possible that a new railway line may cut off one part of a farmer's land from the rest of his land or his farmstead. It has not been possible to establish this type of impact, but it is known that in some locations the farmers make use of the former railway to transit between parts of their holdings. It may be necessary to consider if further accommodation bridges or underbridges are necessary to ensure the continuation of those farm enterprises without detriment to their viability. Such bridges may of course add to the visual harm of the railway by introducing yet more transport infrastructure into open landscape.

- 4.31 There are storage activities being undertaken on the old station site at Newton Purcell. It has not been possible to establish what these are (or indeed if they have planning permission!) but the proposed alignment and the overbridge for the A4421 seems to eliminate this as a business enterprise.
- 4.32 The proximity of the line to the farmhouse at The Oaks Farm seems to call into question its viability as a dwelling. It is believed that this is the only house associated with this farm business. If this enterprise cannot function without a dwelling it may be necessary to fundamentally change the farming enterprise, or consider the construction of a replacement dwelling further from the line.

Mitigation

- 4.33 Question 5 of the DfT's consultation also seeks comments upon the intended approach to mitigation. This is dealt with in 5 paragraphs and one figure in the AOS (Section 9 – which I attach as Appendix 7). This is an understandable and appropriate approach, trying to avoid the need for mitigation as a first step and then proceeding down a hierarchy of minimising impact, abating impact, repairing and compensating.
- 4.34 The AOS contains some generic information about mitigation methods and implementation. There is nothing specific to individual locations. As with other areas this lack of information is unhelpful in formulating opinions about the impact of the proposal upon communities and individuals. Significantly more information, specific to locations is necessary in any next step towards a Hybrid Bill.

Principle and Specification

- 5.1 Question 4 of the DfT's consultation seeks opinions about the principle and specification chosen for the proposal. I comment below about the consideration of alternatives but it is also considered worth seeing if the lessons of the protracted consideration of the HS1 route through Kent are being utilised in this proposal. A fundamental criterion in Kent was that existing transport corridors should be utilised (the HS1 line closely follows the M2 along much of its length). HS2 does not follow this desirable criterion. Whilst the route through Cherwell roughly follows the alignment of the former railway, this has been disused for over 50 years, has largely become re-integrated as part of the rural landscape, and was of course of a much simpler and smaller form of railway engineering. The land taken for HS2 of a minimum of 22 metres with additional width needed for cuttings, embankments and landscaping will create a new strong feature through the landscape. This is unfortunate. However, in Cherwell's case care has to be taken in how strongly this view is expressed as another alignment, say parallel to the M40, could have significantly greater impact upon the District especially in the Cherwell Valley past Banbury.
- 5.2 Aspects of the specification which may require comment relate to:
- Speed
 - Operating hours
 - Frequency of trains
 - Infrastructure design

- 5.3 The speed chosen for the operation (up to 250 mph – albeit max speed of 225 mph upon opening) has a significant effect upon the horizontal and vertical alignment of the railway proposed in that at such speeds the tightness of the radii of corners and the gradients suitable are restricted. The line therefore has to be as straight as possible (free of sinuous bends) and as flat as possible. The scheme has already been amended from that first published in March 2010 to seek to avoid settlements and to minimise the height of viaducts. A lower design speed would facilitate greater sinuosity, allowing greater avoidance of property, but would affect the basic offer of journey time reduction. It is unlikely that any reduction of speed that we encouraged would change the impact of the proposal if they are seeking to generally follow this alignment through Buckinghamshire, Oxfordshire and Northamptonshire.
- 5.4 As noted above when discussing noise nuisance the operating hours of 5am to midnight do give us cause for concern. Both early hours operation and evening/night operation will be at times when the background noise level is low and the consequent impact of the noise generated by the trains will be higher and more harmful to the quiet enjoyment of nearby houses. It is suggested that we make representations to shorten the operating hours.
- 5.5 Noise nuisance is also a function of the frequency of the noise events – the number of trains per hour and per day. The 18 trains per hour in each direction which is proposed at peak hours i.e. 36 trains (less than 2 minutes between each noise event potentially) is considered excessive and unreasonable to endure for the occupiers of nearby properties.
- 5.6 The visual impact of the railway upon the countryside can be reduced by high quality design of bridges and noise mitigation. No information has been provided on this. We will require the highest standards to be utilised so that whenever possible the infrastructure that cannot be hidden from view is attractive and with high quality materials.

The Appraisal of Sustainability

- 6.1 Question 6 of the DfT's consultation asks for comments upon the Appraisal of sustainability. In a number of places comments in Section 4 above included criticism of the availability of information and the need for an increased level of work needed in an Environmental Statement. This lack of information is considered to be a fundamental flaw in the consultation. Whilst seeking the public's and stakeholder's comments upon the economic case and upon the route published insufficient information is available to truly assess the specific impact upon individual communities or properties. If the Minister, after considering the consultation responses, gives the go ahead for a Bill to be formulated the route will have become further fixed and it is unlikely that anymore than cosmetic changes will be able to be made subsequently, and yet other than objecting because the impact cannot be quantified how is an individual, (or the Council looking to act in the best interests of its residents) meant to be able to respond?
- 6.2 Consultants acting for 51m have been instructed to provide an overall critique of the AOS. It is hoped that this will be available before the Executive Meeting.

