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CORRECT NUMBERING

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

PETITION

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

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

THE HUMBLE PETITION OF STAFFORDSHIRE COUNTY
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.

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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 County of Staffordshire (“the County”) 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 highway authority for all existing or proposed public highways in their area, except for those which are the responsibility of the Secretary of State. In addition, your Petitioners are the traffic authority for most roads in their area and they are the local transport authority. They are also the local planning authority in respect of minerals and waste, and are thus responsible for preparation of waste and mineral plans.

8. The Bill would authorise the compulsory acquisition of certain interests in land or property of your Petitioners in the County, 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. Your Petitioners also
own interests in land near Euston which may be affected by the Bill.

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 oppose the Bill as it offers limited economic benefit to the County
whilst at the same time imposing significant environmental and social impacts on the
countryside and in particular on communities in Lichfield District.

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 County 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. Under the Bill the works are proposed
predominantly within the district of Lichfield with some enabling works to the West
Coast Main Line within the borough of Stafford. Your Petitioners have for a long
period of time been working closely with Lichfield District Council on how best to
respond to the proposals in the Bill. Many of the concerns raised by your Petitioners
are shared by the district council and your Petitioners support many of the points
made by the district council in their petition.

13. In this petition, the Secretary of State and HS2 Limited are together referred to as “the
Promoters” and the works that are proposed to be authorised by the Bill are referred
to as the “Authorised Works”.

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Part 1: Site Specific Issues

14. In this part of the petition, your Petitioners set out a number of site specific concerns that they have in relation to the Bill. The order does not reflect the priority given to each concern, but takes them in geographical order, from north to south.

Junction with West Coast Main Line

15. Your Petitioners consider that the junction with the West Coast Main Line at Handsacre in the County will provide improved rail services from Stafford to Birmingham and London. Your Petitioners are content that the Bill provides for the construction of the junction, and that the select committee of your honourable House that will consider the Bill has been instructed that the principle of the bill includes those works. Nonetheless, your Petitioners are concerned that the junction could be authorised and then not constructed, or constructed and then not used. Your Petitioners believe that if the County is to gain any economic benefit from the scheme, the junction must be constructed in order to provide the residents and businesses within the catchment area of Stafford station with direct access to the high speed rail network. Your Petitioners believe that the junction can also provide economic benefit to the residents and businesses within the catchment area of Stoke on Trent station by also providing the city with direct access to the high speed rail network. Your Petitioners also believe the provision of a classic compatible service serving Stoke on Trent could be extended to serve the catchment areas of Macclesfield and Stockport stations. Your Petitioners believe that Phase One of HS2 should not be brought into operation without it. Your Petitioners seek an undertaking that Phase One of HS2 should not be open to public traffic until the junction is constructed and operational and that the junction will remain open to public traffic once Phase Two is completed and open to public traffic.

Modifications to link onto the West Coast Main Line

16. As already mentioned, one of the primary concerns of your Petitioners is that the junction with the West Coast Main Line at Handsacre should be constructed as part of the main railway works. However, your Petitioners also consider that modifications to this section of railway are required. 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.

Wood End Lane

17. Your Petitioners are concerned about the safety of road users, especially cyclists, at Wood End Lane and its junction with the A515 Lichfield Road. The lane is very narrow (6.5m), yet it is proposed to be used by construction vehicles for the construction of the railway. Your Petitioners respectfully ask your honourable House to amend the Bill to provide that Wood End Lane will be widened to at least 7.3m, and to include pedestrian facilities from Gorse Lane to its junction with the A515 Lichfield Road. Your petitioners respectfully ask that the junction of Wood End Lane with the A515 Lichfield Road be modified to their satisfaction as part of the works under the Bill in order to improve highway safety for all users. Such modifications will need to incorporate the access needed for the Handsacre Main Compound, which is proposed to be used for future maintenance of the railway.

18. Your Petitioners also note the potential for Wood End Lane to be used as a construction route to facilitate the construction of the Phase Two scheme. The benefits of carriageway improvements could therefore extend far beyond the planned construction phase of the Phase One scheme.

19. Your Petitioners require assurance that HS2 construction traffic will be routed from the A38 along Wood End Lane rather than along the A5127 and A51 when accessing major compounds and satellite compounds, so as to avoid Lichfield City Centre and low bridges on the A5127.

20. Further details are required in order to understand who will take ownership of the highway pumping station at Wood End Lane. Subject to an acceptable commuted sum
being provided to the authority by the Nominated Undertaker for future maintenance, your Petitioners would adopt this piece of infrastructure in their role as highway authority. Your petitioners seek assurance that the Nominated Undertaker will provide details of the maintenance regime while engaging in discussion to agree an acceptable commuted sum.

Lowering the railway under the A38, South Staffordshire Railway and West Coast Main Line

21. 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 (up to 15m high) and viaducts. This will result in severance of views with a consequential detrimental impact on the setting of the city and on the visual significance of the three spires of the Grade I Listed Lichfield Cathedral in the surrounding landscape and city approaches. It will also bring noise and visual impacts to residents in the parishes of Fradley and Streethay and Whittington and Fisherwick. 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.

22. 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 deposited with the Bill (“the ES”) says, provide significant environmental benefits (CFA Report 22, para 2.6.38 to 2.6.32). Any such proposal will need to 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.
Heathland compensation at Whittington

23. Your Petitioners support that the mitigation hierarchy be applied and mitigation be included in the form of reducing habitat fragmentation of lowland heathland. Your Petitioners consider that a change is required to the location of the proposed mitigation 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 there would be greater ecological connectivity of one habitat to the other increasing both heathland value and resilience to environmental change. It would also reduce the technical difficulties of converting 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

24. The Authorised Works as planned will sever the golf course which will have a devastating impact on Whittington Heath Golf Club, a very well used facility in the County 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 while maintain heathland habitat connectivity as above.

Cappers Lane, Darnford Lane and Lichfield Road

25. Your Petitioners are concerned about the phasing of the highway works and temporary closures of Cappers Lane, Darnford Lane and Lichfield Road (as shown on sheet 3-65 of the deposited plans). In noting the contents of the Code of Construction Practice (“CoCP”), your Petitioners require an assurance from the promoter that these works will be phased in a way whereby local residents and businesses will be able to access the A51 at all times.

