

## **For publication**

### **Chesterfield Borough Council's response to the HS2 Working Draft Environmental Statement (WDES), and the Working Draft Equality Impact Assessment (WDEIA)**

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Meeting: Cabinet

Date: 18<sup>th</sup> December 2018

Cabinet portfolio: Leader and Economic Growth

Report by: Assistant Director - Economic Growth

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### **1.0 Purpose of report**

1.1 To consider and approve the draft Chesterfield Borough Council Response to HS2's Working Draft Environmental Statement (WDES) and Working Draft Equalities Impact Assessment (WDEIA).

### **2.0 Recommendations**

2.1 That Cabinet consider the draft responses to WDES and WDEIA attached as Appendices A & B and, subject to further comments, approve the documents and any other supporting information for submission to HS2 Limited by 21 December, 2018.

### 3.0 **Background**

- 3.1 The purpose of the two consultation draft responses (attached as Appendix A and Appendix B ) are to set out the Council's official position in response to HS2's Proposed Scheme within the Borough which are due to form part of the deposit Hybrid Bill sometime in 2020.
- 3.2 The WDES/WDEIA consultations are an iterative process. The Council's responses, (alongside of those of its partners), will form an instrument of official dialogue between itself and HS2, to try to resolve any possible conflicts between the design, construction, and operational area of the line and the areas/communities the Proposed Scheme comes into contact with, prior to the final ES submission with the Draft Hybrid Bill. It is beholden on the Authority to make comments in order to protect its position should a petition be necessary.
- 3.3 HS2's WDES covers the whole of line 2b, the Western leg to Manchester and the Eastern leg to Leeds. It is divided up into 28 community areas, with extensive mapping and narrative produced for each area. These correlate with the area of works rather than any conventional boundaries. Chesterfield is covered in three of these area reports: LA10 (Tibshelf to Shuttlewood), LA11, (Staveley to Aston), both of which concerns the proposed Staveley IMD and the spur between the depot and the main HS2 line with a junction near Woodthorpe; MML01 Report, concerning the plans to electrify the Midland Mainline between Danesmoor and Brierley Bridge. A very small portion of the Borough is within MML 02 Report Unstone Green to Sheffield Midland Station.
- 3.4 For each area there are maps and tables covering all the major issues that would need consideration in any major planning application. At an estimated £55 Bn, HS2 is likely to become the largest construction project in Western Europe, unsurprisingly the amount of environmental detail requiring

scrutiny is immense. These maps and charts are divided into two sets: the land-take up during construction and the land take-up during the operational phase after 2033. Somewhat frustratingly the maps are from a fixed point in time dating back to Spring 2018, (Control Point Two). This means that the Council will need to make comments on issues it believes HS2 has in hand but must protect its position to do so in the future.

- 3.5 The WDEIA is a single report that covers the entire line 2b in one volume and 1 map book. The main purpose is to identify population concentrations or communities with a disproportionately high number of people with protected characteristic groups, as well as areas where the Proposed Scheme comes into contact with communities in the 20% most deprived communities in the country. Community assets and facilities in these areas which are adversely impacted by HS2 proposals should receive additional support and perhaps enhanced mitigation measures. It is unfortunate that the HS2 areas do not correspond with boundaries such as super output areas or LA wards.
- 3.6 The Council's individual response is has connections with a number of other partnership and board responses including the EM HS2 Growth Strategy Mitigation Board, Derbyshire County Council, Sheffield City Region and Chesterfield & Staveley HS2 Growth Board. Several of the comments can be cross referenced to a corollary of supporting statements in other documents. There are a number of issues of regional concern that extend beyond the map areas above that are included in our response.

#### 4.0 **Consultation Response Overview**

- 4.1 The consultation responses are in three broad sections. The first of these are the major strategic issues which the Borough has been working with HS2 on since the scheme as first

announced and intensively so since July 2017 when the route first became announced. These include

- Maximising the positive impact of the Midland Mainline Electrification;
- Helping to establish congruence with the Master Plans for the improvement of Chesterfield Station;
- Ensuring that the IMD footprint does not curtail plans for the wider regeneration of the Staveley Works Corridor;
- Ensuring there is adequate provision for the Chesterfield Staveley Regeneration Route OAR to be achieved;
- Ensuring the plans to extend and improve the Chesterfield Canal are not curtailed by HS2
- Ensuring that HS2's plan of works and construction practices do not adversely affect wider connectivity and economic activity in Chesterfield and its environs
- Ensuring the prosperity and potential benefits are directed to the communities of most need and where possible adverse effects on them are well catered for.

4.2 The second group of representations the Authority may require a more detailed response on matters of design and environmental consideration. In each of these areas the Council has worked with other partners to identify issues which it believes an on-going and constructive dialogue with HS2 is required. These issues broadly follow the following headings:

- Air Quality
- Climate Change/ sustainability issues
- Community issues
- Ecology and biodiversity
- Health
- Historic environment
- Land quality / Landscape and visual
- Socio-economics
- Sound, noise and vibration

- Traffic and transport, highway design and Traffic Safety
- Waste and material resources
- Water resources & Flood Risk

4.3 Finally there are a third group of considerations where the Council believes there is insufficient information available from HS2 for it to make the kind of observations required in 4.2 In some areas this is an unfortunate consequence of e timings. The majority of these concern the work on the Midland Mainline which has only just commenced. However there are some areas where the methodology has not been satisfactory or the work yet to be concluded. It is perhaps these where critical comment is rightly directed.

