

HILLINGDON'S RESPONSE TO THE GOVERNMENT'S CONSULTATION ON HIGH SPEED RAIL

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning, Transportation and Recycling
Officer Contact	Jales Tippell Planning, Environment, Education and Community Services
Papers with report	<p>Appendix 1- Hillingdon's response to the Government's High Speed Rail Consultation</p> <p>Appendix 2- Hillingdon's response to the London Assembly Examination of High Speed 2</p> <p>Appendix 3 – Council owned sites affected by the HS2 proposal</p> <p>Appendix 4 – 51M Group's response to the Government's High Speed Rail Consultation</p> <p>Appendices 1 and 2 are circulated separately. Appendix 4 will follow when approved by the 51M Group.</p>

HEADLINE INFORMATION

Purpose of report	This report provides information on the Government's High Speed Rail Consultation proposing a new high speed rail network linking London to Birmingham and eventually Manchester and Leeds, which was published on 28th February 2011. The route of the proposed high speed railway line will pass through the Borough. This report also seeks Cabinet approval for a proposed response to the Consultation and the relevant delegated authority to endorse the 51M Group's response.
Contribution to our plans and strategies	Hillingdon's emerging Core Strategy Hillingdon's Unitary Development Plan Saved Policies 2007 Hillingdon Partners Sustainable Community Strategy
Financial Cost	The Council's 2011/12 Development and Risk contingency includes £100,000 that was earmarked for any potential challenge against the High Speed 2 rail link.
Relevant Policy Overview Committee	Residents' and Environmental Services Policy Overview Committee
Ward(s) affected	South Ruislip, Manor, West Ruislip. Ickenham, Harefield.

RECOMMENDATIONS

That the Cabinet:

1. Welcomes the Council's resolution on 7 July 2011 reaffirming the London Borough of Hillingdon's full opposition to HS2;
2. Recognises the extensive resident consultation campaign led by the Leader of the Council and notes the overwhelming support against the proposed HS2 route from residents and local action groups across the Borough;
3. Notes the contents of the report and agrees the response to the Government's Consultation for submission to the Department for Transport as set out in Appendix 1;
4. Agrees to grant delegated authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services in consultation with the Leader of the Council and the Cabinet Member for Planning, Transportation and Recycling to agree any further changes required to the Council's consultation response;
5. Notes the response to the London Assembly Transport Committee as set out in Appendix 2;
6. Notes that in addition to residential properties, that there will be a number of council-owned properties that will be affected by the proposed route as set out in Appendix 3;
7. Endorses the 51M Group's response to the Government's High Speed Rail Consultation as set out in Appendix 4; *(TO FOLLOW)*
8. Instructs officers to continue work on opposing the Government's current proposals for High Speed Rail, including joint working with the 51M Group, and to report back to Cabinet on any significant issues and;
9. Agrees the urgency of this matter so that the Council's response can be sent to the Government by the consultation deadline and therefore requests the call-in procedures be waived on the above recommendations so that any decisions take immediate effect.

INFORMATION

Reasons for recommendation

The proposed High Speed 2 rail line is likely to be the most significant development proposal in Hillingdon since the 3rd Runway. Its adverse impacts are considered to be far in excess of the benefits that will ensue from the proposal.

The Government's decision on whether to proceed with the proposal will be largely based on the responses to the consultation documents.

If the Council is to effectively influence the Government's decision, it needs to submit an effective response to protect the interests of residents and businesses in the Borough.

By supporting 51M Group's response to the Government's Consultation, the Council will strengthen its case and benefit from the outcome of the detailed work that has arisen from pooled resources, funds and expertise.

Alternative Options Considered.

The Cabinet Members may influence the Government's proposal by agreeing the proposed response in full or in part; or by making any amendments to the response that they consider appropriate.

The alternative option would be to not respond. This is not considered to be an appropriate option due to the adverse impact that this proposal will have upon residents of the Borough.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting information

The Consultation

1. The Government's Consultation was summarised in the report to Cabinet in April 2011 and this is repeated here as useful background information.
2. In 2009 the previous Government set up a company called HS2 Ltd who were commissioned to investigate the case for high speed rail and key strategic options. Its report was published in March 2010. On the basis of HS2 Ltd's analysis, the Government announced that it favours a Y shaped core high speed rail network, and in December 2010 it published its 'Preferred Route' between London and Birmingham.
3. On 28th February 2011, the Government launched a public consultation on 'High Speed Rail: Investing in Britain's Future'. Within this document the Government states that a national high speed rail network would be a transformational investment in Britain's future and would help to bridge the north-south divide. The suite of consultation documents set out the basis on which the Government has reached this view.
4. The Consultation is requesting public views on two aspects. Firstly it seeks views on the wider strategy for a Y shaped rail network to run between London and Birmingham and then further north to Manchester and Leeds, with a spur to Heathrow. This phase of the development would aim to be completed by 2033. Secondly it seeks views on the proposed route from London to the West Midlands, which is to be the first phase of the high speed rail network. This phase of development would aim to be operational by 2026. The proposal is known as HS2 and more particularly the Government's proposed route.
5. The Consultation document sets out the Government's proposed high speed rail strategy and describes:

- the wider context in which high speed rail has been considered;
- why additional rail capacity is needed;
- the options for providing additional capacity and the case for high speed rail;
- the Government's strategy for delivering a national high speed rail network including links to Heathrow and the Channel Tunnel (known as HS1);
- how the Government's recommended route for an initial high speed line from London to the West Midlands has been identified;
- the core principles underpinning this work; and
- the proposed route in detail, including its sustainability impacts.

6. Annex B of the consultation document itself includes details of some alternative routes considered by Government. These alternative options do not form part of this Consultation and they have not been consulted upon under separate cover. Their inclusion is purely to illustrate the alternative options considered by HS2 Ltd when formulating its view regarding the proposed route and only limited reasoning is provided as to why these options were rejected.

7. The suite of documentation that accompanies the Consultation document includes an Executive Summary, maps of the proposed route, the Economic Case for HS2, the Appraisal for Sustainability (which includes 6 annexes and a summary), the Route Engineering report and a Strategic Alternatives Study.

8. Members of the public/interested parties who wish to respond to the consultation must do so by answering 7 heavily loaded questions detailed in the consultation document itself. The document does not invite more general views. The Consultation deadline for responses is 29th July 2011.

9. As part of the Consultation process, HS2 Ltd have held a number of roadshows along the proposed route. This included one in the London Borough of Hillingdon which was held on 30th and 31st March 2011, at the Winston Churchill Hall in Ruislip. There were also a number of technical seminars conducted by HS2 Ltd. Within the Borough of Hillingdon this included one seminar aimed at specialist technical officers, one for elected Members which was held prior to the HS2 roadshows within the Borough and one for resident group representatives.

10. If, following the close of this Consultation, the Government decides to proceed with HS2 and more particularly the proposed route, it will secure the powers to deliver the scheme by means of a Hybrid Bill (estimated to be laid in Parliament in 2015). This vehicle was used to secure the Cross Tunnel Rail Link (HS1) and Crossrail. The procedure is more restrictive than a private bill and includes an additional Select Committee stage after its second reading in the House of Commons. This allows objectors whose interests are directly affected by the Bill to be heard. If the matter reaches the Select Committee stage, Members of Parliament will be unable to reject the Bill in its entirety and objectors (including the Council and residents) will need to petition to secure a change to the Bill or a concession from the promoters.

The high speed rail proposals

11. The Government's proposal for High Speed Rail was also summarised in the report to Cabinet in April 2011 and for ease of reference this is set out again here as useful contextual information.

12. HS2 is designed to carry trains that can travel at up to 250 mph. The proposed route would initially provide 14 new train paths every hour each way for long-distance services, with up to 18 trains an hour on a wider network. The infrastructure would be designed to accommodate larger and longer trains of up to 400 metres, carrying up to 1,100 passengers each.

13. The proposed route is claimed to initially link London to Birmingham in 49 minutes (currently 1 hour and 24 minutes). In 2033, the route would link London to Leeds in 73 minutes and London to Manchester in 80 minutes (currently over 2 hours). The Government estimates that the construction of the Y shaped network would cost £32 billion. In order to justify this cost the Government has estimated that the development would generate benefits of around £44 billion, as well as revenues totalling a further £27 billion.

14. As mentioned above, the construction of the Y shaped network would be delivered in two phases. The first phase would comprise an initial line from London to the West Midlands (including a link to the existing West Coast Main Line) and incorporate a connection to the High Speed 1 line to the Channel Tunnel. The second phase would comprise two lines from the West Midlands to Manchester and Leeds, including stations in South Yorkshire and East Midlands and a direct link to Heathrow Airport.

15. Broadly, the Government is promoting this scheme on the assumption that it may produce the following benefits:

- increase rail capacity to meet rising demand for long-distance rail travel;
- ease overcrowding on existing railways;
- slash journey times between cities, bringing London within 49 minutes of Birmingham and within 80 minutes or less of both Manchester and Leeds;
- link existing East Coast and West Coast Main Lines, bringing Scotland within three and a half hours of London;
- reduce demand for internal UK flights;
- create around 40,000 jobs; and
- contribute to major regeneration programmes.