26. Your Petitioners also require an assurance from the Promoters that construction traffic will not use Cappers Lane and Lichfield Road (at Whittington) beyond the
proposed work no. 3/48 and will make use of the trace of the route as a haul route, rather than local roads, to avoid the need to approach the village of Whittington. Your petitioners believe this would also remove the need to carry out accommodation works to both carriageways in order to facilitate the safe movement of HGV construction traffic.

Flat’s Lane and Knox Grave Lane

27. The construction of the railway would result in the obliteration of the dwellings and businesses that comprise the communities of Flats Lane and Knox’s Grave Lane. Your Petitioners sympathise with those residents of the communities who wish to ensure that replacement dwellings are constructed locally and in such a way that members of the existing community can remain in the locality to retain community and social links to preserve social cohesion and local businesses. Your Petitioners will consider any proposals put forward in the petitioning process by Lichfield District Council as local planning authority in this regard and will lend support if thought appropriate.

Lowering of vertical alignment at Hints

28. 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 cutting that will result in loss of part of two ancient woodlands, create severance between those woodlands and associated habitats. The railway also passes through an area identified in the Staffordshire Landscape Character Assessment as being of high landscape quality and is 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 in this area.

29. 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 that will substantially reduce the impact of noise levels on the nearby Hints Conservation Area and the general sense of place of
the settlement and the surrounding landscape. A cut and cover tunnel would enable Brockhurst Lane to pass over the railway resulting in little impact on agricultural businesses in the local area while ensuring the existing routing of the public rights of way, remain on their current alignment. In addition, a cut and cover tunnel would reduce severance of agricultural land in the local area while addressing associated ecological severance issues. Your Petitioners note that a green bridge is proposed at Footpath 14 (ES 3.2.2.21 Map CT-06-120). Your Petitioners believe that this design will not provide adequate mitigation of severance of the movement of species in this location when compared to that of a cut and cover tunnel.

Brockhurst Lane

30. Notwithstanding your Petitioners requirements for a cut and cover tunnel as outlined above, your Petitioners are concerned with the proposal to reduce the headroom to 2.7m at Brockhurst Lane, where it passes under the proposed railway.

31. Your Petitioners are unconvinced that the impacts of this reduced headroom have been fully assessed in the ES, particularly as regards the effect on those who need to access agricultural businesses on the Canwell Estate. Brockhurst Lane is also a popular horse riding route (19 horse riders were recorded by the Promoters’ consultants during the site survey), and the reduced headroom will impact on this activity.

32. Your Petitioners are aware that a balance needs to be struck between lowering the height of the railway in the landscape to reduce the impact on the residents of Hints and increasing the headroom at Brockhurst Lane. Nonetheless, your Petitioners request your honourable House to amend the Bill so that the headroom at this location will enable the movement of emergency vehicles, agricultural vehicles and users of the bridleway. Your Petitioners believe that an increase in headroom at this location can be achieved through an offline diversion of Brockhurst Lane in conjunction with lowering the carriageway into the existing landform.

Bangley Lane Green Bridge

33. The construction of the railway would result in the substantial loss of much of the Waggoner’s Lane Site of Biological Importance species-rich hedgerows, which are of great rarity in the part of the County where they are located. Your Petitioners understand that the Promoters propose translocation of the hedgerow. Instead, your
Petitioners respectfully request your honourable House to amend the Bill so as to provide that a green bridge is provided at Bangley Lane, which is a private unadopted road, to mitigate severance of connectivity for wildlife at this location. Your Petitioners seek assurance that the hedgerow length affected will be translocated onto the proposed green bridge or that additional planting will be included in the scheme to restore hedgerow integrity. In addition your Petitioners require an undertaking that this environmental enhancement will be maintained in perpetuity by the Nominated Undertaker.

**Drayton Lane**

34. Your Petitioners are concerned about the proposed alignment of Drayton Lane (shown as work no 3/58 on sheet 3-56 of the deposited plans). Your Petitioners would ask your honourable House to amend the Bill so that the proposed alignment is revised either so that it returns to the current position or to an alternative alignment which meets the concerns of your Petitioners as regards road safety for all users. Drayton Lane also encompasses the well-used Heart of England Way and this needs to be safely accommodated within the proposed alignment and new carriageway bridge over the railway. Safety concerns relating to the proposed horizontal and vertical alignment, including forward visibility, have also been highlighted by the Promoters’ Road Safety Auditors. Your Petitioners do not believe that the provision of visibility splays will resolve long term safety concerns and believe realignment is required.

35. Your Petitioners are also concerned to ensure the design of the new bridge is “future proofed” so that it would facilitate any future development of Drayton Bassett, by being suitable for increased traffic flow as a result of any future development.

**Shirral Drive**

36. Your Petitioners are also concerned, again for safety reasons, about the proposed alignment of Shirral Drive (scheduled work no. 3/57, sheet 3-56). A variety of safety concerns relating to the proposed horizontal and vertical alignment of Shirral Drive have also been highlighted by the Promoters’ Road Safety Auditors. Your Petitioners would ask your honourable House to amend the Bill so that the road is aligned in a way that meets the concerns of your Petitioners relating to forward visibility. These concerns are exacerbated by the location of bridleway Drayton Bassett 10.
Part 2: General Issues

General: Environmental Statement: adequacy and accuracy

37. 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 Petitioners have raised a great deal of concerns about the adequacy and accuracy of the ES.

38. Fundamental deficiencies in the ES have been identified by your Petitioners, including the following:

(a) there is little information in the ES concerning the modelling of archaeological potential along the length of the route or the method employed or the detailed results of the modelling process. There also appears to be a lack of consideration of Historic Landscape Character in Lichfield District;

(b) the amendments to the DEFRA Biodiversity Offsetting Metric that have been adopted to create the HS2 metric for the calculation of biodiversity units, particularly in relation to ancient woodland;

(c) in terms of species of principal importance, not all significant impacts are acknowledged or assessed. No assessment is made of impact on bat populations of the considerable time-lag between habitat loss and development of replacement of equivalent value;

(d) the significant gaps in ecology survey data such as a significant lack of protected species survey coverage surrounding the area of the HS2 track bifurcation (Curborough to Fradley) area;

(e) in relation to the locations from which replacement trees will be sourced, the term 'local provenance’ needs to be accurately defined in the ES;

(f) Poor consideration is given in the ES to impacts on landscape features such as ponds, tree lines and small copses that are of importance for wildlife, allowing
species to move through the landscape. Cumulative effects are not well considered. For example in CFA report 21, Paragraph 7.3.23 reference is made to 22 water bodies affected most of which are judged to be of local/parish value. While this may be true on an individual basis, there is no assessment of the cumulative impact of loss of all 22.

