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OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Sixth Sitting

Tuesday 8 March 2016

(Afternoon)

CONTENTS

New clauses considered.
Bill to be reported, without amendment.

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IN GENERAL COMMITTEES

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The Committee consisted of the following Members:*Chairs:* †MR CHRISTOPHER CHOPE, MR DAVID HANSON

† Anderson, Mr David (*Blaydon*) (Lab)
 † Ansell, Caroline (*Eastbourne*) (Con)
 Brown, Alan (*Kilmarnock and Loudoun*) (SNP)
 † Burns, Sir Simon (*Chelmsford*) (Con)
 † Chalk, Alex (*Cheltenham*) (Con)
 † Doyle-Price, Jackie (*Thurrock*) (Con)
 † Glendon, Mary (*North Tyneside*) (Lab)
 † Goodwill, Mr Robert (*Minister of State,
 Department for Transport*)
 † Howlett, Ben (*Bath*) (Con)
 † Huddleston, Nigel (*Mid Worcestershire*) (Con)
 † Jenkyns, Andrea (*Morley and Outwood*) (Con)

† McDonald, Andy (*Middlesbrough*) (Lab)
 † McGovern, Alison (*Wirral South*) (Lab)
 † Mahmood, Shabana (*Birmingham, Ladywood*)
 (Lab)
 † Nokes, Caroline (*Romsey and Southampton North*)
 (Con)
 † Reynolds, Jonathan (*Stalybridge and Hyde*) (Lab/
 Co-op)
 † Vickers, Martin (*Cleethorpes*) (Con)

Neil Caulfield, Joanna Welham, *Committee Clerks*† **attended the Committee**

Public Bill Committee

Tuesday 8 March 2016

(Afternoon)

[MR CHRISTOPHER CHOPE *in the Chair*]

High Speed Rail (London-West Midlands) Bill

New Clause 28

REPORT OF THE CUMULATIVE IMPACTS OF HS2 WORKS

(1) The Nominated Undertaker shall prepare a report on the cumulative impacts of the works on each community forum area along the line of route.

(2) The report shall outline the key concerns from community groups and if and how these concerns have been addressed.

(3) The report shall be laid before both Houses of Parliament no later than three months after the day on which this Act comes into force.—(*Andy McDonald.*)

This new clause requires the Nominated Undertaker to report on the likely cumulative impact of HS2 construction works on each community area along the route. This report is to reflect the concerns of the communities affected and outline the ways in which the Nominated Undertaker plans to address these.

Brought up, read the First time, and motion made (this day), That the clause be read a Second time.

2 pm

Andy McDonald (Middlesbrough) (Lab): I was more than halfway through moving the motion this morning. In fact, I was just about to finish. I remind the Committee that the new clause would require the nominated undertaker to report on the likely cumulative impact of HS2 construction works on each community along the route. Our concern is that although habitability and individual impacts were identified by HS2 Ltd, the cumulative effects of the various impacts on homes and habitability were not accounted for. The methodology, which I described in a little detail, left something to be desired. I will not repeat everything that I said immediately before the lunch break, but I indicate that I intend to press the new clause to a vote.

Finally, there is currently no assessment of the cumulative impacts where the individual impacts are below the set limits. There is also no assessment of the possible knock-on impacts of mitigation measures. We discussed the impact in a particular set of circumstances that I described by way of example. The new clause would require the nominated undertaker to address those concerns by publishing a report on the likely cumulative impact of HS2 construction works on each community area along the route that includes the key concerns expressed by community groups, and whether and how those concerns have been addressed.

The Minister of State, Department for Transport (Mr Robert Goodwill): The new clause would introduce a requirement to repeat work that has already been undertaken and that has been scrutinised by the Select Committee. The Bill, when deposited, was accompanied

by an environmental statement that reported the likely significant environmental effects of the construction and operation of phase 1 of HS2. The statement reported the likely significant effects of the scheme on matters including noise, air quality, traffic and ecology. The environmental statement was drafted so that people in the communities along the route could understand the likely effects in their area.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require that environmental statements report cumulative effects. Such effects were reported in the HS2 environmental assessment, which has been found to be compliant with the regulations. Therefore, subsection (1) of the new clause is unnecessary, as an environmental impact assessment has already been prepared. The assessment reported the environmental effects of the scheme on each community, including the cumulative effects. There would be no benefit in repeating that exercise.

Throughout the development of HS2, the concerns of communities along the route that may be affected have been at the front of our minds. We take those concerns very seriously and have sought to address them through changes to the scheme and through commitments that mitigate those concerns. In preparing the environmental statement, HS2 Ltd met local communities through a series of community forum meetings, where people raised issues and concerns with the proposed schemes. Those concerns were reported in the community forum area reports in the environmental statement. The key concerns of communities along the route have therefore been identified and set out.

Again, during the petitioning process, local concerns were raised by individuals, community groups and local authorities. Those concerns were considered through the Select Committee process and, where appropriate, have been addressed by alterations to the scheme or by commitments to mitigate impacts. We believe that the concerns of communities along the route have been reported and are well understood, and that commitments have been given to address them. The requirement in the new clause to report the concerns of communities and how those concerns are being addressed is unnecessary.

The hon. Gentleman asked about cumulative effects. Camden Council has argued that the cumulative impacts have not been assessed, and it requested the consideration of habitability assessments to identify mitigation. HS2 Ltd does not accept the view that cumulative effects have not been assessed. The predicted significant amenity effects resulting from a combination of significant noise and vibration, HGV construction traffic, and visual and air quality effects are reported in the community chapter of the environmental statement. That is a standard approach in an environmental impact assessment, and we do not consider an additional bespoke habitability assessment to be required.

That is not to say that the concerns of residents near the works in Camden are not taken seriously. HS2 Ltd is continuing to discuss with the London Borough of Camden how mitigation provided on a topic-by-topic basis, including that outlined in the draft code of construction practice, will be implemented in practice. That includes a focus on the potential topics that might lead to a combination of cumulative amenity effects. Furthermore, a specific assurance has been provided to the London Borough of Camden, including a commitment

to further consider a group of residential properties that is currently not identified as being likely to qualify for noise insulation.

The environmental study was undertaken in response to the exceptional nature of the construction works in Camden, given their duration and intensity. Following the completion of further surveys, where appropriate, the nominated undertaker will seek to agree appropriate remedial measures with the London Borough of Camden. As the environmental assessment has already reported the cumulative effects of High Speed 2 on communities and assurances have been given that address habitability issues, I hope that the hon. Gentleman will withdraw the new clause.

Andy McDonald: The Minister and I simply disagree about the appropriate methodology and the need for the Bill to require a report on cumulative impacts. I hear what he has to say, but, given that he seems to support what I said in introducing the new clause, I would rather borrow his belt and braces and put the matter to a vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 4, Noes 9.

Division No. 9]

AYES

Anderson, Mr David	McGovern, Alison
McDonald, Andy	Reynolds, Jonathan

NOES

Ansell, Caroline	Howlett, Ben
Burns, rh Sir Simon	Jenkyns, Andrea
Chalk, Alex	Nokes, Caroline
Doyle-Price, Jackie	Vickers, Martin
Goodwill, Mr Robert	

Question accordingly negatived.

New Clause 29

ADAPTATION OF RESIDENTIAL PROPERTIES

(1) The Nominated Undertaker must take all reasonable steps to ensure that residential properties affected by the scheduled works are adapted in order to mitigate severe cumulative impacts of construction.

(2) Mitigation measures should include, but not be limited to—

- (a) habitability assessments for—
 - (i) all homes experiencing noise higher than threshold levels; and
 - (ii) homes that experience noise to levels within 10% of the noise threshold,
- (b) customised noise insulation packages to be agreed by the property owner and local Council prior to installation.

(3) If measures do not sufficiently mitigate the impacts on a property and the property therefore fails a habitability assessment, residents must be rehoused at the cost of HS2.—
(*Andy McDonald.*)

This new clause requires the Nominated Undertaker to take steps to mitigate the impact of construction on residential properties. This shall include the installation of suitable noise insulation measures and assessments of the habitability of properties with the requirement to rehouse residents if habitability assessments suggest this is required.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

The new clause and explanatory note speak for themselves. The HS2 works will lead to nearby residents feeling a multiplicity of effects that can be described as affecting the habitability of their homes. The overall effects of the construction cannot be isolated into individual impacts, but must be considered together.

On 30 November 2015, Camden Council secured several assurances, including two important ones that could mitigate the impact of construction on residential properties. The first is as follows:

“HS2 Ltd. will develop a package of noise and ventilation measures (to be agreed with the Council) to help protect the 1025 homes identified in HS2 Ltd.’s Environmental Statement that could be significantly affected by HS2 construction noise. The agreed measures should be installed before the noisy HS2 works start.”