Council Resolution

16. On 7th July 2011, at a meeting of the full Council, it was resolved that:

'That this Council welcomes the Mayor of London's support for our argument that the proposed HS2 route through this Borough will cause significant environmental and social disadvantages and that Hillingdon residents gain no benefit from HS2.

Furthermore, Council asks Cabinet, in its formal reply to the Department of Transport consultation on HS2, to highlight the weakness of the current business

case for HS2 and the fact that the cost will, as a minimum, be equal to £51m for each constituency.

Council therefore reaffirms its full opposition to HS2 and its strong support of the creation of "Hillingdon Against HS2" by local residents and the formation of the 51M group of local authorities.'

Hillingdon's proposed response

17. A proposed response to the Government's 7 Consultation questions is attached as Appendix 1 of this report. This proposed response is based on the likely overall impacts of the proposal on this Borough, which are considered to be wholly adverse. It is the view of officers that these adverse local impacts have not been justified by any convincing case that the proposal is in the national interest as there are no wider economic, environmental or social grounds to support it.

18. In order to best protect Hillingdon's interests and avoid obvious duplication of work, the Council has been working in partnership with the 51M Group to manage a number of work streams. 51M has commissioned work from a number of specialist consultants in order to properly evaluate the specific impacts of this scheme on affected areas along the proposed route and to secure legal advice from leading Counsel in order to establish the various options and opportunities available to the Group to oppose HS2 or to influence the proposals.

19. The Council's suggested response has been informed by the work of the 51M Group which at present is a consortium of 15 Local Authorities, led by Buckinghamshire County Council, that all oppose the Government's proposals in whole or part. The consortium consists of:

- Buckinghamshire County Council
- London Borough of Hillingdon
- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council
- Cherwell District Council
- Lichfield District Council
- South Northants District Council
- Warwick District Council
- North Warwickshire Borough Council
- Warwickshire County Council
- Stratford-on-Avon District Council
- Leicestershire County Council
- Staffordshire County Council

20. The 51M Group submitted a response to the Transport Select Committee in May 2011, which is available on the 51M website at www.51m.co.uk/select-committee. In July 2011, the 51M Group also responded to the London Assembly Examination of High Speed 2, which will also be available on the 51M Group website.

21. In addition to working with the 51M Group, officers at Hillingdon have also responded to the London Assembly Examination of High Speed 2 from a Hillingdon perspective (see Appendix 2) with a view to influencing the Mayor of London's response to the Government's Consultation on HS2.

22. Despite Government efforts to publicise the consultation process for HS2, the Council has had and continues to have concerns that the Government's efforts were ineffective in reaching those persons affected by the plans for the proposed route. As a result, the Council held residents meetings as far back as 2nd December 2010 in order to brief residents about the forthcoming consultation, due for release in early 2011. Further meetings were then held on the 24th March 2011, prior to the HS2 Roadshows visiting the Borough, and two further meetings were held on 9th June 2011 and 14th July 2011. These meetings were all very well attended and have helped to shape the views of residents of the Borough.

23. The Council has highlighted the Government's proposal for HS2 on its website and, in the May/June 2011 edition of Hillingdon People magazine, the Council published an article informing people how to have their say on the current HS2 proposal and properly engage in the consultation process. This edition included a reply card which asked residents of the Borough whether they a) 'do not support the Government's current proposals for HS2 because there is not sufficient justification on economic or environmental grounds for it' or b) whether they do 'support the Government's current proposals for HS2'. The response to the reply card has been overwhelming with over 12,000 responses to date, of which over 89% are against HS2.

24. The proposed route would directly impact the residents of this Borough. In particular, Members should note that unlike other areas of London, where HS2 is proposed to be tunnelled, in Hillingdon the proposed route goes right across the Borough, running through urban areas, including Ruislip and Ickenham at surface level and then across the Colne Valley by means of a viaduct. The proposal to provide a Heathrow Link would also have devastating impacts on the Borough but yet again, there are no details provided on this. The Council's proposed response to the HS2 Consultation questions is attached in Appendix 1. A summary of the key issues is set out below.

25. Cabinet Members are advised that there is evidence to suggest that the HS2 Consultation process is far from adequate and possibly flawed. Details of such inadequacies have been included in the Council's responses to the relevant Consultation Questions.