(g) In relation to landscape and visual effects, there are inconsistencies in what is said about the approach that has been taken as regards the study area used in carrying out the assessment;

(h) In relation to traffic and transport, volume 5 of the ES highlights the expected proportions of construction traffic during the peak periods but no details are provided to indicate how the remainder of construction traffic is intended to be distributed throughout the day. A significant proportion of vehicles travelling during the afternoon school peak could produce a local impact that does not appear to have been assessed.

(i) The Transport Assessment of the ES (Volume 5: Traffic and Transport, Part 2 base line conditions) indicates queue length surveys have been undertaken to support the traffic model calibration; however the ES does not provide this information to allow your Petitioners to validate this.

(j) The ES (Volume 5: Traffic and Transport, Part 7 Country Assessment) identifies junctions as suffering traffic impact from construction and mass haul routing. However, the Transport Assessment does not appear to have assessed the magnitude of this impact.

39. It is vital that the deficiencies in the ES identified by your Petitioners are remedied by the Promoters, whether by way of an addendum to the ES or otherwise. One reason this is so important is that the Environmental Minimum Requirements, which have been produced by the Promoters 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 ES and depend upon its accuracy.
General: mitigation

40. 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 County. 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 County, who will experience little benefit from the construction of the works.

General: provision of information and consultation

41. 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 ES. 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 until a few days before the deposit of this petition it was delayed, even though the Promoters confirmed they had it. Your Petitioners have also encountered difficulty in obtaining the assistance of the Promoters in enabling your Petitioners to complete ground investigation works to assess the viability in construction terms of lowering the line under the A38.

General: authorisation procedures

42. 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: Local authority authorisation costs

43. 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.

Agriculture and rural economy

44. Your Petitioners are concerned about the impact that the Authorised Works will have on rural businesses in the County and the rural economy generally. A number of farms in Lichfield 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 County.
45. Within Lichfield District, 45 farm holdings will experience a major/moderate temporary adverse effect during construction, and 33 of them (with the loss of 330.3ha) will experience a major/moderate permanent effect once the scheme is complete. The ES states (Volume 2, CFA reports 21 and 22) that land required for the scheme will result in the displacement or possible loss of approximately 130 jobs within Lichfield District. Your Petitioners are unconvinced that the ES has properly assessed the overall direct and indirect impacts on the rural economy in the County, including the effect on local farming, businesses and open countryside (including the effect on amenity value).

46. Your Petitioners are hopeful that the promoter will, through the agency service that it intends to provide for businesses, assist in providing support to affected farmers, land owners and rural businesses to ensure they are left with viable areas of farmland and businesses premises suitable for the individual need. Where businesses are required to relocate as a direct result of the Authorised Works, your Petitioners are hopeful that the promoter will provide and implement a relocation strategy that will be produced in conjunction with Your Petitioners as well as the local planning authority.

47. In addition, where the Promoter suggests in the ES that businesses will need to close temporarily, as a direct result of the Authorised Works, your Petitioners seek assurances that the agency service, along with the Nominated Undertaker, will assist in business restart as well as exploring detailed options that avoid or reduce the need to temporarily close businesses.

**Code of construction practice: drafting**

48. Your Petitioners are concerned that the draft Code of Construction Practice (“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. The term, ‘reasonably practicable’
has been used frequently throughout the CoCP but it is not clear who will decide what is ‘reasonably practicable’. Your Petitioners seek assurances that corners will not be cut and ‘practicable’ is not used as an excuse for cost saving. It is notable that in the Environmental Minimum Requirements (“EMRs”) and supporting documents, the requirements on your Petitioners are more stringent, being framed in terms of “best endeavours”, etc. Your Petitioners are concerned that time and monetary constraints may unduly influence this definition.

49. 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 other than a template contained in the draft environmental minimum requirements, so they reserve their position on that aspect.

**Code of construction practice: engagement and compliance**

50. 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 below) which 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**

51. 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 EMRs 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 detailed design of mitigation measures and in LEMP preparation.

52. Your Petitioners seek assurance that LEMPs will be prepared in a manner which ensures that effective mitigation and compensation of ecological impacts will be consistently applied. In addition, your Petitioners seek further assurance that LEMPs will ensure that compensation habitat design is appropriate for the impacts being mitigated and the local area, while delivering habitats of biodiversity value. For example, through basing planting on National Vegetation Classification communities, preparing habitat specifications, monitoring those habitats once planted, and allowing for intervention should the specifications not be met.

**Code of Construction Practice: Local Authority Costs**

53. 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 are pleased to note that this regime will include the agreement of a CoCP, and LEMPs. 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.

**Code of Construction Practice: Maintenance and Monitoring**

54. Your Petitioners require assurance that a minimum of five years aftercare from the time of planting or restoration will be provided in order to support establishment of newly planted habitats and landscape planting, and that during this period dead or defective material will be replaced or remedial measures taken to secure the mitigation proposed. Your Petitioners also seek assurance that in addition long term management and habitat monitoring will be secured so that the mitigation incorporated into the project is sustainable. Your Petitioners recognise that aftercare has been dealt with in one of the Information Papers produced by the Promoters, but your Petitioners would ask that the proposals contained in the paper be incorporated into a binding undertaking.
Community fund

55. Your Petitioners request that the Promoters should be required to establish a community fund of an appropriate value 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.

Community: Educational Awareness

56. Your Petitioners seek assurance from the Promoter or Nominated Undertaker that they will be responsible for engagement with the local community and educational establishments to educate local pupils and communities on historical finds discovered during construction. In addition to promoting the construction industry your Petitioners believe this is an opportunity to use construction of the scheme to learn about the history of Lichfield District.