The second is:

“HS2 Ltd. will appoint an independent assessor to survey a representative sample of a group of homes likely to be affected by HS2 construction noise”,

in addition to the previously mentioned 1,025 homes identified in the environmental statement. It continues:

“This additional group includes homes in Regent’s Park Estate, Amptill Estate and the ‘Camden Cutting’ area. Where it can be demonstrated that a property is affected in a similar way to this sample group, an independent survey of the property will be commissioned to decide if measures to offset noise and provide ventilation are necessary.”

With regard to residential disturbance, the HS2 Select Committee stated in its final report:

“Camden is exceptional, and needs special treatment. Many residents are going to have to put up with disturbance on a scale beyond the experience in most other locations.”

The Select Committee gave directions for further mitigation, including that air quality monitoring should

“feed into an assessment of whether rehousing should occur in cases where air quality deteriorates.”

It said that

“an assessment of compliance with noise limits and a survey of health impacts”

should be carried out no more than six months after the start of the works, and that HS2 Ltd

“should reconsider rehousing based on the outcome of that survey.”

The Committee recommended that residents should be

“consulted on their preferences for how to moderate the impact of the construction programme”

and that HS2 Ltd should

“listen to what residents say about what might help, and respond with more than average diligence.”

The Committee stated:

“The choice of sound insulation and other mitigation measures should be in sympathy with construction and architecture”—

including Silsoe House on Park Village East—

“and take fair account of residents’ views on what is visually acceptable.”

The new clause would require that,

“If measures do not sufficiently mitigate the impacts on a property and the property therefore fails a habitability assessment, residents must be rehoused at the cost of HS2.”

[*Andy McDonald*]

The new clause would go some way towards reassuring residents of affected properties that their homes will be adapted to mitigate the severe cumulative impacts that we expect as a consequence of construction. I hope that the Minister will lend the new clause the Government's support.

Mr Goodwill: We are committed to reducing the disruption to residents that will be caused by the construction of HS2, as far as is reasonably possible. In line with other major construction schemes such as Crossrail and the Thames tideway tunnel, a code of construction practice has been developed. The code sets out the controls that will be applied to mitigate the effects of the construction of HS2 and will be binding on the nominated undertaker. Those controls include the management of construction noise by applying the best practical means.

The code of construction practice identifies where offers of noise insulation or temporary rehousing should be made to residents to ensure that their health and quality of life are not significantly affected by the construction noise. The thresholds for noise insulation were designed with consideration of the relevant British standards relating to noise caused by construction. Any noise insulation measures to be installed in qualifying residential properties will be agreed with the building's owner or occupier. We do not feel it is appropriate or necessary also to agree such measures with the local authority, unless it owns the building.

The control of construction noise and vibration, and the scope of the noise insulation and temporary rehousing policy, have been a major focus of negotiations between HS2 and the local authorities along the phase 1 route in recent months, particularly in the London Borough of Camden. The negotiations have resulted in additions to the temporary rehousing policy, including additional criteria for identifying cases where offers of temporary rehousing of residents may be necessary. HS2 Ltd has acknowledged the habitability concerns that have been raised by the London Borough of Camden due to the exceptional nature of the construction works in that borough.

2.15 pm

In response to those concerns, HS2 Ltd is carrying out a study in the Camden area to establish whether additional properties that do not qualify under the current noise insulation policy would benefit from further mitigation measures. If it is appropriate to do so, HS2 Ltd will use the results of the Camden study to review the criteria for noise mitigation set out in its noise insulation and temporary rehousing policy.

The lead contractors will be contractually required to have an environmental management system, which will include measures and processes for managing noise and vibration during construction, including any steps that will be taken when measured levels are greater than predicted. This process may lead to the provision of further mitigation measures, where appropriate.

Therefore, I believe that all the points made by the hon. Gentleman have been addressed and I hope that the new clause can be withdrawn.

Andy McDonald: I am sure that the Minister has taken on board my comments. However, will he clarify something for me? We have talked continuously about mitigations, surveying, further mitigations and temporary rehousing. I hope that I am accounting for him correctly when I say that there is no mention anywhere of permanent rehousing where the noise levels and other disturbances have reached such a pitch of uninhabitability that that would be necessary. I am not sure that that point ever came across in his comments.

Mr Goodwill: Well, I can think of one fairly high-profile resident of Camden whose property has been purchased, not because it is needed for the construction of the railway but because the level of disruption in the area just in front of his particular house would be unacceptable. So there have been cases where we have purchased properties when the construction intensity would have made them uninhabitable in the long term. However, when there are peaks in construction or particularly noisy activities are taking place, there is the option to offer paid accommodation during that peak construction period, and if necessary we will use that power.

Andy McDonald: I am grateful to the Minister for that. I was not really thinking about the Mayor's father; I was thinking about other people who live in that area. However, having secured those assurances from the Minister, I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

2.17 pm

Sitting suspended for a Division in the House.

2.30 pm

On resuming—

New Clause 31

COMPENSATION: APPLICATION

“(1) Compensation will be payable to those whose land is to be acquired, and to those who will be severely affected by the works.

(2) The Secretary of State shall define “severely” for the purposes of subsection 1.”—(*Andy McDonald.*)

This new clause will ensure that compensation is available to those who will be severely affected by the HS2 construction works, as well as to those whose land is to be acquired.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

The point here is that the scheme comprehensively addresses loss of land, compulsory acquisitions, and loss of, and adverse impacts upon, businesses. It has a sophisticated methodology of compensation and rights of appeal to deal with those values. However, there is a glaring omission concerning those who are affected and severely affected by the works but neither own land nor have an affected business.

Not only businesses and property owners are potentially adversely affected. Many tenants, be they in social housing or private rented accommodation, have the potential to be severely affected by the works. It is beyond doubt that individuals, especially those who live

close to the works, will suffer great disturbance, be that from the additional noise and heavy traffic, the vibration caused by piling or other construction activity and, importantly, the air pollution and the creation of dust in the atmosphere. That list is not meant to be exhaustive, and I am sure that hon. Members can think of innumerable ways in which individuals could be affected by the HS2 works.

There is provision for the payment of compensation under the Compulsory Purchase Act 1965, and the Bill makes additional, specific provision for compensation, principally in one of three ways. First, there is the express purchase scheme, under which owner-occupiers living closest to the line may be able to sell their home to the Government at its full, unblighted market value, plus 10%—up to £47,000—and reasonable moving expenses, including stamp duty. Then there is the voluntary purchase scheme, which enables owner-occupiers in rural areas who live outside the safeguarding area and up to 120 metres from the line to sell their home to the Government for its full unblighted value. They will be able to do that at any time up until a year after the line opens.

Finally, there is the need-to-sell scheme, under which owner-occupiers who have a compelling reason to sell their house but are unable to do so because of HS2 can sell to the Government for the full unblighted value. Applicants will not need to demonstrate that they would suffer hardship if they could not sell, but they will need to show that they have a compelling need such as job relocation or ill health. Once available, that scheme will replace the exceptional hardship scheme. In addition, the Government will immediately introduce a “rent back” option, whereby owner-occupiers who have sold their property to the Government but wish to continue living in it may be able to rent it back, subject to suitability checks.

I would be grateful if the Minister could confirm that the Government intend to promote two further proposals for cash payments for affected owner-occupiers, the first of these being a cash payment of between £30,000 and £100,000 for owner-occupiers living outside the safeguarding area and up to 120 metres from the line in rural areas who do not want to sell their home and move. That payment would be an alternative to the voluntary purchase offer.

There will be a homeowner payment for owner-occupiers who live within 120 metres and 300 metres from the route in rural areas. The Government’s initial view is that payments could be between £7,500 and £22,500, depending on a property’s proximity to the route. There is nothing for a tenant in Euston, for example, who cannot move for one reason or another and is simply wedded to their community and cannot tolerate the thought of leaving. If they did, they would not have anywhere else to go. Nevertheless, they may be subjected to all manner of disturbance for many years.

We all recognise the great potential for that amount of disturbance and upset to cause significant physical and mental ill health. The “need to sell” scheme addresses the issue of ill health as an important issue when establishing a compelling need to sell. It is simply unfair that those individuals who suffer health consequences as a result of the works have no ability under the Bill to seek compensation.