THE STRATEGIC CASE

The principle of high speed rail

26. The Council supports the principle of high speed rail if it is set against an overarching national integrated transport infrastructure framework comprising rail, road and aviation, and provided it is located along an appropriate route. Unfortunately the Government's proposal for high speed rail, as described in the Consultation document, is not set within any such framework and is not located along the most appropriate route. The proposal can, at best, be described as a regional scheme that links just 4 cities, therefore reducing the potential benefits of this

scheme for the UK, due to the lack of integration with other regions, such as the South West, Wales, East Anglia and the South.

27. The tone of the Consultation document appears to suggest that the strategy for high speed rail has already been determined and the only element of this scheme that is subject to review and debate is the line of the route itself. If so, presenting the Consultation as an evaluation of the necessity of a national high speed rail strategy would be meaningless and fundamentally flawed. We are however assuming that this is a genuine Consultation.

No sound business case

28. HS2 would cost in excess of £30 billion, requiring a public subsidy of around £17 billion. There are a range of other alternatives which may make better use of this money, and consequently all alternatives to meet any shortfall in rail capacity should be carefully considered by Government in order to ensure best value is achieved. Given the level of investment that this project requires, it must be demonstrated to be in the public interests on a national basis in order to justify this level of expenditure. Unfortunately, the level of information provided in the Consultation documentation does not provide sufficient detail on whether these factors have been taken into consideration.

29. There are also a significant number of uncertainties relating to the evidence base for a number of assertions put forward in the Consultation document. In summary they are as follows:

- Optimistic “transport user” benefits;
- Optimistic passenger demand forecasts;
- Environmental costs not adequately addressed and costed;
- Alternative options not properly assessed.

30. In light of the above, the evaluation of the HS2 proposal as represented in the Consultation is considered to be seriously flawed and hence inadequate as a basis for making any decisions on the merits of this major infrastructure project.

No proven regeneration benefits

31. There is no robust evidence presented to support the premise that the HS2 proposed route would help to bridge the North/South economic divide, or that the provision of a high speed network is the most cost-effective or appropriate solution to achieve long-term, sustainable economic growth. Furthermore, international evidence suggests that high speed rail may actually generate or reinforce territorial polarisation, with growth more likely to accrue to the capital than the regions. There would most likely be a drain upon economic activity towards London and its surrounding areas, rather than any gain for the UK as a whole.

No proven social benefits

32. The case for HS2 is not supported on commercial grounds, but it is justified if the estimated social benefits are accurate. The Consultation document indicates that the capital and operating costs would not be met by the projected revenues, so would therefore need a public subsidy to assist these long distance rail users. The Government has failed to explain why this group is worthy of such a public subsidy, particularly as the evidence shows that long distance rail trips are predominantly

made up of affluent rail users, with 47% of journeys being made by those in the top 20% household income bracket.

No proven case for a link to Heathrow Airport.

33. There is no quantitative evidence provided in the Consultation document to support the Government's claim that there is a 'compelling strategic case' for the link to Heathrow. Previous HS2 reports to the Government provided clear evidence that the costs of providing such a link outweighed any benefits, whereas this Consultation views a direct link to Heathrow Airport as an integral component to the scheme.

34. The Government's decision to include a link to Heathrow appears to have predetermined the proposed route in a westerly direction and hence through Hillingdon. If alternative routes had been properly explored, without the link to Heathrow Airport being such a pervasive factor, other routes may not have been so easily rejected by the Government. The Heathrow link has limited the choice of routes available for any proposed high speed line, and further undermines a fair and open Consultation process.

No proven environmental case

35. The Consultation documentation claims that HS2 is carbon neutral. The principles of any high speed rail should fundamentally address the issue of reducing carbon emissions, in line with UK commitments, and should ensure that modal shift is a key objective. The Consultation documentation for HS2 admits that the modal shift from road to rail, and hence any corresponding reductions in carbon emissions, is minimal.

36. The Consultation documentation does however assume reductions in carbon emissions with a modal shift from domestic flights to HS2. With regards to this Consultation on Phase 1 (i.e. the London to West Midlands route) there will be no reductions in carbon emissions from aviation as there are no current flights between these destinations. Should HS2 proceed to Phase 2, where there may be an opportunity to realise this modal shift, the slots used for domestic flights are likely to simply be replaced by more high polluting long haul flights anyway, resulting in an increase in overall carbon emissions. In light of the UK's commitment to reducing carbon emissions this is unacceptable.

37. With regards to improving local air quality, there are legal implications in areas where air quality levels are above acceptable limits and the Government appears to have missed a good opportunity to review the alternative options to HS2 or at least to have optimised the route to ensure that modal shift from cars was significant in order to improve local air quality. The additional problem of a potential move towards more long haul flights and hence bigger planes with the ensuing larger numbers of passengers accessing the airport will further exacerbate the problem and is of particular concern given that the Heathrow area is a nationally recognised local air quality hotspot.