4.4 Officers take the view that it is important for the Borough's response to adopt a supportive tone and ensure HS2 (and others in Government) are in no doubt that the Council encourages and supports the Proposed Scheme. There is a school of thought that if too much protestation is made - the hard fought economic gains from attracting HS2 could be put in jeopardy. Against this there is a need for the Authority to articulate legitimate issues of concern on behalf of the communities it serves. In this the Council should point out areas where it believes the Proposed Scheme has fallen short. There is also a need to work hard to find the balance between HS2 and other localised projects and future development opportunities. The alignment of the Chesterfield Staveley Regeneration Route is a particular case in point and Appendix Three is a letter provided by HS2 to support the HIF bid. There is a need to welcome the sentiment but to leave room to work out the optimum solution.

## 5.0 **Financial Implications**

5.1 The overall response to WDES and WDEIA has no has no direct financial implications for the Council, although petitioning HS2 and working towards solutions may potentially have such an

implication. The impact of this will be determined by the scale of the work in hand and whether the Authority is working singularly or in partnership with other agencies.

## 6.0 Consultation

6.1 The implications for Chesterfield Borough brought about through the Delivery of HS2 have been the subject of a Scrutiny Committee and some of the issues raised within have been the subject of this process. Officers were invited to an open event on the 30<sup>th</sup> November and comments have been logged. A short presentation on the drafts of Appendix A and B will also be available at the meeting.

## 7.0 Risk Management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
There is a risk that the Council's approach to WDES / WDEIA is deemed too critical or places unrealistic demands of the Proposed Scheme	H	M	The work needs to be a careful synthesis between competing objectives. Additionally it may be best for other partners to lead on the response to points which are highly contentious.	L	L
There is a risk of a less effective impact delivered from the delivery	H	M	The WDES response clearly sets out the opportunities for	L	L

of the optimum solutions for economic growth if HS2 are not formally steered towards shared solutions .			HS2 to work with the Council in supporting the growth and regeneration opportunities which could be created by the Proposed Scheme.		
The ability of the Council to petition for enhanced mitigation for any members of the community whose quality of life is severely diminished by the Proposed Scheme would be hampered if the consultation response was inadequate or not made	L	L	The response ensures this will not be the case as all areas of the Council have inputted into the narrative.	L	L

## 8.0 Equalities Impact Assessment

8.1 Appendix B is the Council's response to the Working Draft Equalities Impact Assessment. HS2 Have already taken note of the need and duty to ensure the Proposed Scheme will not have a disproportionate impact on the groups listed and are committed to trying to ensure that a potentially positive impact on particular groups such as those in the lowest ranked 20% of the SOA in the indices of deprivation comes

about through the scheme. Appendix B illustrates areas where HS2 should and could go further than the proposed scheme to further mitigate or enhance protected characteristic groups and communities.

## 9.0 **Alternative Options Considered**

9.1 The alternative option is for the Council not to submit a response to WDES/ WQEIA, perhaps deferring the task to others such as Derbyshire County Council or the East Midlands HS2 Growth Strategy Mitigation Board, who have already been active in this process. However this option is not considered appropriate primarily for the reasons set out in the risk assessment. If the Council wishes to continue to lead the HS2 delivery process then it should be on the front foot in making its own independently constructed consultation response.

9.2 The Chesterfield & Staveley HS2 Delivery Board is also mandated to make a response. The Chair of this board is the Leader of the Council. The Council could confer its right to make a response to that Board. This option would be less satisfactory as there may be subtle differences between the points that need to be made.

## 10.0 **Recommendations**

10.1 That Cabinet consider the draft responses to WDES and WDEIA attached as Appendices A & B and, subject to further comments, approve the documents and any other supporting information for submission to HS2 Limited by 21 December, 2018.

## 11.0 **Reason for Recommendation**

11.1 To progress the HS2 Growth Strategy and safeguard the widest level of community interest.

## Decision information

<b>Key decision number</b>	856
<b>Wards affected</b>	All wards will benefit from the Growth HS2 could bring to Chesterfield however the significant physical impact will be felt in: Barrow Hill and New Whittington; Brimington North; Lowgates and Woodthorpe; Middlecroft & Poolsbrook; Hollingwood & Inkersall (IMD) Hasland; St Leonards; St Helen's Ward; Brimington South; Moor; Dunston and Old Whittington (MMLe)
<b>Links to Council Plan priorities</b>	Making Chesterfield a thriving borough Improving the quality of life for local people

## Document information

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<b>Background documents</b> These are unpublished works which have been relied on to a material extent when the report was prepared. High Speed Rail (Crewe to Manchester and West Midlands to Leeds) Working Draft Environmental Statement Volume 1 Introduction and methodology; Vol. 2 Community Area Report Community Area Reports LA10; LA11s, MML01 and MML02 ; High Speed Rail (Crewe to Manchester and West Midlands to Leeds) Working Draft Environmental Statement Volume 2	

Community Area Map Books LA10; LA11, MML01 and MML02;  
October 2018 Rail (Crewe to Manchester and West Midlands to  
Leeds) Working Draft Environmental Statement October 2018

Chesterfield Economic Assessment 2017;  
SNC Lavalin Report on Behalf of East Midlands Councils;

**Appendices to the report**

Appendix A	Council Response to HS2's WDES
Appendix B	Council Response to HS2's WDEIA