Compensation Proposals

7.1 The final question in the DfT consultation relates to the compensation proposals which are set out in Annex A to the consultation (not included in the consultation summary). This makes the following statements:

- If, following public consultation, a decision is taken to proceed with the high speed line, at the point the Secretary of State for Transport confirmed the line of the route the next step would be to safeguard the line. The safeguarding of land is an established process within the planning regime in which the Secretary of State directs local authorities to safeguard portions of land for a particular development
- For home owners, the safeguarding area would be the first formal indication of where the land and property might need to be compulsorily purchased in order to build a new line
- Statutory blight provisions would become available to qualifying property owners within a safeguarded area from the date of which any safeguarding directions are made.
- Under Part 1 of the Land Compensation Act 1973 people would be entitled to claim for loss of value on their property due to the impact of physical factors from the operation of any new high speed rail line. Physical factors mean noise, dust and vibration, smell, fumes, smoke, artificial lighting, and the discharge of substances onto land. Compensation is available for owner-occupiers of residential properties, small businesses and agricultural units.
- Claims could be submitted once the railway had been open for one year – this allows the actual impact to be understood, and gives time for the impact to be reflected in the property market. It is typical for affected property prices to recover somewhat during this period – as the uncertainty effect disappears.
- Generalised blight is a term used to describe the impact on the property market in a certain area as a result of the perceived impacts of a proposed or planned new development
- Blight of this kind is strongly associated with fear of the perceived impacts from a future development before the actual impacts are known, often coupled with uncertainty as to what property owners who do experience impacts once a development is built would be entitled to claim in compensation.
- The Government recognises that the proposals for a new high speed rail line have inevitably given rise to generalised blight in some areas along the proposed line of route. Experience of past major infrastructure projects has shown that the effect of blight is strongest at the point of most uncertainty and least definitive information
- At this formative stage of the high speed rail proposals there is understandably a considerable amount of fear and uncertainty within communities about what impact a line, if built, would have on the areas along the route, the blight situation in these areas would be expected to improve over time as more became known about plans for any new high speed rail line and more detailed measures were developed to mitigate impacts such as noise. But the Government is aware that if a decision is made to go ahead with a new high speed line, blight may well continue to have a detrimental effect upon the property market in areas along the proposed route.

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- Because of this, the Government is considering whether additional support arrangements for property owners may be appropriate, if a decision is taken to go ahead with a new high speed line, in addition to those already provided under the statutory blight and compensation provisions.

7.2 The Government is considering the following issues with regard to the need for discretionary support arrangements namely:

- Assisting those whose properties lose significant value
- Enabling the normal functioning of the property market
- Reassuring now that fair compensation will be paid
- Enabling people to stay in their homes and communities
- Avoiding the government owning large numbers of properties

This will be the subject of further consultation early in 2012 if the Minister has indicated that he wishes the process to continue towards a Hybrid Bill.

7.3 Initial comments should be made that the statutory blight provisions (only available to those whose properties are actually on the line promoted) are very restricted and apply to very few, whilst statutory compensation is only claimable once the line has been open for one year i.e. 2027 or thereabouts.

7.4 Given the potential generalised blight that may occur and the significant impact this will have upon the local operation of the housing market and the likely depression of house values of properties perceived to be affected it is vital that some discretionary support arrangement is put in place as soon as possible. This needs to be as generous and easy as possible to enable those who need or want to move can do so without financial loss.

Implications

Financial: Nothing directly arising out of this report. If the proposal continues forward it may be necessary for the Council to instruct consultants to act for it in assessing the details of an Environmental Statement. The "51M" group is likely to continue to oppose the proposals at each stage, and the Council may therefore be asked to make further financial contributions.

The Council has an earmarked reserve of £50,000 set aside to meet any costs related to making representations in relation to HS2. At present there has been no expenditure incurred.

Comments checked by Joanne Kaye, Service accountant
01295 221545

Legal: Nothing directly arising out of this report. It is known that "51M" is likely to consider a judicial review of the Ministers decision to proceed if he reaches that conclusion

Comments checked by Nigel Bell, Team Leader Planning
ands Litigation 01295 221687

Risk Management: Nothing directly arising out of this report
Comments checked by Claire Taylor Corporate Strategy and Performance Manager, 01295 221563

Wards Affected

Fringford

Corporate Plan Themes

**A safe and healthy Cherwell
A cleaner, greener Cherwell**

Executive Portfolio

**Councillor Gibbard
Lead Member for Planning and Housing**

Document Information

Appendix No	Title
Appendix 1	Consultation summary document
Appendix 2	Non-technical summary of Appraisal of Sustainability
Appendix 3	Extract from HS2 Route Engineering Report
Appendix 4	Summary of "51M" submission to Transport Select Committee
Appendix 5	Route plans
Appendix 6	Overview of potential impacts
Appendix 7	Mitigation section of AOS
Background Papers	
Department for Transport consultation papers as set out in para. 2.1 of report	
Report Author	Bob Duxbury, Development Control Team Leader
Contact Information	01295 221821 bob,duxbury@Cherwell-dc.gov.uk