Wider transport disbenefits

38. Transport for London has highlighted concerns which are supported by Hillingdon, in particular with regard to the following:

- Whilst supporting the principle of a link between a proposed HS2 route and the existing HS1 link to Europe, insufficient evidence has been given in the Consultation document to provide confidence that this link as proposed, i.e. via the current North London Line, has been developed appropriately to give the necessary capacity, or designed to ensure resilience of existing operating services;
- The magnitude of the work required to incorporate HS2 at Euston has not been properly accounted for. This provides a misleading assessment of the cost implications, which in turn undermines the economic case.
- There are time penalty consequences for all trains stopping at the proposed Old Oak Common station which include the Great Western Mainline trains, Crossrail and the Heathrow Express. Using the methodology applied in the Consultation documentation, these time penalties should be factored in as disbenefits. It is unclear as to whether this has been done.

Unknown impacts from Phase 2 (the Y network)

39. The inclusion of a detailed consultation on a London to Birmingham route (Phase 1) plus a strategic consultation on a wider Y network has caused unnecessary confusion. As yet, no assessment of Phase 2 has been completed, and consequently, the extent of the environmental, social and economic impacts cannot be properly understood by potentially impacted stakeholders. The Phase 2 network would increase the number of trains per hour along the whole Phase 1 route and hence would exacerbate the impacts on areas adjacent to this proposed route. With no assessment of Phase 2, it is impossible to assess the combined effects and this represents a fundamental flaw in the approach to whole Consultation process.

40. In other parts of the Consultation, the Y network has been used to justify the scheme, for example the economic case. However, as the detailed analysis has not yet been undertaken for the Y route, including exact station locations, the proposed line of route, and the local impact mitigation measures, it would appear premature to guarantee the associated costs and benefits.

THE LOCAL CASE

Residential impacts/property loss

41. The proposed route of HS2 runs directly across Hillingdon from east to west. This would require land take thereby affecting residents, businesses and the local environment. Whilst it is possible to identify land directly impacted along the proposed route, it is much more difficult to ascertain the effects on peripheral areas, such as garden space and access areas. There are also significant areas of designated Green Belt which will be affected and where there is likely to be huge disruption during construction. However, exclusion of this information in the Consultation documentation does not allow respondents to properly assess the impact of this scheme on landowners along this part of the route, or fully understand the details of construction, which would have considerable adverse impacts on the Borough as a whole. In this regard, officers have strong concerns that interested parties and the Council are being asked to comment on a scheme whose impacts are unclear.

42. The overall effect of HS2 on the Borough and its communities is much wider than just land take. The local impacts have not been sufficiently addressed by the DfT either in terms of identification or possible mitigation solutions. This is unacceptable and represents a major flaw in the consultation process.

43. The plans produced to accompany the Consultation document do not provide sufficient detail to enable identification of all of the land and properties that will require permanent acquisition. During the HS2 Roadshows in Hillingdon which followed the launch of the Consultation, HS2 Ltd officers confirmed that there would potentially be at least 10 demolitions of residential properties in Hillingdon (3 in Bridgewater Road; 6 in Blenheim Crescent; and the Lodge at Shering Plough Animal Health). However it is not possible, given the level of information provided in the Consultation, to correctly identify whether this figure is unduly low.

44. Blenheim Care Home in West Ruislip is potentially affected. The maps supplied alongside the Consultation documentation illustrate a loss of land from the car park and places the operational train line within metres from the edge of the home. It is unclear whether the facility would be able to remain viable in these circumstances.

Noise

45. The HS2 proposed route would potentially have a substantial noise impact as it passes through Hillingdon. Urban areas, containing residential housing and other sensitive receptors such as schools and residential care homes, would be significantly affected. In addition, where the proposed route leaves the current rail corridor and joins a viaduct, more tranquil areas of the Borough would be exposed to significantly higher noise levels.

46. The Council is also particularly concerned regarding the lack of acknowledgement of Phase 2 impacts. Phase 1 cannot be considered independently. People living along the route in Hillingdon are likely to be subjected to unacceptable noise levels as a result of Phase 1. However, Phase 2 would increase the number and frequency of trains at certain times, which may take the noise levels beyond thresholds of acceptability to many more people; however, by the time this is determined, it would be too late to find appropriate mitigation.