Construction: Emergency services

57. Your Petitioners believe that the construction of the proposed works will raise new challenges for emergency services within the County. One example will be the requirement to be able to deal with emergencies that may happen on railway viaducts of the type that are being proposed in your Petitioners’ area. Your Petitioners respectfully request that the Promoters should engage, at their own cost, with the emergency services in the County to determine specific training and equipment that may be required as a result of the construction of the authorised works in your Petitioners’ area. Having identified training needs and any additional equipment, your Petitioners respectfully request your honourable House that such requirements and equipment is provided by the Promoter.
Construction: ombudsman

58. The nature of a major scheme like Phase One of HS2 is that it will impact on the day-to-day lives and businesses of very many people. Inevitably there will be disputes and grievances on a wide range of matters, many of which will be minor in terms of economic impact, but which nevertheless cause distress to those affected. Those affected should be able to have their grievances heard swiftly by an independent third party who has powers to offer a remedy.

59. Your Petitioners propose to your honourable House that the Bill should be amended so as to make provision for a statutory Ombudsman to handle complaints from claimants and with powers to order remedies. In order for the proposal to be effective, the Ombudsman would need powers to fine the Nominated Undertaker, or to order it to remedy matters where it had failed in its dealings with those aggrieved. Disputes over the amount of compensation payable in relation to any claim under the compensation code would still be referred to the Lands Chamber and would not form part of this proposal.

Ecology: impacts on species

60. Your Petitioners believe that 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. Your Petitioners are concerned that the ES does not consider an impact of County significance which contributes to the assessment of the impact of national significance for the route as a whole. Your Petitioners submit that barn owl mitigation will need to be sited outside the rail corridor as evidence indicates that such large transport infrastructure schemes adversely affect all barn owls within 1.5 kilometres.

61. Your Petitioners are also concerned with the impacts on bats and efficacy of proposed mitigation. Your Petitioners believe the conclusion that impacts will be mitigated is not supported by robust evidence within the ES. Your Petitioners seek assurance that additional evidence of the efficacy of the proposed measures will be provided from monitoring of other large infrastructure projects, such as HS1.

62. Your Petitioners also seek assurance that the Promoter will provide additional material (in relation to bat mitigation) as part of the ES to meet these concerns, and
that such material be required to establish a species monitoring programme in order to inform the development of the Phase Two scheme.

Ecology: woodland

63. Your Petitioners are concerned that there is no assessment within the ES of the impact on veteran and mature trees outside of woodlands, such as hedgerow and field trees. These have not been assessed as natural or cultural assets, as components of landscape character and ecological networks despite their importance, which is recognised in the National Planning Policy Framework. This is a significant omission and your Petitioners seek assurance that the ES will be supplemented accordingly and mitigation of loss included during detailed design.

64. Compensation of impacts on designated sites and ancient woodland within the ES does not include proposals to enhance areas of those sites not affected by HS2. This type of habitat restoration could be a valuable form of compensation and your Petitioners request your honourable House to require the Promoter to supplement the ES accordingly and provide assurance that this type of compensation of habitat impacts will be used where appropriate. Your Petitioners believe that this could be achieved is by woodland structure management or through the removal of rhododendron and other invasive species from sites within Lichfield District.

65. Given the number of trees that are proposed to be planted in replacement mitigation across the scheme, and the need to provide trees that are of local provenance, your Petitioners seek clarity from the Promoters to ensure that measures are in place to meet the commitments made in regard of woodland and tree planting to satisfy this future demand.

Ecology: severance of habitats

66. Your Petitioners are unconvinced that the ES adequately addresses habitat severance and impacts on the ability of species to move through and use the landscape as they need to in order to survive. Section 8 of Volume 3 of the ES omits reference to the key impact of severance of ecological networks and the associated impacts on species. This of particular importance in Staffordshire for the Hints area within Community Forum Area (CFA) 21 and the ancient woodland complex in CFA22. Impacts on ecological connectivity do not appear to be informed by connectivity mapping even
where species survey has been carried out. Your Petitioners can demonstrate that through partnership working, habitat compensation is most effective and efficient if placed in a strategic framework based on sound evidence and scientific modelling. Your Petitioners believe that the Promoter’s data is currently insufficient to determining species connectivity requirements in the wider landscape.

67. Your Petitioners seek assurances that the Promoter will undertake additional surveys and assessments to ensure the right habitat is located in the right place which includes offsets further afield than the narrow corridor assessed within the ES. Your Petitioners believe that such measures will maintain a connected landscape and protect future species populations through consolidation of home ranges and population expansion, enabling climate change adaptation for ecological receptors effected by the Proposed Scheme. Where the Authorised Works will cause severance of protected species from their habitats, further connectivity measures reducing habitat severance should be required, such as the Green Bridge as proposed by your Petitioners. Your Petitioners seek assurance that the Nominated Undertaker be required to carry out preliminary planting in targeted areas to include planting outside of the narrow corridor assessed, to create replacement habitat networks. Your Petitioners welcome the opportunity to discuss with the Nominated Undertaker areas for planting.

Ecology: soil management

68. Your Petitioners have concerns about the source of materials proposed to be used for embankments and mitigation habitats in their area, and seek assurances from the Promoter that the use of materials used are appropriate for the local ecology. The Information Paper E3 – Excavated Material and Waste Management describes the approach on the re-use of excavated material in matters such as formation of embankments but does not include measures for soil management for ecological habitats such as heathland and species-rich grassland, where soil type and chemistry is fundamental to successful habitat creation and maintenance, being focussed on agricultural soil management. The Technical Note Ecological Principles of Mitigation Volume 5, Technical Appendices, Scope and Methodology Report Addendum covers translocation soils only. Your Petitioners request that the Bill requires Promoters to consider ecological requirements as part of soils management.
Ecology: habitat management

69. Your Petitioners believe that the quality and use of appropriate techniques for the establishment, aftercare and long-term management of compensatory habitats, such as ancient woodland and heathland creation areas, is essential. The ES does not provide clear provision about such matters. Your Petitioners seek clarity regarding timescales proposed for maintenance of compensatory habitats along with who is responsible for future maintenance. Your Petitioners request that the Bill is amended to include provision which ensures that habitats are maintained for sufficient time periods to ensure successful compensation (which may be decades in the case of ancient woodland) and that appropriate and agreed future maintenance and monitoring of results is secured and enforced.

Ecology: timing of mitigation

70. 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 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.

