



Making The Powerful Case Against HS2

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Mr Robert Syms MP
House of Commons
London SW1 0AA

4 February 2016

Dear Mr Syms

HS2 Action Alliance Petition

On behalf of HS2 Action Alliance, I would like to place on record our thanks for the interest shown by yourself and your colleagues in the expert witness evidence which we brought before the Hybrid Bill Select Committee on 1 February 2016.

As you may recall, the costs of this evidence, which ran into tens of thousands of pounds, was met by generous donations from members of the public across the country who are concerned about the environmental impacts of Phase 1 of HS2.

We believe that the evidence provided to you highlighted the highly adverse environmental impacts which will inevitably occur if current plans are allowed to proceed without changes.

We have therefore listed below the requests made by HS2AA in our petition which would go a long way to ensuring the scheme meets proven standards of environmental protection and, in our view, deserve your consideration and support.

You will recall our petition contained three key recommendations.

First, the reduction of the design speed of the line from 360 kmh to 300 kmh. We believe that the Promoter was unable to seriously challenge our contention that such a reduction in speed would provide significant environmental advantages, comply with the Noise Policy Statement for England as well as derisking the project from an operational perspective and providing an opportunity for greater capacity.

Second, the creation of a dedicated regulatory body to oversee the construction and operation of HS2. Such a step would mean HS2 Ltd will be held to account to deliver what has been promised to the Select Committee, provide confirmation that what gets built is what Parliament approved and reflect the recommendations of the Environmental Audit Committee. It would also provide reassurance to those most impacted by the scheme that a specialised and adequately resourced body was overseeing the construction and operation of the new line and avoid Parliament being dragged into disputes about HS2, as is currently contemplated by the Promoter. In view of the history of errors, omissions and poor engagement by HS2 Ltd we believe appropriate oversight is essential.

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Third, the establishment of a clear commitment in the Hybrid Bill on HS2 Ltd to (i) plant two million trees by the time Phase 1 is operational (ii) undertake its carbon offsetting activities in line with PAS2060, the recognised standard for this area (iii) assume responsibility for the maintenance and upkeep of all trees planted as part of this commitment until at least 5 years from the line becoming operational (iv) to publish an annual report to Parliament setting out how it has discharged these obligations.

We were surprised that the Promoter sought to oppose this particular proposal. These trees form the key element of the official carbon strategy for HS2 yet HS2 Ltd are subject to no binding requirement to ensure this commitment is actioned. Amending the Hybrid Bill would provide such a legally binding obligation.

Turning to the specialist expert evidence presented to the Select Committee we would highlight the following recommendations made by those experts who appeared before you.

1. Air Quality

There is a proven and excepted link between air pollution and human health. The Environmental Statement makes clear that the activities required to construct the new line will create significant air pollution. Much of this activity will take place in locations which already have significant air pollution problems yet HS2 Ltd have produced little in the way of substantive proposals on how they propose to deal with this issue. HS2AA would ask that you consider the following steps:

- I. Require HS2 Ltd to demonstrate how the construction project can be undertaken without worsening or delaying compliance with the Air Quality Directive.
- II. All HGV's used in connection with the project to comply with 'Euro VI' standard.
- III. All Non-Road Construction Vehicles to comply with the London Low Emission Zone Non Road Mobile Machinery Standards.
- IV. A detailed, definitive and bespoke Dust Management Plan is developed for all Community Forum Areas in line with the guidance put forward by the Institute of Air Quality Maintenance.
- V. A comprehensive monitoring regime for particulate matter, which has been ignored by HS2 Ltd, despite being applied to the Crossrail Project, be adopted for this project.

2. Landscape

The Select Committee heard evidence that the assessment undertaken by HS2 Ltd was deficient, did not follow established guidance, lacked detail and meant, with only a year to go before construction, no effective assessment of the landscape effects of the HS2 proposals have been undertaken. HS2AA would ask that the Select Committee require HS2 Ltd to undertake the following steps:

- I. For the urban areas of the route Townscape Visual Assessment should be undertaken to an agreed methodology.

- II. An adequate level of night-time assessment to be undertaken to an agreed methodology which establishes the night-time baseline conditions and identifies the sources of light and the effects.
- III. A robust cumulative assessment of landscape and visual effects be undertaken to an agreed methodology.
- IV. Further work on the landscape and visual baselines to ensure there is an appropriate level of information so that sensitive receptors are identified and the full extent of the effects can be assessed.
- V. Many more photomontages are required to help people understand what the proposals would comprise and how the landscape would change. These photomontages need to be produced and presented in accordance with technical guidelines. (which are strict)
- VI. Mitigation proposals need to be worked up in more detail and made more specific to particular areas, long term management of the mitigation needs to be agreed in principle.