47. The Council is firmly of the view that the noise assessment supplied in the Consultation does not accurately portray the impacts, either in urban areas or in the tranquil areas. The inadequate quality of the information in the Assessment of Sustainability does not form a proper basis for making such significant decisions that could affect the quality of lives of so many people.

Air quality

48. The Heathrow area is a nationally recognised local air quality hotspot. HS2 Ltd's rationale for including a Heathrow link is to deliver better 'international connectivity'. This implies there is an acknowledgement that freed up domestic flight slots would be switched to international slots, with larger aircraft carrying more passengers and thus generating a higher level of emissions. The Heathrow link would therefore induce more activity around the airport, further contributing to poor air quality conditions.

49. As the UK is under increasing pressure to meet its EU targets, particularly within London where there are acknowledged failings, it would be inconceivable for the Government to support a scheme which may well worsen these conditions.

Detrimental visual impacts

50. There are significant concerns over the aesthetics of the HS2 proposal given that Hillingdon has extensive areas of Green Belt land as well as densely populated residential areas very close to the proposed route.

51. The proposed route would have an impact on a number of designated and identified historic assets. These include listed buildings, conservation areas, Locally Listed Buildings and a Scheduled Ancient Monument. Where these are located in close proximity to the proposed route, it is unclear as to whether any mitigation measures would even be possible.

52. In the more rural areas, from West Ruislip to the west, the route passes first in a 17m deep and 100m wide cutting through the area of New Years Green farmland. This area enjoys an extensive hedgerow network which provides visual unity and a wildlife corridor. HS2 would require the destruction of up to 3,000 trees in New Years Green Covert, which is woodland containing a diversity of tree species and wildlife habitats.

53. The proposed route would then pass along a viaduct at a height of up to 12m above the valley floor. The visual amenity of this area would be permanently and drastically affected by HS2, which would dominate the views across the flooded gravel pits. The area enjoys a strong sense of tranquillity, resulting from the absence of settlement and the dominance of open land. This would be severely affected by high speed trains travelling across the viaduct at 300kph.

54. Due to the fact that HS2 would operate with overhead electricity cables to provide it with power, a safety requirement means that trees would not be allowed to grow adjacent to the lines or to overhang the cables. This would severely affect the ability to mitigate any impact of the railway's visual intrusion by screening. Significant work is required by HS2 Ltd on the issue of how to effectively screen the railway, including its electricity cables and infrastructure and noise mitigation walls, from sight of residents and people who use facilities in Hillingdon. Unfortunately no work appears to have been done by HS2 Ltd regarding how best to retain the visual amenity of the areas it runs through.

The Heathrow Link

55. The Consultation requires respondents to comment on the inclusion of a Heathrow link, yet no details have been provided on where the proposed route or any interchange station would be. For Hillingdon, this link would have significant implications in terms of its construction, the operation of the route and the location of the station, which are all likely to cause unacceptable impacts on this Borough.

Council owned facilities

56. Hillingdon Council owns the freehold to significant parcels of land affected by HS2 (see Appendix 3). The following indicates some of the areas that HS2 would need to consider with regard to mitigation measures.

57. The Hillingdon Outdoor Activity Centre (HOAC) is an important community facility for water sports and educational activities and it is used widely by schools and voluntary groups from across north-west London. The facility has an average visitor rate of 40,000 a year, which has grown over a number of years. The Consultation documentation indicates that this facility would be crossed by HS2 on a viaduct directly over the main building and would require significant land take. The site is an educational and recreational facility which is reliant on its unique setting, tranquillity and open space of land and water, and it would not be viable either during or after HS2 has been constructed.

58. The freehold to the site is owned by London Borough of Hillingdon and leased to the registered youth educational charity, HOAC. In terms of practicality there are very few other suitable sites that this hugely valued community facility could relocate to, and certainly none within Hillingdon or the local area that could be leased to HOAC on favourable terms. It is unclear how, or if indeed it is even possible, for this loss to be mitigated.

59. A number of other important sites in the Borough may also come under threat from the proposed HS2 route. These include the Ruislip Golf Club, which also contains the Ruislip Rifle Club, two recreation grounds, and two quarries currently used for fishing in the Borough (see Appendix 3).

Impact on Hillingdon businesses

60. The Victoria Road solid waste transfer station is located in South Ruislip and is run by the West London Waste Authority. Its primary purpose is to bulk up locally collected waste from four boroughs, namely Hillingdon, Harrow, Brent and Ealing. One of its key operations is that of removal of waste by rail dealing with approximately 160,000 tonnes of municipal waste per annum, representing 3 liner trains of waste per week. In addition to this, the site is also home to a Household Refuse and Recycling Centre, which provides services to all six boroughs within the West London Waste Authority.