Environmental effects: enabling works

71. Information Paper E1 Control of Environmental Impacts s.3.36 states that If the environmental impacts of utilities’ and similar bodies’ works made necessary in consequence of the Proposed Scheme have been assessed in the published Environmental Statement, then under Schedule 29 to 30 of the Bill the utilities’ permitted development rights under the General Permitted Development Order
would generally be available to the Nominated Undertaker. There is a lack of clarity as the ES does not cover the impacts of and mitigation for utility diversions required as a result of the Authorised Works. Your Petitioners are concerned that impacts on designated sites, ancient woodland and other habitats of principal importance, and protected species have not been assessed or efforts made to minimise and mitigate impacts, and there is a lack of control over impacts such as hedgerow and tree loss which would result in biodiversity and landscape impact. Impacts have the potential to be significant such as those to accommodate the National Grid Pipeline at the ancient woodland complexes of Ravenshaw Wood, Black Slough and Slaish; or impacts due to potential vegetation loss resulting from use of Public Rights of Way and tracks for temporary access. Given that these diversions are an integral part of the works, your Petitioners require assurances that the off-route works will be subject to the same scrutiny and environmental control as the main works and that impacts will be properly assessed and mitigation included in the final scheme. Similarly, the loss of vegetation resulting from the use of Public Rights of Way and tracks for temporary access as part of the off-route works to the West Coast Main Line have not been assessed in the ES.

72. Your Petitioners wish to ensure that the cumulative impact of the Authorised Works together with any utilities works that are carried out using powers other than those in the Bill is assessed properly and that a consistent approach is taken. So your Petitioners would ask that the Promoters should be required to provide evidence in the form of more detailed ecological assessments and landscape and visual impact assessments to be submitted in support of applications for utilities diversion works, demonstrating how proper assessment has led to appropriate suggestions for mitigation and the protection of the environment.

Heritage

73. Your Petitioners seek assurance that the impact of the Authorised Works on the Grade I Listed Lichfield Cathedral will be fully considered and measures developed and adopted to minimise the impact of the route on the setting of this iconic building and its effect on historic Lichfield’s skyline.

74. In addition to general concerns previously outlined, 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) 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;

(b) inconsistencies in the evaluation of the significance of heritage assets and the mitigation strategies need to consider the long term viability and use of the heritage assets concerned

(c) 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);

(d) The full results of the risk modelling programme, geophysical survey, hyperspectral survey, LiDAR survey and aerial photographic assessment should have been provided at the ES stage or shortly after. Despite assurances from the Promoters, your Petitioners have yet to be provided within this evidence base in full. This information should be provided as a matter of urgency so that its efficacy can be assessed, the evidence can inform the consideration of approaches to further evaluation and mitigation so that it can be included in the Historic Environment Record;

(e) 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 your Petitioners’ Historic Environment Team and the museum or other institution that will accept the finds.

75. Your Petitioners seek assurances that the Nominated Undertaker’s consultant and archaeological contractor will fully engage with English Heritage and Local Authorities in the development of generic and site-specific Written Schemes of Investigation
(WSIs) for the scheme as part of the LEMP process. The need for and scope of fieldworks must be determined by the results of previous work (both desk-based, non-intrusive survey and intrusive evaluation) and the generic WSI must consider in detail a monitoring and communication structure for the scheme.

76. Your Petitioners will no doubt be invited to becoming involved in the development of a Heritage Investigation Programme and seek assurance that detailed engagement will take place with both your Petitioners and Lichfield District Council in relation to it.

Land: clause 47: acquisition outside limits

77. 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. This power is unqualified, meaning there is nothing in the Bill that would ensure it is only used as a matter of last resort, and your Petitioners are concerned that the existence of this power significantly undermines its own role in promoting the regeneration of its own local authority area. 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

78. Given the scale and significance of the works in the County, your Petitioners seek to be consulted upon the detailed design of the landscape works. Whilst your Petitioners are aware that, under current planning law, approval falls to the local planning authority, 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

79. Your Petitioners have consistently voiced concern that in view of the height and extent of some of the proposed embankments and viaducts in the County, 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

80. 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

81. 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.

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

82. 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.
83. 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.

84. 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

85. 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.

86. 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**

87. 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 reassessment in their area for daytime, evening and night time periods as well as a spate assessment of shoulder hour operation.

88. 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 County 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**

89. 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**

90. 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**

91. 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**

92. 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**

93. 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.

94. 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**

95. 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**

96. 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.

97. 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.
98. 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

99. Your Petitioners request your honourable House to require the Promoters to establish a 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 County. The processes should include the appointment of a suitably qualified 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.

100. 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 those sidings being used for Phase one and the land restored only for them to be re-established and used for Phase Two works.

101. 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

102. Your Petitioners have great concerns that the existing rail network will be subject to a number of changes once each of the two phases of HS2 are introduced. Your Petitioners have three key tests which they believe should be met by the Promoters in this respect. They are:

(a) Providing the best possible opportunities for improving existing rail services, especially the West Coast Main Line;

(b) Providing the best opportunities to increase Staffordshire’s prosperity; and

(c) Providing the best opportunities for Staffordshire’s community to gain access to the existing and future national and European high speed passenger network

103. Residents of Staffordshire currently enjoy good rail links to London and the north, with hourly services to London from Stafford taking 80 minutes. The fastest train to London from Lichfield in the peak takes 74 minutes and from Tamworth it takes 62 minutes. Journeys from Stafford to Manchester take 60 minutes and the fastest journey from Stafford to Birmingham New Street takes 30 minutes. Lichfield and Tamworth residents currently enjoy good rail links to the Birmingham Metropolitan area.

104. The implementation of HS2 could result in the deterioration of rail services between Staffordshire and London and unless the junction to the West Coast Main Line at Handsacre is constructed, the journey to London from Stafford may require an extra 40 minutes on the existing journey time. Current rail services linking Lichfield and Tamworth to London could also be reduced in both frequency and efficiency.

105. The Promoter believes that services to and from London from all towns and cities that currently have a direct service to London will retain broadly comparable or better services once HS2 is complete. However, Stoke on Trent would see a reduction in fast classic services to London from two trains per hour to one train per hour.