Some property owners will not live in the communities affected but, because the value of their asset within the affected area is reduced, they will quite understandably receive compensation, yet an individual, perhaps born in the community and having lived there for decades, who is personally, directly and severely affected by the disturbance of the works, has no ability to receive compensation under the scheme. The new clause does not seek to prescribe what constitutes being severely affected, but leaves that to the Secretary of State to define. One would hope that, in his consultations on achieving such a definition, he would avail himself of expert medical opinion and come to a definition that would fairly address the obvious omission.

There is a very important principle at stake. It is clearly absolutely right that we value, respect and recognise individuals’ and companies’ property rights, and the adverse impact on the value of their property assets. Equally, it is important to value people and the damage caused to them by the loss of peaceable enjoyment of their homes, their peace of mind and physical health when such major works are undertaken, and accordingly any deficit, be it visited on a property owner or tenant, ought to be properly recognised. I therefore commend the new clause to the Committee.

Mr Goodwill: Landowners affected by the exercise of compulsory acquisition or by the construction or operation of the works will be compensated according to the compensation code. The code is a collective term for the principles deriving from Acts of Parliament. It is supplemented by case law relating to compensation for compulsory acquisition. The code is already applied by the Bill to the compulsory purchase of land required for HS2.

Depending on the particular circumstances in each case, compensation can be claimed for the unblighted market value of a property; severance and injurious affection, which is the depreciation in the value of land retained where only part of the claimant’s land holding is acquired; disturbance, representing the costs and losses incurred as a result of being disturbed from the occupation of the property; loss payments, which are an additional set payment depending on the nature of the interest being acquired, for example the home loss payment for a residential owner-occupier is 10% of the unblighted property value up to the maximum value of £47,000; fees, which include reasonable surveyors’ fees incurred in preparing and negotiating a compensation settlement together with solicitors’ fees for any conveyancing; loss in value due to physical factors such as noise, after trains start running; and diminution of value of the claimant’s interest in land caused by the works interfering with his or her private rights.

The compensation code forms part of the general law relating to compulsory purchase and it is entirely appropriate that it should apply to HS2. In addition to those statutory rights, the promoter has introduced a number of discretionary compensation schemes, in recognition of the specific impacts on property along the line of route. Those go significantly beyond what is set out in statute and address the points in the new clause relating to compensation for those who may be severely affected by the works.

The hon. Gentleman has outlined the compensation and purchase schemes, including the express purchase scheme and the voluntary purchase—he drew attention

[Mr Goodwill]

to the fact that there is an alternative cash offer of 10% of the unblighted market value of their property with a cap of £100,000 and a minimum payment of £30,000. He also outlined the “need to sell” scheme, which has been operating successfully in our view, particularly in the light of the some of the suggestions being made by the Select Committee; and the homeowner payment scheme, which would provide cash payments to eligible owner occupiers between 120 metres and 300 metres from the centre of the line. This would be made following Royal Assent of phase 1 of the hybrid Bill, enabling residents to share early in the future economic benefits of the railway and contributing to community cohesion.

With regard to tenants, it is important to remember that we would seek to mitigate effects where appropriate through such things as noise insulation. Where a tenant is significantly affected, they can complain to their landlord, with whom they have a contract, and it would be for the landlord to seek resolution. Tenants do not have the same restrictions on free movement that can afflict homeowners blighted by this type of project.

I hope that demonstrates that the Bill and our discretionary schemes have gone above and beyond what is required to ensure those negatively impacted by the construction and operation of the line have fair compensation. I hope the hon. Gentleman can withdraw his new clause.

Andy McDonald: The Minister has covered a great deal of the ground concerning property. Will he reflect on the assertion that tenants do not have restrictions on free movement? I am not entirely sure that I can agree with him on that point. Some people will be very wedded to their community and will feel unable to move for lots of reasons, including family or community ties. It is an obvious omission in my view that the potential damage to the peaceable enjoyment of tenants has not been addressed in any meaningful way whatever. It is not my intention to press the new clause to a vote. I simply ask that my comments and our discussion of it are further considered by the Minister as the Bill progresses. I beg leave to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

New Clause 32

REPLACEMENT TREES

“(1) The Nominated Undertaker shall secure suitable replacement trees to replace the same number of lost trees during design and construction.

(2) The Nominated Undertaker is required to maintain a record of the number of the lost trees and of those replacement trees planted by the Nominated Undertaker.”—(*Andy McDonald.*)

This new clause shall ensure that there is no net loss of trees as a result of the design and construction of HS2.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

I hope this will be a relatively straightforward matter and that it will give Committee members the opportunity to consider a commonly supported environmental issue: the need for there to be no net loss of trees as a result of the design and construction of HS2.

The Minister will be well aware of the concerns that have been raised by environmental groups, local authorities and community groups about the adverse impact of the construction and operation of HS2 on trees. Trees form a vital part of the heritage of our countryside and brighten the streets.

Sir Simon Burns (Chelmsford) (Con): The hon. Gentleman raises a very important issue that concerns many people. To put his new clause in perspective, does he have any estimate of how many trees might be lost?

Andy McDonald: I am afraid I do not have the answer in terms of the raw number. I am pleased to note that there will be a commitment to plant a significant number of trees—I will come to that in very short order. The new clause gives us the opportunity to acknowledge the work that has been done by HS2 to ensure that up to 2 million trees, I think, will be planted. That is very much to be welcomed, so I entirely agree with him.

Sir Simon Burns: The hon. Gentleman is absolutely right that the commitment is 2 million trees. The point I was trying to tease out is that I cannot believe that 2 million trees are going to be destroyed in the building of HS2, so why is the new clause needed?

2.45 pm

Andy McDonald: For the simple reason that although there may be that commitment, we may find that there is a removal or destruction of trees that is very detrimental, and that we have a net loss of trees over a significant period of time. I note the ambition and the intention to restore forests and altogether about 2 million trees, but it is what happens in the interim that might be of interest to the right hon. Gentleman. I trust that I shall address his point as I conclude my brief comments.

Trees brighten the streets and public spaces of urban areas throughout the country. It is a necessary evil that some of them will be cut down as part of the design and construction of HS2. It is a great shame that trees such as the Cubbington pear tree near Warwick will be lost. It was the 2015 Tree of the Year and is believed to have been growing for more than 250 years, but it will be cut down to make way for the line. It is necessary to lose some trees to facilitate phase 1 of HS2, but it is important that we do not suffer a net loss of trees because of the construction.

The Minister is committed to ensuring that the biodiversity of our country is maintained; ensuring that we do not lose trees is an important component of maintaining that biodiversity. The new clause would require the nominated undertaker to secure suitable replacement trees to replace the same number of lost trees during design and construction. It would also require the nominated undertaker to maintain a record of the trees planted in place of those lost.

I understand that some 2 million trees will be planted as part of the mitigation in connection with phase 1. That in itself is a fantastic achievement, but will the Minister assure the Committee that we will not suffer a net loss of trees? Earlier in Committee he mentioned a recent meeting with the Woodland Trust to look into how best to choose the species of tree to introduce in

the planting programme. Can he reassure local authorities, environmental groups and community groups that trees will be suitably replaced?

Mr Goodwill: I am more than happy to give the hon. Gentleman the assurances he seeks. Indeed, we will be not only replacing the trees but planting many more times the number removed. The planting of 2 million trees should have a major positive effect on the environment and contribute to our pledge of no net environmental loss from the delivery of HS2. The code of construction practice means that the nominated undertaker will be required to set out the number of lost trees and the replacement and monitoring plans that will be developed going forward. Indeed, wherever possible we will try to source trees from the United Kingdom, if for no other reason than phytosanitary purposes.

Section 12 of the code of construction practice that accompanied the Bill states:

“Appropriate controls will be put in place to protect the landscape and visual receptors in rural and urban areas from construction activities including designated landscape areas, heritage assets, parks and, open spaces and smaller green spaces in urban areas. Controls will include, as appropriate...a plan showing areas of existing trees and vegetation within the construction site to be retained (and protected), and those to be removed...a schedule of plant species and planting mixes to be used and provision of sufficient stock of specified species and provenance that typify the local area, including details of plant suppliers to be used...a programme for undertaking planting works...inspection, maintenance and management of existing and new planting”.

The Cubbington pear tree was indeed Tree of the Year 2015. It is true that unfortunately the tree will be a casualty of the delivery of the scheme, although I am told by the experts who have looked at the tree that it is very old and is probably getting to the end of its natural life. I have ensured that we take as many cuttings as possible, and take any other possible measures to try to propagate this tree and ensure that a number of communities up and down the line of route will be able to have one of the daughters of the Cubbington pear tree as part of their community. We are doing whatever we can to try to ensure that while, sadly, this tree may fall to the chainsaws of the HS2 construction teams, there will be life after death for the genetic material ensconced in the pear tree.