61. The Consultation documentation does not refer to, or consider the potential impact of HS2 on this regional facility. The Waste Authority officers believe that a 15metre wide strip of land along the southern side of the boundary, which includes the rail sidings, will be lost. This facility is reliant on removing waste via rail so would not be a viable refuse site without this siding. Loss of this site will have huge implications for Hillingdon and west London. This would also have knock-on effects on road traffic and subsequent carbon emissions, as removing waste from London via rail from South Ruislip is a far more sustainable way than the alternative road options that would be used if this site is forced to close. It is unclear how any business loss will be mitigated or its loss compensated.

62. In addition, several local businesses may face some loss of land and possibly face threat of at least partial demolition. These have not been specifically identified in any of the Consultation documentation, which is unacceptable.

Wildlife and biodiversity

63. The proposed route would have a significant adverse impact on wildlife and biodiversity within the Borough. The proposed route impacts negatively on the Mid Colne Valley (Site of Special Scientific Interest), the Mid Colne Valley (Metropolitan Site) and the New Years Green Covert.

64. It is anticipated that eight public rights of way could be adversely affected along with links to two important trails across Hillingdon, the Celandine Route, a walk of 12 miles along the River Pinn from Pinner to the Grand Union Canal at Cowley, and the Ickenham Marsh Trail, which runs from Ickenham Marsh Nature reserve to Ruislip Lido.

Construction impacts

65. Construction of the proposed HS2 route is likely to bring severe disruption to Hillingdon. Insufficient evidence is provided within the Consultation documentation to identify the extent of the impacts, which is considered to be wholly unacceptable. This approach does not allow those who are impacted to engage in an informed manner with the Consultation process.

66. The proposed route would require the construction of several new bridges in Hillingdon, where the route passes over four roads, under two roads and over the London Underground Lines. This is likely to result in significant disruption to traffic flows and public transport services. As the A40 is one of the busiest and least efficient radial corridors in London, the disruption is likely to have wider impacts beyond the Borough boundary. In addition, should the Heathrow Link proceed, this would have further significant implications for the Borough.

67. No information has been presented regarding impacts from associated infrastructure such as transformer points, or feeder stations. For example, from the experience of HS1, it is clear that a transformer station is required every 4km. However this is not clear from the Consultation documentation and there are no provisional locations shown on the maps provided.

68. If this HS2 proposal does proceed, full mitigation will be expected or if this is not possible, full compensation for all losses incurred. The construction works may also require further land for the temporary diversion of utilities and their restoration after the completion of the works, and may consequently affect a far greater number of properties in Hillingdon, where residential housing and business are located close to the proposed route.

Blight

69. If a decision is made to proceed with HS2, the Government will direct local authorities to safeguard land to enable the development of the proposed route to take place. The Government has indicated that in early 2012, a formal consultation would commence on the areas of land to be safeguarded. For some owners this would be the first indication that their land is likely to be compulsory purchased. At this point statutory blight provisions would take effect which enable people with a 'qualifying interest' to serve a notice on the Government requiring them to consider buying the property if particular criteria are satisfied. However, since March 2010 the decision by the Government to proceed to consultation with the HS2 proposals would

have already had a negative impact upon property prices within the Borough and along the course of the proposed route.

70. In response to this issue of generalised blight which is already impacting upon the Borough, the Government has introduced an Exceptional Hardship Scheme, designed to assist property owners most severely affected and wish to move now. However, strict criteria must be satisfied, making it difficult to lodge a successful application. This means that until statutory blight provisions come into effect, residents of the Borough are afforded little redress for the negative impacts that the scheme is already having on them.

Withholding of information

71. During the Consultation period it has become clear that information is being held by HS2 Ltd, and not disclosed to interested third parties. At the Hillingdon Roadshow, a number of residents asked for specific details regarding their own properties. On direct personal application to HS2 Ltd, information was solicited by individual residents as to whether their own properties were within recognised “buffer zones” with regard to impacts. The fact that this information was available but not disclosed to third parties by the Government is unacceptable. If disclosed, the information would have allowed affected residents to properly assess the impact that this scheme will have upon their property and quality of life and it would have allowed them to make fully informed responses in line with the legal principles of a proper Consultation process.