106. Rail users travelling between London and Stafford could be faced with two options, namely a high speed rail service, presumably at a premium cost, and a classic rail service at a lower cost but with a journey time of 40 minutes longer than at present.
107. Rail users accessing the network at Lichfield and Tamworth travelling to the north and south could also be faced with longer journey times. Passengers wanting to access the high speed rail network would have to use connecting forms of public transport or drive to Birmingham interchange or Stafford, thus increasing the total door to door travel time.

108. Your Petitioners are also concerned about the significant disruption that will be caused to rail services during construction of the Authorised Works. In particular, the proposed alterations to Euston Station (whatever they may be, following the government’s response to the report of Sir David Higgins) will inevitably result in some level of disruption to West Coast Main Line services.

109. Once the HS2 railway becomes operational, the number of conventional services is expected to be broadly similar to the current number. But these services arriving at Euston will need to be accommodated on fewer platforms than exist now.

110. There appears to have been no detailed consideration given by the Promoters to the effects of increased use of existing rail stations that will result from the released capacity on existing services that is anticipated by the Promoters as a result of the introduction of HS2. In particular, your Petitioners are disappointed that there are no plans to undertake a collaborative approach to implement traffic control measures and parking in the area around Stafford station that are likely to be required as a result of increased use resulting from the capacity release.

111. 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 a regular pattern of stopping services by classic compatible trains at Stafford station will be maintained after construction of Phase One and Phase Two of HS2, in order to support economic prosperity and growth, by having improved rail links to and from the major northern conurbations, Birmingham Interchange (and the Airport) and Euston;

(b) that a regular pattern of stopping services by classic compatible trains at Stoke-on-Trent station will be provided after construction of Phase One and Phase
Two of HS2, in order to support economic prosperity and growth, by having improved rail links to and from the major northern conurbations, Birmingham Interchange (and the Airport) and Euston;

(c) 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 Stafford and other stations in Staffordshire (such as Stoke on Trent, Lichfield Trent Valley and Tamworth), following construction of both Phases of HS2;

(d) 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;

(e) 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;

(f) that funding will be made available to your Petitioners to implement traffic control measures and parking in the area around Stafford station, arising as a result of forecast increased use of the station.

112. 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.

Operational railway: Birmingham Interchange

113. Once Phase Two of the railway is complete your Petitioners believe that every opportunity must be made to maximise the benefit of this new infrastructure for the nation. In this regard your Petitioners consider that there is potential for a classic compatible service to link Birmingham Interchange (and the Airport) with Manchester Airport and Manchester Piccadilly, particularly if the Promoters consider a new Hub Station at Crewe as put in the review of Sir David Higgins. Your Petitioners believe this service could serve Stafford and Crewe stations and improve connectivity to both
Birmingham and Manchester Airports. In order to facilitate such a service, your Petitioners believe that modifications to the current proposals at Birmingham Interchange should be made accordingly, without impacting on the efficiency or reliability of the high speed network.

114. Your Petitioners seek assurance that the Promoter will review and provide detailed information on your Petitioners’ proposal to include a classic compatible service that will operate between both Birmingham and Manchester Airports serving Stafford and Crewe stations.

Planning: conditions

115. 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 6(6) of Schedule 16 to the Bill. That sub-paragraph says that the relevant planning authority may impose conditions on approval of arrangements 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.

Socio-economics: impact of highway works on economy

116. Your Petitioners are concerned that there appears to be no reference within the ES 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**

117. Your Petitioners seek assurance that the promoter has considered how HS2 will restrict future growth within areas through which it will pass in Staffordshire. 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.

118. 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**

119. Notwithstanding the displacement or possible loss of approximately 130 jobs within Lichfield District, the construction of the works authorised by the Bill has the potential to provide additional employment in the County, not just directly on the construction sites, but indirectly as well. Your Petitioners are aware of the Promoters’ desire to provide opportunities for around 1,000 new apprenticeships in the construction workforce, and your Petitioners seek a commitment that the Nominated Undertaker will use the local workforce and supply chain during construction of the Authorised Works, offering opportunity for skill development and apprenticeships.
Socio-economics: rateable value

120. It is very likely that a large number of businesses will be affected by the impacts of the construction of HS2 which will impact on rateable value and business rates received by the local planning authority. Your Petitioners support the proposal being promoted by Lichfield District Council that would see the implementation of a funding strategy that will provide support the local authority to cover a loss in income received.

Traffic and transport: Construction traffic

121. Your Petitioners have requested elsewhere that all HGV construction traffic should be required to use the A38 and Wood End Lane. Your Petitioners are also concerned with the impact that the proposed HGV construction traffic will have on the efficiency of the A38 Hilliards Cross junction. Your Petitioners have safety concerns with the layout of this junction and require the Promoter, in discussion with the Highways Agency, to develop and implement an improved junction layout. As with much needed improvements to Wood End Lane, your Petitioners note that there is potential for this junction to be used as a route to facilitate the construction of the Phase Two scheme. The benefits of junction improvements at Hilliards Cross could therefore be extended far beyond the planned construction phase of the Phase One scheme.

122. Your Petitioners seek assurance that the Promoter or Nominated Undertaker will develop and implement an engagement strategy to liaise with businesses at Fradley Park in order to co-ordinate HGV movements with the businesses on the Trading Park. Your Petitioners believe that such co-ordination will assist in mitigating the impacts of HGV construction traffic on the movement of goods and services accessing the Park.

123. Your Petitioners are concerned with the impact additional HGV construction traffic will have on the efficiency of the existing roundabouts on the A5127 and Cappers Lane and any detrimental impact this may have on the movement of goods and services. Your Petitioners require further information from the Nominated Undertaker in order to understand the accommodation works required.

124. Your Petitioners are concerned with the impact additional HGV construction traffic will have on Cappers Lane and Broad Lane. Your Petitioners require information relating to the accommodation works that will be needed in order to facilitate the safe
passage of HGV construction traffic on these rural carriageways. Broad Lane is approximately 5m wide in part.

125. Your Petitioners object to Cricket Lane being used for construction traffic. This is a residential street and unsuitable for HGV construction traffic. Your Petitioners seek assurance that Cricket Lane will not be used by the Nominated Undertaker for the routing of construction traffic.

Traffic and transport: highway design

57. Your Petitioners understand that the detail design of highway alignments and layouts will be subject to the approval of the highway authority once plans and drawings have been submitted by the Nominated Undertaker. Your Petitioners note that in response to Road Safety Audits, the Promoters’ designers suggest that appropriate visibility splays (at Drayton Lane, Flats Lane, Broad Lane) will be provided at the proposed alignments and junctions.