3. Ecology

The Select Committee heard expert evidence that without adequate mitigation HS2 will be an almost complete, permanent barrier to movement of mammals, reptiles, amphibians and many birds. It may cause significant mortality of animals and will fragment animal populations. HS2AA would ask that the Select Committee require HS2 Ltd to undertake the following steps:

- I. Include a clear commitment to Net Gain in the Environmental Memorandum- a commitment to a Net Positive Objective would be consistent with the commitments of Highways England and Network Rail which have done this. If this is not possible, follow the mitigation hierarchy (avoid, reduce, restore, offset) for No Net Loss as a minimum, consistent with the standards of the EBRD and IFC with net gain being required for priority habitats
- II. In accordance with the House of Commons Environmental Audit Committee Report, establish a process to monitor all aspects of environmental protection, including biodiversity mitigations, compensation and offsets over the long term.
- III. Develop and use Best Practise Guidelines agreed by a publicly accountable Ecological Review Group that reports on annual progress towards delivery of HS2's environmental objectives by mitigation and compensation. The ERG should have powers to compel remedial action where targets are not being achieved
- IV. Follow good environmental practices, including survey of important habitats in advance, to allow avoidance and identify mitigation opportunities.
- V. Design and develop adequate, safe wildlife crossings to maintain a connected landscape as done routinely with linear infrastructure in France, Sweden, Canada, US, Holland and Croatia and there is no reason why HS2 Ltd could not comply with international best practice in this area.
- VI. Publish an offset strategy for review and allow offsetting outside the rail corridor.
- VII. Demonstrate that acceptable outcomes are achieved through independent, transparent accounting, monitoring and reporting.
- VIII. Reduce Animal Mortality by discouraging foraging on adjacent verges.

- IX. Complete a full assessment of impacts on hedgerows and other valued habitats before the commencement of construction work and include details in the mitigation and offset strategy

4. Trees

HS2 Ltd's approach to mitigating the impact on trees from the project is deficient. We would therefore request that the Select Committee require HS2 Ltd to:

- I. Commit to undertaking a full baseline arboricultural survey for the wider HS2 corridor in accordance with the provisions of BS5837;
- II. Formulate an Arboricultural Impact Assessments to determine the accurate extent of tree loss and, the production of tree protection strategies in the form of Arboricultural Method Statements;
- III. Undertake targeted amenity valuation tree surveys to enable the cost benefit analysis of final route options;
- IV. Produce a delivery and implementation strategy, to demonstrate how tree stock will be specified, ordered, delivered and phased along the route of HS2;
- V. Create a robust framework to ensure the on-going legal protection of all implemented HS2 mitigation planting (i.e. a framework of restrictive covenants or specific legal protection applied through Tree Preservation Orders).

5. Carbon

The carbon impacts of HS2 have risen by a factor of 4.5 between 2011 and 2013. There is substantive evidence to suggest that the actual impacts will be significantly higher. HS2AA would request that the Select Committee require HS2 Ltd to:

- I. Quantify the potential emission reductions from various mitigation measures with an associated cost benefit analysis-this would identify the most beneficial means of offsetting the schemes carbon impacts.
- II. Assumptions and research substantiating the potential modal shift put forward by HS2 Ltd should be made publically available for review and comment.
- III. A full environmental and cost benefit analysis of implementing sequestration projects should be undertaken and if adopted then required to comply with an appropriate offsetting standard such as PAS 2060.

6. Waste

Phase 1 of HS2 will create unprecedented amounts of waste, arising from the need to excavate millions of tonnes of spoil, much of which will need to be transported to disposal sites by HGV. Despite the complexity of this work, the plans put forward by HS2 Ltd are simply not adequate and provide little in the way of detail or specificity. HS2AA would ask that the Select Committee require HS2 Ltd to:

- I. Undertake a full assessment of alternative management options for all surplus materials in line with the accepted Waste Hierarchy as detailed in the Waste Framework Directive.
- II. Conduct a detailed assessment of options for the recovery of waste and landfill capacity within the region affected by the route for any materials that cannot be

diverted towards more sustainable options. This could be progressed via a simple 'Expression of Interest' process in order to secure industry interest and allow HS2 to evaluate the most appropriate environmental option.

- III. Undertake a detailed assessment of material flows within the proposed route in order that it can fully understand the potential environmental impacts that may occur as a result of its plans in this area. Without this assessment, the entire cut and fill programme is based on insufficient knowledge for a high degree of confidence that it will operate as planned.

The measures outlined above would be regarded as standard in any large construction project undertaken under the normal planning regime which exists in this country.

We have also set out at Annex 1 the proposed changes to the Hybrid Bill which were circulated during our appearance before the Select Committee.

We should be grateful if the report provided by the Select Committee provides reasons as to why any of the steps outlined above are not adopted.

Yours sincerely



High Speed 2 Action Alliance

cc: Select Committee Members, Phase 1 Members of Parliament, Phase 2
Members of Parliament, Neil Caulfield, Clerk to the HS2 Select Committee