Financial Implications

As outlined above the Council is part of a consortium of 13 Local Authorities that have agreed to share the costs of the specialist consultancy 51M, with different Authorities undertaking to support the fund to different values. Hillingdon Council initially committed to fund up to £100,000 of costs. This has been earmarked within the Risk contingency to meet the council’s commitment to this fighting fund. The Leader of the Council has indicated that he will ask Cabinet to commit a further sum of £100,000 from Risk Contingency when required.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The proposed HS2 Rail Line is likely to be the most significant development proposal in Hillingdon since the 3rd Runway. The HS2 route runs straight through the Borough. About 60% of the route is through built up areas and 40% goes through the open Green Belt. None of it is in tunnel. The effects on residents, service users and communities will therefore be significant.

Consultation Carried Out or Required

This is a Government proposal and the Consultation process is being carried out by HS2 Ltd on behalf of the DfT from 28th February until 29th July 2011. Notwithstanding this, Hillingdon Council held residents meetings on 2nd December 2010, 24th March 2011, 9th June 2011 and 14th July 2011. The Council also included a reply card in the May/June 2011 edition of Hillingdon People magazine, asking people whether they ‘do not support the Government’s current proposals for HS2 because there is not sufficient justification on economic or environmental grounds for it’ or whether they do ‘support the Government’s current proposals for HS2’.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that £100,000 has been included in the 2011/12 Development and risk contingency to meet the costs of any challenge against the High Speed 2 rail link. It should be noted that there could be a possible further call on the general contingency, in the event of costs increasing or any political decision made to further contribute to the High Speed 2 rail link challenge fund.

Monitoring of this contingency, will be done through the monthly budgetary monitoring process and resourcing needs for future years will be identified through the Medium Term Financial Forecast (MTFF).

Legal

Section 2 (1) of the Local Government Act 2000 gives the local authority the power to do anything which it considers is likely to promote the economic, social and environmental well being of its area.

Section 2(4)(b) provides that the power under subsection (1) includes power for a local authority to give financial assistance to any person. The term 'person' includes individuals and particular groups of people.

Section 3 (1) of the 2000 Act provides that 'the power under section 2 (1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment.

Legal Services has checked to see if there would be any prohibition in any legislation which would prevent the well being power from being invoked in these circumstances but cannot find any such prohibition.

The legislation does not define the level of financial assistance that a local authority may provide under the well being power. It is a matter for members to determine what would constitute a reasonable level of assistance and in this respect should have regard to the Corporate Finance comments.

Consultation must be undertaken when proposals are still at a formative stage, must give sufficient reasons to permit the consultee to make a meaningful response, must allow adequate time for consideration and response, and the results of the consultation must be conscientiously taken into account in finalising any proposals.

In considering the consultation responses, the Secretary of State must ensure there is a full consideration of the representations from this Council, including those which do not accord with the proposals.

Corporate Landlord

Property within the ownership of London Borough of Hillingdon will be significantly affected as set out in the text above and Appendix 3. It is difficult to account for the loss in revenue during the works and decrease in the value of the capital assets without further clarity of information from HS2 Ltd. The Rights

of Way officer has been consulted and a number of footpaths and bridleways that create an excellent network across Council owned property will be affected during and after the works decreasing recreational opportunities to the residents and visitors to the Borough.

BACKGROUND PAPERS

The DfT's Consultation Documents regarding 'High Speed Rail: Investing in Britain's Future' dated February 2011

51M Group's Transport Select Committee Submission available on <http://www.51m.co.uk/select-committee>

Appendix 3:

COUNCIL-OWNED PROPERTIES WHICH WILL BE AFFECTED BY THE PROPOSED ROUTE OF HS2

A number of council-owned properties will be affected by the proposed route as follows:

Property name	Comments
Hillingdon Outdoor Activity Centre	Viaduct to go straight through the site and across the lake, which is also in the ownership of the Council. Effectively this means the Centre may have to close. The Council may need to find alternative site within the Borough
Park Lodge Farm	HS2 will cut across fields potentially leaving one field inaccessible, without turning from a fast road which is dangerous with a tractor.
Pit 2, Denham Quarry	HS2 may make fishing impossible during the construction works.
Denham Quarry	HS2 may make fishing impossible during the construction works. The access track to Pit 3 & 4 will be blocked by construction works and HS2 will require access underneath after construction.
Ruislip Golf course	HS2 will affect operations on the southern part of the site, including a loss of a strip of land 20-30 metres wide. May also see the loss of Ruislip Rifle Club, which is within direct line of the proposed route.
Land south of the railway by the River Pinn	Possible interruption during construction works. Access may be required across the land.
Park beside Herlwyn Avenue	Potential loss of land. School and playing fields will need to be protected from noise and disruption during and after construction works.
Recreation Ground near Ruislip Manor School	Potential loss of land. School and playing fields will need to be protected from noise and disruption during and after construction works.