126. Your Petitioners are concerned that such design approach places future maintenance liabilities on the authority to maintain verges that will form a key part of any visibility splay created. As listed below (new accesses) your Petitioners are also concerned that they may not find a satisfactory solution that can be implemented within the Bill limits, and therefore may need to ask your honourable House to amend the Bill in that regard.

Traffic and transport: liability for highway embankments

127. The Bill authorises a number of bridges carrying the railway over and under roads and public rights of way in the County. Some will require the construction of earthworks which will have the potential to settle and cause damage to the road or right of way surface. Your Petitioners requires an undertaking that the maintenance of the earthworks to facilitate the highway (including Public Rights of Way) passing over the railway at the following locations:

(a) Drayton Lane/Shirral Drive

(b) Drayton Bassett Footpath 11

(c) Hints Footpath 9
the liability of the Nominated Undertaker for a period of five years after
completion. Your Petitioners also seek assurance that maintenance and repairs will be
undertaken by the Nominated Undertaker to your Petitioners’ satisfaction and in
accordance with the relevant Highways Agency guidance.

Traffic and transport: operation of Schedule 4

128. Your Petitioners note the contents of Part 1 of Schedule 4 to the Bill, which deals with
highway accesses and acknowledge the requirement for timely processing of notices,
plans and specifications. However, your Petitioners are concerned that the quantity
and quality of the information provided to your Petitioners should be managed in such
a way as to enable the Authority to meet the time limits set out in the Schedule. Your
Petitioners seek assurances that on-going dialogue and discussion about that will take
place to enable this to happen.

129. Your Petitioners consider that the maintenance period of 12 months for new or
altered roads as set out in the Bill under Schedule 4 is inappropriate, given the very
high levels of construction traffic likely up to 2026. Your Petitioners request that Part 3
of Schedule 4 to the Bill be amended in its application to the County so that the
Nominated Undertaker will remain responsible for maintenance of new or altered
highways until 12 months after the construction of the railway in the County, ensuring
that the Nominated Undertaker remains responsible for maintenance until after the
highway ceases being used for HS2 construction traffic. Alternatively, the
maintenance period should be set at 60 months from practical completion or bringing
into use.

Traffic and transport: permit schemes

130. Paragraph 3 of Schedule 23 to the Bill disappplies provisions in the Traffic Management
Act 2004 which relate to permit schemes. The rationale behind the permit scheme
provisions in the 2004 Act is to promote effective and efficient management of works
that impact on highway networks. Permit schemes are essential in order to keep
Staffordshire and the sub-region open for business. Your Petitioners are very concerned about the loss of control in relation to this particular aspect, with no suitable alternative being put forward by the Promoters. Your Petitioners ask your honourable House to amend the Bill by removing paragraph 3 of Schedule 23.

Traffic and transport: Traffic authorities and street works

131. Under clause 3 of and Schedule 4 to the Bill the Nominated Undertaker may stop up and otherwise interfere with various highways in connection with the authorised works. Schedules 4 and 23 disapply a range of highways and street works legislation. The proposed removal of these controls over such a major series of highway works has the potential to render your Petitioners powerless in its ability to manage its own highway network. For example, there would be no powers available to your Petitioners under section 74 of the New Roads and Street Works Act 1991 to charge for the occupation of the highway where works are unreasonably prolonged. The key principle the street works legislation contained in the 1991 Act is to provide for coordination and parity across street works undertakers. The proposed disapplication of these provisions would remove this principle and the replacement arrangements proposed under the CoCP between the relevant highway authority and the Nominated Undertaker will have no sound legal or contractual basis.

132. Therefore your Petitioners seek an amendment to the Bill omitting or qualifying the disapplication of the New Roads and Street Works Act and other relevant highways and street works legislation.

Traffic and transport: Pre-strengthening highway works

133. Your Petitioners are concerned that traffic serving construction sites in the County will damage the carriageway of highways for which your Petitioners are responsible as highway authority. Your Petitioners are also concerned that the increased HGV construction traffic will accelerate deterioration of the highway network. Your Petitioners would rather prevent or limit such damaging rather than require it to be repaired and therefore request your honourable House to require the Promoter or Nominated Undertaker to provide funding that will enable the reconstruction of specific carriageways that are to be used for HGV construction traffic but are unable to withstand such increase in HGV traffic.
134. In conjunction with the above your Petitioners request your honourable House to require that the Nominated Undertaker should put in place and implement a programme of carriageway reconstruction prior to the start of construction in the County.

Traffic and transport: highway maintenance and remedial liabilities

135. Your Petitioners submit that the Nominated Undertaker should be required to carry out and fund all necessary remedial and repair works to the highway and any necessary bridge strengthening to a standard specified by your Petitioners in respect of all highways and bridges for which they and others in the county are the responsible authority. Your Petitioners submit that the promoter of the Bill should be required to carry out detailed condition surveys to the satisfaction of your Petitioners before and after the construction period on land in their ownership which is to be and is affected by the proposals, particularly on highways which will be heavily used by construction traffic.

136. Your Petitioners are unclear about who would be responsible for various elements of maintenance and believe that either the Bill should be amended or the Promoter should provide explanations about what matters will be the responsibility of the Nominated Undertaker. Your Petitioners need to be assured that an appropriate maintenance regime will be put in place by the Nominated Undertaker and that the following items, amongst others, should remain be the responsibility of the Nominated Undertaker:

(a) Bridge Joints renewals
(b) Bridge Parapets
(c) Vehicle restraint system on embankments
(d) Road Signs relating to over bridges
(e) Highway Drainage (associated with structures)
(f) Highway surfacing (including road studs) on structures
(g) Waterproofing to structures
(h) Balancing Ponds

(i) Embankments (see previous point)

(j) Minor Culverts

(k) Hedgerows

(l) Hints Footpath 14 Green Overbridge

(m) Verge Maintenance e.g. grass cutting on highway embankments

(n) Highway Lighting systems - Bollards, signs and lighting columns on structures

(o) Graffiti removal (associated with structures)

137. Any agreement made between the Nominated Undertaker and your Petitioners should, where appropriate, include provision for commuted sums for maintenance.