In addition, section 12 states that the nominated undertaker will require its contractors to employ an arboricultural consultant to oversee work relating to the protection of trees. Trees intended to be retained that are accidentally felled or die as a consequence of construction works will be replaced where reasonably practicable. The size and species of replacement trees will be selected to achieve a close resemblance to the original trees, in line with the HS2 landscape design approach document, taking cognisance of any management plans for immediately adjacent areas of woodland. The code of construction practices is binding under the environmental minimum requirements, and therefore the Secretary of State would be accountable to Parliament should there be a breach.

As part of the development of the scheme and the Select Committee process, we have provided the London Borough of Camden with assurances on trees, the wording of which is identical to that put forward by the hon. Gentleman in this proposed new clause. As with all assurances, the Secretary of State is accountable to

Parliament should this not be delivered. With this in mind, I do not believe that there is a need to include the new clause within the Bill. It would duplicate existing obligations for which we are already accountable to Parliament. I therefore hope that the hon. Gentleman will withdraw this proposed new clause.

Andy McDonald: I am delighted to hear that there will be life after death for the Cubbington pear. The Minister has persuaded me that trees will be replanted in very significant numbers. I agree entirely with him that the new clause is now not necessary, and I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 33

ENGAGEMENT ON PERMANENT REPLACEMENT OF OPEN SPACE: LONDON BOROUGH OF CAMDEN

The Secretary of State shall require the Nominated Undertaker to actively engage with the London Borough of Camden to ensure the provision of high quality permanent replacement open space and play space within the design for the authorised works in the London Borough of Camden in so far as is reasonably practicable within the limits of the Bill and without impacting the timely and economic delivery of the railway.—
(*Andy McDonald.*)

This amendment would require the Nominated Undertaker to engage meaningfully with the London Borough of Camden to ensure the provision of high quality permanent replacement open space and play areas.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time. The clause deals with engagement on the permanent replacement of open space, again in the London Borough of Camden. It obliges the Secretary of State to require the nominated undertaker to actively engage with the London Borough of Camden to ensure the provision of high quality permanent replacement open space and play space within the design for the authorised works in the London Borough of Camden, in so far as is reasonably practicable within the limits of the Bill and without impacting the timely and economic delivery of the railway. The object is to ensure that there is indeed meaningful engagement between the nominated undertaker and Camden, in order to secure the provision of high quality, permanent replacement open space and play areas.

High Speed 2 will see the permanent loss of some valued and historic open spaces in Camden, including St. James's gardens which are on the site of an historic burial ground. Over 10,000 square metres of green open space with mature trees will be lost forever. In total, 20,000 square metres of open space will be lost in Camden. Open space is a valuable amenity in the urban environment: a place to sit and relax, play and exercise, and a green lung to counteract pollution. In its assurances to Camden Council, HS2 has agreed to provide high quality, permanent replacement open space and play areas of equal quantity to those which are lost in construction in the London Borough of Camden. That includes specific proposals to provide permanent replacement open space which will be subject to resident

[*Andy McDonald*]

consultation. HS2 Ltd will replace all the trees lost to the scheme, and replace the open space lost temporarily during construction.

HS2 will fund improvements to various existing open spaces, which can be subject to resident consultation and agreed between the Secretary of State and Camden Council. Given that open space can range from green parks to concrete squares, consultation is especially important. There will be unanimity across the Committee as to the importance of open space and play areas in any and all of our communities. No doubt hon. Members have been petitioned in their constituencies about such matters, and will fully appreciate the strength of local feeling about such key issues of green lungs in our communities and open spaces to give blessed relief from dense development. That is even more critical in the magnificent metropolis of our country's capital city. Our wonderful parks and open spaces characterise and enrich the quality of life in London and distinguish it from other major world cities, which are all too often wall-to-wall urban sprawl with no relief or counterpoint.

In Camden in particular the loss of open space is dramatic, not only due to the impact of the whole development but the sheer scale of the areas lost. The community of Camden is sacrificing a great deal for HS2 and the greater good of our country. It is right and fair that every effort be made to reassure that community, which has undoubtedly felt somewhat beleaguered since the development is happening whether it likes it or not.

At the very least, the new clause would enable the community to have a voice in ensuring that the permanent replacements of open spaces lost through the works are of the highest quality. Camden would have a significant say in the nature of the replacement open spaces it needs for the community benefit and civic restoration after HS2 construction. We do not want only the pear tree to have life after construction; we also want Camden to have that.

My new clause is fully cognisant of the practical limits of what can be done. We shamelessly borrow the language of the HS2 assurances in acknowledging what is reasonably practicable. We make the explicit acknowledgment that, whatever steps are taken, it cannot impact in any way on the timely and economic delivery of the railway. The new clause accords with the stated aims and objectives to secure a total development of the highest quality. The quality of open spaces is a key component of that objective.

Equally important is taking the community along with the project, giving it a real sense of ownership. This measure will contribute to enabling the Camden community to feel that HS2 is not something that is being done to the community but something that the community is an integral part of.

For all those reasons, I trust the Minister will demonstrate to Camden that its concerns about the need for high-quality open spaces have been fully recognised, by embracing this new clause, which I trust finds favour with him and his colleagues.

Mr Goodwill: The hon. Gentleman talked about the importance of green lungs to our cities. I agree that many of our cities benefit from their open spaces and

parkland. Coming as he does from a city where they are called smoggies by their footballing friends from Newcastle and Sunderland, he is well placed to understand the importance of clean air and green spaces.

Andy McDonald: I cannot let that go. Smoggies is a term of endearment and harks back to heavy industrialisation when the air was impure. It is now extremely clean and beautiful. People are often surprised at how green and pleasant the area is in and around my constituency. I would welcome the Minister's visit to test that theory; he will not find any significant pollution whatsoever.

Mr Goodwill: Having been the parliamentary candidate for the Redcar constituency in 1992, I can attest to the wonderful environment. When I am next in Middlesbrough, either to watch their football team or to avail myself of a cheese parmo, I will make sure that I breathe in the clean air, which is much improved on the industrial days when the steel and chemical industries were spewing out.

3 pm

Andy McDonald: I warn the Minister: the air is okay, but I would really caution him against the parmos. They are a heart attack on a plate. If he wants to keep healthy, he should avoid them like the plague.

Mr Goodwill: I will not digress on the culinary delights of the Middlesbrough area. We recognise that HS2 works will remove or impact on some of the existing open space in the area around the proposed station at Euston. HS2 Ltd will take steps to create a range of new or improved open spaces appropriate to the needs of potential users, the location and local character. I include civic spaces and public realm, play space and local green spaces. In view of this, an assurance has been agreed with the London Borough of Camden that the promoter will require the nominated undertaker to engage actively with Camden to ensure the provision of high-quality permanent replacement open space and play space within the design for the authorised works, in so far as reasonably practicable within the limits of the Bill and without impacting the timely and economic delivery of the railway.

Commitments given by the promoter during the passage of the Bill are included on the register of undertakings and assurances held by the Department for Transport and finalised at Royal Assent. All commitments, including the register, will be binding on the nominated undertaker and the Secretary of State as the project is taken forward. Sufficient mechanisms are therefore in place to deliver the intent of new clause 33. Throughout the Bill, we have sought not to legislate where there are existing processes, except where it is necessary for the expeditious delivery of phase 1 of HS2. I hope this clarification reassures the hon. Gentleman that he can withdraw new clause 33.

Andy McDonald: I have listened intently to the Minister and he has demonstrated throughout every element of the new clause that provision is in place and those concerns have been properly recognised. I note that the methodology currently exists to ensure that the undertakings

and assurances are fully implemented. For those reasons, notwithstanding my earlier indication that I would press the matter to a vote, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 34

SUPPORT FOR LOCAL BUSINESS

(1) The Nominated Undertaker must take all reasonable steps to safeguard the interest of local businesses negatively affected by the construction and operation of the High Speed Rail (London-West Midlands) line.

(2) Such mitigation shall include, but not be limited to—

- (a) providing support for marketing and promotion to maintain footfall,
- (b) property modifications and shop front improvements,
- (c) use of properties which become vacant for business meanwhile uses, and
- (d) facilitating relocation of businesses should this become required as a direct result of the scheme.—(*Andy McDonald.*)

This new clause requires the Nominated Undertaker to mitigate the impacts of the HS2 works and scheme on local businesses. Measures shall include promotion activity to maintain footfall, property and shop front modifications, and facilitating relocation of businesses if this becomes necessary as a result of the scheme.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

Euston is a strategically important business destination with an annual gross value added of some £3.37 billion. There are many small businesses in the area, some of which characterise Camden very well. I am thinking particularly of those in the Drummond Street area, where there is a range of restaurants, many of which are south-east Asian. I think the Minister mentioned that he had had lunch there recently. I am sure it was a very good restaurant and I must go.

