



# HIGH SPEED TWO PHASE ONE INFORMATION PAPER

## B2: LIMITS ON PARLIAMENTARY PLANS

This paper explains the purpose of the proposed limits on the Parliamentary plans, and how they will operate using the powers in the Bill.

It will be of particular interest to those potentially affected by the Government's proposals for high speed rail.

This paper was prepared in relation to the promotion of the Bill for Phase One of the scheme which is now enacted. Although the contents were maintained and updated as considered appropriate during the passage of the Bill (including shortly prior to the enactment of the Bill in February 2017) the contents are now historic and are no longer maintained.

If you have any queries about this paper or about how it might apply to you, please contact the HS2 Helpdesk in the first instance.

**The Helpdesk can be reached at:**

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# B2: LIMITS ON PARLIAMENTARY PLANS

## 1. Introduction

- 1.1. High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in two phases: Phase One will connect London with Birmingham and the West Midlands and Phase Two will extend the route to Manchester, Leeds and beyond.
- 1.2. HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.3. In November 2013, HS2 Ltd deposited a hybrid Bill<sup>1</sup> with Parliament to seek powers for the construction and operation of Phase One of HS2 (sometimes referred to as 'the Proposed Scheme'). The Bill is the culmination of nearly six years of work, including an Environmental Impact Assessment (EIA), the results of which were reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme.
- 1.4. The Bill is being promoted through Parliament by the Secretary of State for Transport (the 'Promoter'). The Secretary of State will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill.
- 1.5. This body is known as the 'nominated undertaker'. There may well be more than one nominated undertaker – for example, HS2 Ltd could become the nominated undertaker for the main railway works, while Network Rail could become the nominated undertaker for works to an existing station such as Euston. But whoever they are, all nominated undertakers will be bound by the obligations contained in the Bill and the policies established in the EMRs.
- 1.6. These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the project have been reached.

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<sup>1</sup>The High Speed Rail (London – West Midlands) Bill, hereafter 'the Bill'.

## 2. Overview

- 2.1. This information paper explains the purpose of the proposed limits on the Parliamentary plans, and how they will operate using the powers in the Bill.

## 3. What are Limits?

- 3.1. The Parliamentary plans and sections show the centreline of works, the Limits of Deviation (LOD) and the Limits of Land to be Acquired or Used (LLAU).
- 3.2. The LOD are used to show the limits of the scheduled works, as listed in Schedule 1 of the Bill. These limits show the extent of the proposed works based on the design developed to the stage necessary for the preparation of the Bill. The LOD provides allowances for contingencies, working spaces and similar factors.
- 3.3. The scheduled works can be constructed anywhere within their specific LOD. The scheduled works cannot be constructed outside of their specified LOD.
- 3.4. The LLAU are used to show additional limits for other works (i.e. ancillary works such as the provision of environmental mitigation). The Act will only grant planning consent for the construction of works which are not scheduled works if they have been assessed in the Environmental Statement (ES).
- 3.5. The design shown on the Bill drawings is a preliminary design. The powers within the Bill must therefore be sufficiently flexible to allow for adjustments once detailed design has been carried out. This is achieved by including powers to deviate from the position of the works shown on the Parliamentary plans by a small amount; this deviation is restricted by the LOD marked on the plans.

## 4. Horizontal Limits of Deviation

- 4.1. The Parliamentary plans describe the horizontal limits, within which the scheduled works may be constructed. They are determined at an early stage and allow for design development following the deposit of the Bill.

## 5. Vertical Limits of Deviation

- 5.1. Vertical limits specified in the Bill are standard and well preceded in recent railway legislation. They permit deviation of 3 metres upwards and to any extent downwards from the level shown on the Parliamentary sections (in many cases deviation to the full extent permitted is not a practical possibility and where it is this has been assessed in the Environmental Statement). Certain major structures will have maximum heights which are shown on the Parliamentary sections.

## 6. Exercise of Bill Powers

- 6.1. The powers in the Bill can only be used for purposes authorised by the Bill, therefore land to be acquired within the drawn limits will be restricted to that

which is actually required. If the detailed design requires less land to be taken either on a permanent or temporary basis, the Secretary of State will only permanently acquire what is required.

- 6.2. It should be noted that the Bill will also give powers to do works outside the limits for the following:
- powers to carry out monitoring of buildings above tunnels;
  - powers to carry out works to buildings to protect them from the effects of ground movement; and
  - powers to enter land to carry out land surveys.

## **7. More information**

- 7.1. More detail on the Bill and related documents can be found at: [www.gov.uk/HS2](http://www.gov.uk/HS2)