Traffic and transport: Private Finance Initiative

138. Your Petitioners currently operate a Private Finance Initiative (PFI) contract for the maintenance and installation of illuminated signs, illuminated bollards and street lighting. Your Petitioners seek assurance from the Promoter that the design, installation and specification of such equipment, where your Petitioners are to adopt such equipment and will comply with the requirements of the PFI contract and be installed to the current acceptable standards/specification.

Traffic and transport: Public Rights of Way

139. Your Petitioners seek assurance that all public rights of way will be safeguarded during the development through accessible and convenient alternative routes.

140. Your Petitioners seek an undertaking that shorter diversion routes are established for Public Footpath No 31 Alrewas and Public Footpath No 0.392 Kings Bromley. At present neither of the proposed diversions appear to follow the shortest, most convenient route.

141. Your Petitioners request that the shortest temporary closure is established in all cases. In the case of Public Footpath No 6 Streethay your Petitioners believe it is
unreasonable to expect this route to be closed for up to 6 years without an alternative route proposed. Your Petitioners seek an undertaking that an acceptable diversion route will be adopted in order to establish an alternative route. It should be noted that local authorities only have powers to close a public right of way for a period of up to 6 months although this can be extended by the Secretary of State.

142. Your Petitioners are concerned about the use of heavy construction traffic along Drayton Lane which will impact on the safety of bridleway users (particularly horse riders) on Public Bridleway No’s 9 and 10 Drayton Bassett. Your Petitioners request further details to understand the mitigation measures that will be put in place to ensure these routes can be safely used during construction.

Traffic and transport: Access and egress at construction compounds

143. Your Petitioners are concerned with the interface of the proposed main and satellite compounds with the highway network, these include:

(a) A453 Sutton Road; your Petitioners are concerned with the impact the site compound will have on the free flow of traffic on the A453. Your Petitioners seek assurance that the Nominated Undertaker will, in consultation with your Petitioner, ensure temporary traffic control measures are in place to reduce the impact on the free flow of traffic on the A453.

(b) Forward visibility for motorists as they approach the proposed temporary access to the road head at Watling Street from the north-west, as shown on sheet 3-62 of the deposited plans. It is anticipated that during busy periods and within the peak month of construction activity the average number of daily combined two way vehicle trips will amount to some 970 to 1000 HGV movements, at this location. Your Petitioners have similar concerns in relation to the proposed permanent access for the balancing pond (sheet 3-62)

(c) Wood End Lane road head and satellite compounds as shown on sheet 3-74. Your Petitioners are concerned with the cumulative impacts of construction traffic accessing these compound areas and the impact on the free flow of traffic. Your Petitioners seek assurance that the proposed accesses and temporary traffic management will be co-ordinated in order to reduce the impact of the sites on non HS2 related traffic. Your Petitioners seek further
assurance that this will be co-ordinated with the engagement strategy to liaise with local businesses at Fradley Park Trading Park (as previously outlined)

144. Your Petitioners are unconvinced that Part 1 of Schedule 4 to the Bill provides them with sufficient protection, and unless your Petitioners receive adequate assurances in this regard, they would ask your honourable House to require that the Promoters ensure that the Nominated Undertaker will include additional safety works, in order to improve highway safety for all users.

145. Your Petitioners also seek assurance that any temporary traffic lights used to manage any temporary junction (or haul road crossing points) on the highway with construction compounds will be in use for the period of construction and be removed, if safe to do so, out of working hours. This is to include weekends. In addition, your Petitioners require an undertaking that the Nominated Undertaker will effectively manage the free flow of traffic in order to minimise congestion on the highway network, this includes manual control of temporary traffic lights during peak times to reflect the direction of traffic flow.

Traffic and transport: New Accesses

146. Your Petitioners are concerned about the proposed location of a number of permanent accesses onto the highway. Your Petitioners will identify these and seek to reach agreement with the Promoters about their concerns before they appear in select committee. Your Petitioners are concerned that they may not find a satisfactory solution that can be implemented within the Bill limits, and therefore may need to ask your honourable House to amend the Bill in that regard.

Vertical limits

147. 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 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 include:

(a) The viaduct at the Parish of Drayton Bassett;

(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: use of aggregates

148. The ES does not appear to suggest that the Nominated Undertaker will be required to minimise the use of primary aggregates for the construction of the works and instead use secondary or recycled aggregates, where appropriate. Your Petitioners are surprised by that and would ask your honourable House to require assurances to be given that the Nominated Undertaker will seek to use secondary or recycled aggregates where appropriate and that the Promoters will use this opportunity to encourage and further develop the use of recycled aggregates in construction generally.

Waste and minerals: disposal schemes

149. The disposal of waste off site is not anticipated to have a significant impact in Staffordshire but in the event that there is a requirement for off-site disposal of inert excavated wastes, your Petitioners support the integrated design approach (Volume 3 paragraph 14.1.19) and would ask your honourable House to require the Promoters to ensure that the Nominated Undertaker liaises with your Petitioners at the earliest opportunity to identify appropriate disposal schemes. Such schemes may include the restoration of closed quarries for the establishment of land for wildlife habitat as well as for agricultural and forestry use. This would be preferred rather than the use of additional agricultural land for ecological mitigation.
Waste and minerals: disposal of spoil

150. Paragraph 14.6.5 of volume 3 of the ES indicates that “sustainable placement’ will be utilised along the route of the railway. “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 your Petitioners’ relevant minerals local plan policies.

Water resources: maintenance of drainage measures

151. Your Petitioners understand the need for the use of drainage measures in the Bill, and in particular note that a number of balancing ponds are proposed in the County. For most of the time, your Petitioners understand that the ponds will remain dry, but that does not mean that they need not be maintained. Your Petitioners are keen to see provision in the Bill or an undertaking from the Promoters to the effect that all drainage measures in the Bill will be properly maintained by the Nominated Undertaker or under arrangements with other responsible authorities.

Site visits and local committee sittings

152. Your Petitioners believe that it would be advantageous if the Select Committee of your Honourable House were to visit the County to see the sites of the Authorised 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 Staffordshire or Birmingham, 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

153. 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 Staffordshire County Council
HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

PETITION

of

STAFFORDSHIRE COUNTY COUNCIL

AGAINST,

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