Other properties, for example in the Langtry Walk area, will be impacted by a construction yard for the ventilation shafts, as I understand it. Those businesses will be extraordinarily vulnerable to the impact of construction. Some 145 businesses are located in the safeguarding area, including 73 which will be demolished. More than 300 businesses are located in close proximity to major construction works. It follows that some 2,915 jobs are at risk of loss or displacement. In its business mitigation assurances to Camden Council, HS2 Ltd agreed to develop a business support strategy in consultation with Camden Council that will consider engagement with and support for businesses affected by HS2 before and during construction, including how to promote and market those businesses. HS2 also agreed for an agency to be set up at least one year before the main HS2 construction works begin, to assist businesses that need to move due to the works. The agency would help those businesses to identify suitable alternative premises. Within the assurances secured there is a specific commitment to provide a community environment fund and a business and local economy fund to support projects in Camden of different sizes—some are for the larger ones and some for the smaller.

I re-emphasise what the HS2 Select Committee has said—that the £34,800 rateable value cap for “need to sell” business applications was not appropriate in the case of London businesses, given that too many would exceed that cap. They have asked the Government for a re-evaluation, such that the proportion of London businesses falling below the cap is broadly the same as elsewhere. That would appear eminently reasonable in order to bring some equity to bear.

This is a much-needed new clause, to try to secure additional assurances and comment from the Minister that the very real and legitimate concerns of these businesses will be adequately addressed.

Mr Goodwill: The Government are committed to ensuring that we minimise the impact on local businesses as we construct HS2, but the new clause will not help to further that commitment. The environmental statement that accompanied the Bill already commits to mitigating the construction impacts of the scheme on businesses. Through the Select Committee process that we have just completed, we have provided a great number of businesses with specific binding assurances to address the impacts that they may experience. I have visited some of the businesses myself to see first hand the problems they face. We have committed to engaging with local communities during the construction phase and managing any concerns they have. We fully expect that that may include the provision of good-quality public realm amenities during construction, such as temporary planting, colourful hoardings—which may, for example, give information about the operation of nearby businesses—and so on. We are considering what we can do in terms of signposting and information on businesses that are operating within the area to minimise impacts in terms of isolation and amenity.

As the hon. Gentleman said, I visited a Drummond Street restaurant with Mr Frank Dobson, a former Member of Parliament, and can very much understand some of the problems the businesses anticipate when construction has severed the area and made it difficult for customers to get through. It is important that we do whatever we can to ensure that they continue to thrive. I hope construction workers themselves bring patronage to those types of businesses.

We have also launched a business and local economy fund to add benefit over and above committed mitigation and statutory compensation to support local economies that are demonstrably disrupted by the construction of HS2. The fund may well support measures such as improvements to the local public realm, especially in retail and tourist areas, events that increase footfall or promote business activity during seasonal periods and general promotional activity.

The hon. Gentleman raised the £34,000 business rate cap for “need to sell” business applications. Members of the Select Committee raised that with me, and the Government are looking at it. Business rates in London are far greater than those in other parts of the country, and if we can, we will certainly do something to try to address that problem for the small number of businesses that fall outside that particular net.

Applications will be invited for capital or revenue grants from £10,000 up to a maximum of £1 million. It will be for local businesses and support organisations,

[Mr Goodwill]

including local authorities, to identify appropriate projects that will help to maintain business activity in local communities.

I believe, therefore, that all the points made by the hon. Gentleman have been addressed and that the new clause can be withdrawn.

Andy McDonald: I am grateful to the Minister. I have heard what he has to say and, given all the circumstances, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 35

HS2 CONSTRUCTION SKILLS CENTRE: ESTABLISHMENT

“(1) An HS2 construction skills centre shall be established in Euston.

(2) The role of the construction skills centre shall include, but not be limited to—

- (a) the provision of advice and information on finding work in the construction industry local to Euston,
- (b) the provision of training and apprenticeships relevant to the HS2 project for people who are out of work or carrying out unskilled work.

(3) The construction skills centre shall be operational for no less than 10 years following its opening.”—(*Andy McDonald.*)

This new clause requires the establishment of an HS2 construction skills centre in Euston to provide advice and information about finding work in construction in the Euston area, and the provision of training and apprenticeships relating to the HS2 scheme.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

The new clause calls for an HS2 construction skills centre to be established in Euston. The construction of phase 1 of HS2 presents many opportunities for businesses and will create a significant number of employment opportunities. It is forecast that HS2 will create more than 24,000 new construction jobs. A significant number of those new jobs will be around the Euston development, and it is only right and proper that as many of the opportunities as possible be opened up to the population of Camden. On that issue, we presumably agree.

One of HS2’s notable impacts will be to provide exciting new job opportunities for people who might otherwise never have had such life chances. The new clause is designed to embed that objective in the scheme and in the community in Camden. To make the most of the opportunities that the scheme presents, it is important to ensure that the right workforce are available and in possession of the right skills to ensure that those opportunities are realised. We should be doing everything we can so that communities that are directly affected by the construction have every opportunity to benefit from it in terms of jobs and economic engagement generally.

Specifically in relation to Camden, we welcome the Secretary of State’s recognition of the role that King’s Cross construction skills centre has played in the London Borough of Camden. That skills centre has been a considerable success. Starting with HS1 and the channel tunnel rail link, and then evolving for King’s Cross Central, the skills centre has registered more than 6,000

people and delivered more than 2,200 training places, 1,100 construction-related qualifications and 2,340 jobs in total. We are pleased that the Secretary of State recognises the potential to build on that model to deliver on HS2’s objectives in relation to skills and employment, as well as the potential to integrate with other infrastructure projects such as the proposed Crossrail 2 in future.

Again, in accordance with assurances given to Camden Council, the Secretary of State will require the promoter actively to engage with the London Borough of Camden regarding the development of a Euston construction skills centre, and the Secretary of State will require the nominated undertaker to make a contribution up to a maximum of £4.1 million towards the cost of the construction, property costs, fitting out and ongoing running costs of the skills centre. That is to include the provision of advice and information on finding work in the construction industry local to Euston, and the provision of training and apprenticeships relevant to the HS2 project for people who are out of work or currently carrying out unskilled work; and the offering of appropriate training to local, disadvantaged and under-represented groups in order to promote fair and equal access to the employment opportunities generated by HS2, working closely with Camden Council, which will be responsible for setting up the skills centre.

Establishing the skills centre will be of great benefit to the project. It will provide the skilled workforce needed, and those who live in or near Camden will be able to take advantage of the new employment opportunities. The new clause would put in the Bill the important assurances already given to Camden Council to ensure that this opportunity is capitalised on. Like the other Ronseal new clauses, it simply ensures that the given assurance does what it says on the tin. I commend the new clause to the Committee.

3.15 pm

Mr David Anderson (Blaydon) (Lab): This is just a quick intervention to support the new clause. The Minister may already have been to Newcastle College’s rail academy, which is actually in Gateshead. Like all good things, it is south of the River Tyne rather than north, and well north of parmos. The £5 million facility was opened specifically to develop skills to give young people up to a level 3 diploma in rail engineering. The academy develops rail engineering apprenticeships and gives young people access to higher education so they can go on to be fully-fledged degree-level engineers.

The whole idea is that we develop a skilled jobbing workforce right across the industry. The academy has six teaching rooms, a mechanical workshop, an electronics hub, and a signals and telecommunications workshop. It cost £5 million, and has indoor and outside facilities so people can work in real-life situations. Compare that with the development of Newcastle railway station, which cost £22 million—£5 million is a very small amount of money for a very positive thing.

Our part of the world has a long history in railways. Indeed, the Bowes railway, which dates back to 1826, is within five miles of the academy. It was developed by George Stephenson and is the only operating standard gauge, cable-operated railway anywhere in the world. We have a long history of engineering in the north-east, as hon. Members have mentioned, and we are a role model for what could happen in and around Euston.

Mr Goodwill: I think we are probably all on the same page in recognising the importance of skills in delivering the project and, indeed, in delivering many other projects that have been rolled forward. The work at Newcastle central station was mentioned. We are also investing substantially in the A1, not only in North Yorkshire by improving the capacity there, but on the western relief road, where long-overdue work is taking place. We have demonstrated that we are investing not just between Birmingham and London with high-speed rail, but around the country with our rail and road infrastructure.

