



HIGH SPEED TWO PHASE ONE INFORMATION PAPER

E6: MITIGATION OF SIGNIFICANT COMMUNITY EFFECTS ON PUBLIC OPEN SPACE AND COMMUNITY FACILITIES

This paper outlines the approach to the mitigation of significant community effects on public open space and community facilities.

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the Bill (including shortly prior to the enactment of the Bill in February 2017) the contents are now historic and are no longer maintained.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:

**High Speed Two (HS2) Limited
Two Snowhill, Snow Hill Queensway
Birmingham, B4 6GA**

by email: HS2enquiries@hs2.org.uk

or by phone: 08081 434 434 (lines are open 24 hours)

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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 Bill¹ 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.

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

2. Overview

- 2.1. This information paper sets out the approach to the mitigation of the loss of public open space and community facilities and the circumstances in which the Secretary of State might acquire additional land for the purpose of mitigation.
- 2.2. Some public open spaces and community facilities will experience significant amenity and/or isolation effects as a result of the construction or operation of the Proposed Scheme. This paper also sets out the approach to the mitigation of these effects.

3. Public open space and community facilities affected temporarily

- 3.1. Where there will be a temporary but significant effect on a community resulting from the temporary loss of public open space or a community facility, mitigation is likely to take one of the following forms:
 - improvements or alterations to the remaining portion of the public open space (in instances where the public open space is partially occupied) or community facilities, e.g. reconfiguring pitch layouts or relocating play areas;
 - improvements to other public open spaces or community facilities in the area;
 - improving accessibility to other existing public open space or community facilities;
 - identifying land owned by the relevant local authority that could be brought into use as public open space or used to accommodate community facilities with its agreement; and/or
 - where land used as open space or as a community facility is temporarily occupied by the Proposed Scheme, there will be a statutory requirement for the land to be restored in accordance with a scheme agreed with the owners of the land and the relevant local authority.

4. Public open space and community facilities affected permanently

- 4.1. Where there is a permanent and significant community effect resulting from the permanent loss of public open space or a community facility, mitigation is likely to take one of the following forms:
 - improvements or alterations to the remaining portion of the public open space (in instances where the public open space is partially occupied) or community facility, e.g. reconfiguring pitch layouts or relocating play areas;
 - provision of compensatory open space or community facilities as part of the design of the permanent works within the hybrid Bill limits;

- improvements to other public open spaces or community facilities in the area;
 - improving accessibility to other existing public open space or community facilities; and
 - identifying land owned by the relevant local authority that could be brought into use as public open space or used to accommodate community facilities with its agreement.
- 4.2. Where none of these other mitigation measures can provide suitable mitigation the Secretary of State could potentially acquire land for the mitigation of permanent significant effects on community facilities.
- 4.3. Where a community facility is owned and operated as a commercial enterprise (i.e. is not in public or charitable ownership; or, does not provide publicly or charitably funded services) the above policies do not apply. In such cases, the nominated undertaker will work with the affected landowner to help them identify a solution which will enable them to continue to operate, on the basis that they could be eligible for compensation under the Compensation Code (see Information Paper C4 – Land Acquisition and Disposal).

5. Significant amenity and isolation effects on community resources

- 5.1. Significant amenity effects on open space and community facilities arise from the combination of two or more residual significant air quality, sound noise and vibration, visual or large goods vehicle (LGV) construction traffic effects.
- 5.2. Community isolation effects arise where the Proposed Scheme will sever or disrupt routes which are used for access between residential properties and community facilities on a regular basis.
- 5.3. Where reasonably practicable, the mitigation of significant amenity and isolation effects on community resources and public open space during construction will be identified on a case by case basis in relation to the specific individual effects which will be experienced by the affected community resource. This is in accordance with the measures set out in the draft Code of Construction Practice (CoCP).
- 5.4. It is acknowledged that these effects may have particular implications for schools. The nominated undertaker will work closely with local education authorities and individual schools to identify reasonably practicable measures to mitigate residual significant amenity and isolation effects, including discretionary, measures identified in the draft CoCP.
- 5.5. Consultation and engagement on the Proposed Scheme has been carried out at key stages in its development (see Information Paper G1 - Consultation and

Engagement). Information on the Proposed Scheme has been made available through a range of communications media.

6. More information

- 6.1. More detail on the Bill and related documents can be found at: www.gov.uk/HS2