Skills are vital to ensuring that our long-term economic plan—this is the first time I have mentioned it—can be delivered. Indeed, I am delighted that the HS2 college will be established in Birmingham with a satellite college in Doncaster, which is, of course, the birthplace of the famous Flying Scotsman and Mallard. Doncaster's great railway heritage will be built on by the skills college, which I hope to visit very soon. Incidentally, I would like to visit the college in Gateshead if the hon. Member for Blaydon would send me a note. I would be delighted to visit as my son is in Newcastle at the moment so it would be a good opportunity to kill two birds with one stone.

The design, planning and construction of HS2 will create a significant number of employment opportunities. It is expected to create 24,600 new construction jobs, many of which will be in the Camden area. Suitably skilled individuals will stand to benefit from the employment opportunities that HS2 generated. The promoter recognises the role that the Kings Cross skills centre has played in the London Borough of Camden and sees the potential to build on that model to deliver HS2's skills and employment objectives.

To that end, an assurance has been agreed with the London Borough of Camden, requiring the promoter

“to actively engage with the London Borough of Camden regarding the development of a Euston construction skills centre...The objectives...should include, but not be limited to: the provision of advice and information on finding work in the construction industry local to Euston, and the provision of training and apprenticeships relevant to the HS2 project for people who are out of work or carrying out unskilled work.”

The assurance also states:

“On the 9th year following the opening of the construction skills centre (or earlier by agreement) the Secretary of State will consider further funding for the ongoing provision of this facility. In consideration of further funding the Secretary of State will review...Whether the objectives of the skills centre have been met...Whether performance targets have been met...Recommendations from the Euston Station Strategic Redevelopment Board (or equivalent)...Additional funding sources including other developers operating in the Euston Area”.

Commitments given by the promoter during the passage of the Bill are included in the register of undertakings and assurances, which is held by the Department for Transport and finalised at Royal Assent. All commitments included on the register will be binding on the nominated undertaker and the Secretary of State as the project is taken forward. Sufficient mechanisms are therefore in place to deliver the intent of the new clause. Throughout the Bill, we have sought not to legislate where there are existing processes, except where it is necessary for the expeditious delivery of phase 1 of HS2. I hope that that clarification will reassure Opposition Members, and that the new clause can therefore be withdrawn.

Andy McDonald: My preference would of course have been for the commitments to be specifically stated on the face of the Bill, notwithstanding the assurances of which I am very much aware. In the circumstances, having heard what the Minister has said, I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

New Clause 36

IMPACTS OF CONSTRUCTION TRAFFIC

“During construction of Phase One of High Speed 2, the Nominated Undertaker must ensure that the impacts from construction traffic on local communities (including all local residents and businesses and their customers, visitors to the area, and users of the surrounding transport network) are mitigated by its contractors where reasonably practicable.”—(*Andy McDonald.*)

The Nominated Undertaker and its contractors must take all reasonable and practical steps to mitigate the impacts of construction traffic on local communities.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

I am not convinced that this can be dealt with by way of the assurances about which we have heard so much thus far. The new clause deals with the impact of construction traffic. The underlying rationale is for the nominated undertaker and its contractors to take all reasonable and practical steps to mitigate the impact of construction traffic on local communities. To some extent, new clause 36 touches upon some of the ground that we covered in our debate on new clause 26, where we discussed maximising the use of rail to bring and remove excavation and construction material. The new clause places an obligation on the nominated undertaker to ensure that the impacts of construction traffic on local communities are mitigated, again, as per our earlier discussion, with the caveat of that being reasonably practicable. Again, this is an acknowledgment that the provision will not in any way adversely affect the necessary works.

What we are not referring to is the excavation of spoil by tunnelling. The Minister is right that all of that will be removed by rail, and will not result in any extra lorries on the road at Euston. Rather, we are concerned about the excavation, demolition and construction materials needed to build the HS2 station at Euston. Even with the Minister's clarification, it is planned that much of the material will be moved by road and not rail at Euston.

HS2's own figures—contained in additional provision 3, community forum area 1 report for Euston, table 7—estimate that more than 3 million tonnes of material will be created at Euston. That includes 2,474,296 tonnes—the figures are very precise—to be generated by excavation, while 328,135 tonnes will be generated by demolition and 642,498 tonnes by the construction process. That amount will have a huge impact on the roads, however it is removed. The same document containing HS2's own figures sets out that that equates to

“peak lorry movements of 800 combined two-way vehicle movements per day”,

[*Andy McDonald*]

which is 1,600 lorry movements per day in the busiest month, which is understood to be in 2023. The majority—90%—of those lorries will be HGVs. Camden residents are concerned about the impacts on air quality, the safety of pedestrians and cyclists, habitability and traffic congestion that the lorries may cause and, indeed, are likely to cause.

HS2 Ltd has given assurances to Camden Council that it will engage actively with the council, the Greater London Authority and Transport for London to develop a plan for the bringing in and removal of such excavated materials and construction materials to and from Euston by rail. The plan should be submitted to the Euston integrated programme board and the Euston station strategic redevelopment board for comment by no later than May 2016.

With the new clause, we are seeking to secure an additional commitment which goes further than just producing a plan, and actually puts in place the mechanisms to achieve the removal and delivery of the maximum proportion of excavated and construction materials by rail. I trust that the Minister can accept the rationale of the clause, as we are dealing with an area that the Select Committee has made clear is worthy of special attention. The new clause would make it abundantly clear to the people of Camden that their concerns have been rightly acknowledged and will be addressed, as embedded in the Bill, rather than awaiting developments in the months ahead.

Mr Goodwill: The construction of HS2 will inevitably require the use of construction lorries on the public highway. As we discussed previously, a big proportion of the excavated material in the urban area at the London end of the line will be transported either by rail or along the line of route. The opportunity to procure the corridor for the railway will enable the movement of excavated material along line of route, not just for disposal but for possible use elsewhere along the line to build up ground.

We are aware that that is a concern for communities near the works and we take that very seriously. HS2 Ltd has therefore put in place a range of controls in the Bill and in commitments that address the issue raised in the new clause. First, under schedule 17 to the Bill, lorry routes to and from all work sites with more than 12 two-way lorry movements will require the approval of the relevant planning authority. Through that process, the nominated undertaker will consider the best routes to use taking account of the effects on local amenity. While determining such applications, the planning authority will be able to consult local communities.

In addition, commitments have been made with regard to traffic management in the code of construction practice and the route-wide traffic management plan. The requirements in those documents are made binding through commitments to Parliament. The nominated undertaker will have regular liaison with bodies interested in highways safety, such as vehicle operators, the Health and Safety Executive, the Driver and Vehicle Standards Agency and the emergency services.

The nominated undertaker will be required to ensure driver training with regard to vulnerable road users and vehicles' safety equipment. Contractors will also be

required to sign up to fleet management standards, such as the fleet operator recognition scheme, which was developed by Transport for London.

In addition to those measures, which will be applied at a route-wide level, there will also be local traffic management plans, which will be prepared in consultation with the local highway authority. That will cover a range of issues relating to traffic management matters, lorry movements and highway work. There will also be continuing engagement throughout the duration of the HS2 works through traffic liaison groups that will be set up along the route.

Membership of those will include highway authorities, public transport operators and the emergency services. That is just a summary of the wide range of controls that will be put in place to manage the impacts of construction traffic on communities. I hope that the binding controls I have described have demonstrated that the matters that the proposed new clause aims to address are already more than adequately controlled in the Bill and allied commitments. I hope that that clarification reassures the hon. Gentleman and that he will not press his new clause.

Andy McDonald: I am grateful to the Minister for his attention to detail. He clearly shares our concerns but I am disappointed that he has not recognised how the issue is perceived in the community. This is such an important matter to the Camden community. It is essential that it is loud and clear in the fabric of the Bill, so there can be no doubt or degree of interpretation in the months and years ahead. For that reason, I want to press the new clause to the vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 9.

Division No. 10]

AYES

Anderson, Mr David	Mahmood, Shabana
Glindon, Mary	
McDonald, Andy	Reynolds, Jonathan

NOES

Ansell, Caroline	Huddleston, Nigel
Burns, rh Sir Simon	Jenkyns, Andrea
Doyle-Price, Jackie	Nokes, Caroline
Goodwill, Mr Robert	Vickers, Martin
Howlett, Ben	

Question accordingly negatived.

3.30 pm

New Clause 37

RETAINING SAFE PEDESTRIAN AND CYCLIST ACCESS

'The Nominated Undertaker must, where reasonably practicable, retain access for pedestrians and cyclists to use routes affected by construction where safe and appropriate to do so, including where a highway is closed to other traffic under the powers of this Act.' —(*Andy McDonald.*)

This new clause requires the Nominated Undertaker to take steps to retain safe pedestrian and cyclist access on routes affected by construction relating to the HS2 scheme.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

The construction works will undoubtedly cause significant disruption to pedestrian and access routes in the areas affected by the workings. The new clause addresses that issue and secures the retention of safe routes for pedestrians and cyclists alike. In the assurance given by HS2 to Camden, regard was given to construction routes used by pedestrians and cyclists: the Secretary of State will require the nominated undertaker, where reasonably practicable, to retain access for pedestrians and cyclists where safe and appropriate to do so, including where a highway is closed to other traffic under the powers of the Bill. Before any formal application under the Bill relating to traffic or highways proposals, site-specific measures will be discussed with highway authorities and emergency services through the traffic liaison group meeting established in accordance with the construction practice and route-wide traffic management plan.

Examples of the measures are given, including details about specific traffic management measures; installation of appropriate signage, indicating all temporary diversion or, where reasonably appropriate, alternative routes; and measures to minimise impact on high users. By obliging the nominated undertaker to retain access in this way, where reasonably practicable, we seek to give statutory teeth to the assurances about the implementation of construction best practice, to guarantee that every effort will be made to keep access flows open for pedestrians and cyclists. This is a straightforward new clause that I hope will require no further expansion or explanation. I am sure the Minister will wish to endorse and support new clause 37.

Mr Goodwill: Of course I support the aims of this new clause, but my support falls just short of wishing to put it in the Bill. The hon. Gentleman has found a friend in me if he is looking to protect the interests of cyclists in London. As the Minister for cycling and walking, I am a cyclist myself and have made two cycle journeys in London today. The hon. Gentleman is right that where construction is going on it can cause disruption and become a problem for cyclists and pedestrians. We always talk about the dangers of cycling in London, but per kilometre travelled the danger of being a pedestrian is similar to that for cyclists. Although neither cycling nor walking is a dangerous occupation in London, when there is an unfortunate accident it receives a lot of prominence in the press. It is our intention that the works should not affect unduly the ability of pedestrians, cyclists and other vulnerable road users to use the highway network. There are two main aspects to this: how HS2 construction vehicles use the highway and how HS2 temporarily occupies the highway during works. For both those matters, I assure the hon. Member for Middlesbrough that the new clause is unnecessary, as there are already suitable controls in place.

As outlined in my response to new clause 36, an array of controls on HS2 construction traffic will be in place to manage traffic levels and protect pedestrians and cyclists. As well as those measures, there are controls and commitments to address how works in the highway will be carried out in a way that reduces disruption and ensures safety. Local traffic liaison groups are central to that. As temporary traffic management schemes such as changes to pedestrian and cycle routes are

developed there will be consultation with interested parties, as reasonably required by the traffic liaison group meetings.

3.35 pm

Sitting suspended for Divisions in the House.

4.4 pm

On resuming—

Mr Goodwill: The meetings of traffic liaison groups will provide an opportunity to consider the feasibility of maintaining pedestrian and cycle access on routes closed to other traffic. Final temporary traffic management plans will be submitted by the contractor to the nominated undertaker's qualified area traffic manager to ensure that they comply with the engagement feedback and published standards for temporary traffic management.

The traffic management plan will then be subject to review at the traffic liaison group meeting prior to submission for formal consultation and, as necessary, approval in accordance with schedule 4 to the Bill. Prior to implementation, further notification, such as advanced warning signage, will be provided. During the works, the nominated undertaker will provide staff to ensure compliance with traffic management arrangements.

The measures I have set out demonstrate that the intention of the new clause is addressed by requirements that are already in place. The controls set out have been demonstrated to be effective on projects such as the Olympics and Crossrail. The points made by the hon. Member for Middlesbrough have been addressed and I hope that the proposed new clause will be withdrawn.

Andy McDonald: I am grateful to the Minister. He has succeeded in persuading me that there will be adequate provision to obtain safe pedestrian and cyclist access on the routes affected by the construction. I trust that he will turn his attention successfully to some of the dangers posed by cyclists and pedestrians using zebra crossings outside the building. With that, I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

New Clause 38

COMPLIANCE WITH STANDARDS

'(1) The Secretary of State shall require the Nominated Undertaker and its contractors to report on their compliance with agreed air quality and pollution standards for the project, any Code of Construction Practice in place, Traffic Management Plans, and other guidance and standards agreed.

(2) The Secretary of State shall lay a summary of this report before both Houses of Parliament on an annual basis from the year after Royal Assent until the conclusion of the construction period.' —(Andy McDonald.)

This new clause requires the Nominated Undertaker to comply with agreed air quality and pollution standards, codes of construction practice, traffic management plans and other standards and guidance agreed. Compliance must be recorded by way of an annual report to Parliament.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

[*Andy McDonald*]

New clause 38 requires the nominated undertaker to comply with agreed air quality and pollution standards, codes of construction practice, traffic management plans and other standards and guidance, and it requires compliance to be recorded by way of an annual report to Parliament. Again, this new clause is informed largely by the concerns and anxieties expressed by Camden borough council about the potentially significant increases in pollution levels that the workings may produce.

There is considerable concern about the air quality in London generally, but in addition there are justifiable concerns about the extra pollution that may arise as a result of the necessary works involved in HS2. There are concerns not only about the disruption and turmoil caused to the atmosphere by the very nature of demolitions and excavations and so on, but by the additional heavy goods vehicles that will be using Euston's roads for some considerable time, together with other major plant and equipment.

Happily, vehicles such as the HGVs that I mentioned, and as the Minister has advised me, have the capacity for on-board filtration apparatus that can often mean such vehicles can be less offensive to our lungs and other organs in terms of the air we breathe than some private saloon cars. I acknowledge that. Seemingly, it is not as easy to find ways of installing such sophisticated filtrations and treatments in an ordinary car simply because of the space that such units take up, and they can be better accommodated on board larger HGVs. I hope the Minister will give the Committee assurances that the HGVs that will be visiting the sites will be so fitted.

All of that is readily acknowledged, but again we are into the cumulative impact areas of discussion: not just the vehicle emissions, important as they are, but the air pollution caused by the construction itself and the cumulative effect of the activities involved in the workings. It is a reasonable submission simply to require in the Bill that the nominated undertaker and their contractors report on their compliance with agreed air quality and pollution standards for the project, any code of practice that is in place, traffic management plans and agreed guidance and standards.

Requiring the Secretary of State to lay a summary of such a report before both Houses of Parliament on an annual basis, from the year after Royal Assent until the conclusion of the construction period, will give all of us, particularly the residents of Camden who are in such a densely populated area in what must be one of the most concentrated construction areas of the entire HS2 development, a great sense of reassurance not only that pollution levels are being assiduously observed, but are within the limits imposed by the various standards. This speaks directly to the health issues discussed earlier in our debates. Not only are respiratory and other physical health issues being addressed, but the psychological issues of anxiety about pollution.

It is clear that many people have concerns about pollution levels, as evidenced by the ubiquitous face masks worn by cyclists and increasing numbers of pedestrians on the streets of our capital city. If physical and psychological health issues can be monitored and ameliorated in that work, it would be a beneficial move. I trust that the new clause, which would simply give effect to the assurances offered by the promoter, will find favour with the Government.

Mr Goodwill: We seem to be having a Camden-centric afternoon, and the safeguards and protections will apply along the line of route—it is not just in central London where we need to be aware of traffic congestion and air quality problems. The hon. Gentleman is absolutely right that air quality is a real issue in certain hotspots in London. Indeed, he has just said that some cyclists and pedestrians wear facemasks. Car drivers should be aware that they are not immune to that air just because they are sitting in their car. Car air intakes, which pump warmed air into the cabin, are at a height likelier to have high levels of pollution than for a cyclist or pedestrian, who travel at a position slightly higher than some exhausts.

Managing the environmental effects of its construction and operation has been at the centre of the development of HS2 and the discussions with petitioners, and has resulted in many commitments being given on the environment. Those commitments are contained in the environmental minimum requirements, which are enforced in a number of ways. First, the contractual obligation on the nominated undertaker to comply with the environmental minimum requirements will provide a mechanism for the Secretary of State to ensure that the requirements are complied with. Furthermore, the environmental minimum requirements require that the nominated undertaker and their contractors have environmental management systems, a set of processes and procedures for which international standards exist, that ensure the nominated undertaker and their supply chain meet the requirements that have been set.

Should there be an issue with compliance, however, mechanisms exist for concerned parties to seek resolution to the problem. Assurances, including those relating to the environmental minimum requirements, will be enforceable against any person appointed as a nominated undertaker through the Secretary of State's undertakings, which means that, in the event of failure to comply with an assurance, recourse will be through the Secretary of State, who is answerable to Parliament for securing compliance. If it is felt that a contractor undertaking works authorised by the Bill is not meeting the environmental minimum requirements, steps can be taken to ensure that there is an investigation and that any corrective action needed is taken. A clear legal process exists to ensure compliance with the environmental minimum requirements and other environmental commitments, and it has been shown to work for other projects such as Crossrail. As a result, there is no need for the proposed new clause.

The hon. Gentleman mentioned HGVs, and it is encouraging that compliance levels on NO_x pollution from HGVs is of the order of 90% because, as he said, they can be fitted with selective catalytic reduction systems or exhaust gas recirculation, which reduces pollution levels. As we have seen in recent reports from the United States, some passenger cars do not meet that level of compliance. Of course, central London, where Euston lies, is within a low-emission zone. HGVs that do not meet the most stringent requirements are not allowed to be there, so he can be assured that vehicles used in the construction of the project will be state of the art. I therefore believe that his concerns have been addressed, and I hope that the new clause will be withdrawn.

Andy McDonald: The Minister focuses on the Camden-centric nature of many of our proposed new clauses. I simply point out that Camden is one of the hotspots,

and it has particular pollution issues that need to be addressed. I would not want to apologise too much for seeking to have those issues thoroughly investigated. As with other clauses, our preference is for these issues to be included in the Bill, rather than simply relying on the assurance and other schemes. An annual report should be laid before the House, but I recognise that he and his colleagues will not be persuaded, so I will not trouble the Committee by pressing the new clause to a vote.

I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 39

REPORT ON THE APPLICATION OF COMPENSATION SCHEMES

(1) The Secretary of State shall appoint an independent body to report annually on the application of compensation schemes for the works to be carried out under this Act.

(2) The report shall include, but not be limited to—

- (a) information on the take up of the various schemes available,
- (b) an assessment of the comparative take up of the schemes available in urban and rural areas,
- (c) the judgement of the independent body of the effectiveness of the application of compensation schemes, and
- (d) the judgement of the independent body of the application of the compensation schemes available in rural and urban areas.

(3) The Secretary of State shall lay this report before both Houses of Parliament.—(*Andy McDonald.*)

This new clause would require an annual independent assessment of the compensation schemes which apply to the HS2 scheme, including an assessment of the application of the compensation schemes available in rural and urban areas and any consequences, including suggested remedies, resulting from this.

Brought up, and read the First time.

4.15 pm

Andy McDonald: I beg to move, That the clause be read a Second time. As the Minister will be aware, issues surrounding compensation schemes have been, and no doubt will continue to be, points of contention for those who will be adversely impacted by the construction of HS2. There will be significant disruption in urban areas. Approximately 250 homes in Camden and 200 in Ealing could be made uninhabitable during and after the construction phase and open space and community facilities will be lost to Camden, Ealing and Hillingdon. Residents and businesses in urban areas have argued that it is wrong that they will receive less compensation than those in rural areas, despite the urban areas suffering more disruption; just three out of five compensation measures apply only to rural areas, with only the express purchase scheme and need-to-sell scheme available in urban areas.

The HS2 Select Committee has said that the £34,800 rateable value cap for need-to-sell business applications was not appropriate in the case of London businesses, given that too many would exceed the cap. It has asked for a Government re-evaluation, such that the proportion of London businesses falling beneath the cap is broadly the same as elsewhere. The Minister may be open to looking at that. One might also argue that the need-to-sell scheme's requirement to demonstrate a 15% loss in

property value, or the express purchase scheme's £49,000 cap for a 10% addition to the market value of a property, are unsuitable for urban areas, given that the average price for a property in some of the boroughs most affected in London is £650,000. The Select Committee also noted that beyond need-to-sell, there is still little recognition of the effects on others who are blighted, including tenants and licensed occupiers, with many of the affected residents in Camden being council tenants. An annual independent assessment of the compensation schemes that apply to the HS2 scheme, including an assessment of the equivalence of the compensation schemes available in rural and urban areas, and any consequences, is therefore necessary.

The issues surrounding compensation are hotly contested and are causing a degree of animus among some of those affected, so the establishment of an independent body to report annually on the application of compensation schemes for the works to be carried out under this Bill would help to ensure that compensation schemes were both fair and effective.

Mr Goodwill: Although we have different compensation schemes in place for urban and rural areas, the need-to-sell scheme has no geographical limit. However, it is unlikely that the impact of the project away from the line of the route will be felt as much in urban areas as in rural areas, as they are built-up areas with a lot of traffic and existing railway stations, certainly in the case of Euston. The property schemes in place for HS2 are way above those for other infrastructure, or indeed compulsory purchase schemes for other projects.

I fully endorse the need for the Government to be transparent with respect to the application of our property compensation schemes. We are already reporting on the performance of our key discretionary property scheme, the "need to sell" scheme. We are reporting on the number of applications we receive, the outcome of those applications and the overall amounts spent on compensation under the scheme. Rather than doing so annually, as the new clause suggests, we have been reporting on a monthly basis. The reports are publicly available.

I also recognise the benefit of appointing a body to scrutinise our performance in relation to property compensation. For that reason, we have already appointed a residents' commissioner to monitor how we communicate with the public with respect to our compensation scheme and to monitor and report against our general performance in relation to the operation of all the various discretionary compensation schemes. I have met the residents' commissioner and intend to meet her regularly. I have also made it clear to her that if any problems emerge, she should consider my door always open to her to raise them with me directly. The residents' commissioner produces a report broadly quarterly, and the chairman of HS2 Ltd is obliged to provide a response to the issues raised in each report. The reports and responses are also publicly available. I therefore believe that all the points made by the hon. Gentleman have been addressed, and I hope that he will withdraw the proposed new clause.

Andy McDonald: I have listened carefully to what the Minister has said, and I accept entirely his assurances that the issues that we sought to address in the new

[*Andy McDonald*]

clause have been recognised and will continue to be addressed. On that basis, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

New Clause 40

EXCLUSION OF A HEATHROW SPUR

“(1) For the avoidance of doubt, no provision of this Act shall be interpreted as authorising the development of a spur from the railway to Heathrow airport.

(2) Within one month of the day on which this Act receives Royal Assent, the Secretary of State must communicate to the relevant landowners and communities that the construction of a Heathrow Spur is not authorised by this Act”.—(*Andy McDonald.*)

This new clause would make clear that a Heathrow Spur is not authorised by this Act and require the Secretary of State to communicate this to relevant landowners and communities.

Brought up, and read the First time.

Andy McDonald: I beg to move, That the clause be read a Second time.

We turn our gaze away from central London and look as far west as Heathrow. The new clause seeks to exclude specifically the possibility of a Heathrow spur, in order to avoid doubt and potential blight. Thus far, the Heathrow spur remains a possibility. The new clause follows on from a recommendation made in the Select Committee report on high-speed rail. Proposals had been considered for several years for the construction of a spur connecting the HS2 route to Heathrow airport, but they were eventually ruled out by the Secretary of State in March 2015, in answer to a written question.

The Airports Commission said of the proposed spur from Old Oak Common that it would have been

“likely to attract only a small number of passengers, carry a high capital cost and represent an inefficient use of HS2 capacity.”

The commission made it clear that an HS2 spur, which would have cost more than £1.4 billion, was

“highly unlikely to be necessary to support any expansion of Heathrow airport”.

I make no comment in this context as to whether that is desirable or otherwise, but it nevertheless boxes off the issue.

The Bill contains provisions that could be used to provide passive provision for a future spur from the railway to Heathrow. The Secretary of State has confirmed that a spur will not be built as part of HS2 phase 1 or 2, but it is the Select Committee’s view that there remains a risk of blight on properties on the trajectory of the previously envisaged spur. The concern is that the threat of a Heathrow spur link does not go away. The new clause would make that threat go away. The Select Committee directed the Secretary of State

“not to use the Bill powers to implement passive provision for a Heathrow spur.”

The Committee also said,

“To avoid confusion...that relevant landowners and communities are fully informed of the change”

within one month of the Bill receiving Royal Assent. I trust that the wise words of the Select Committee can be recognised and reflected in the new clause.

Mr Goodwill: The Bill contains measures that could have been used to make passive provision for a future spur of the railway to Heathrow airport. Passive provision is a little bit like when I used to play with our Hornby railway set. If someone puts a set of points in, they can join a new bit of line without disrupting the operation of the existing line.

On 9 March 2015, the Secretary of State advised, in response to a House of Commons written answer, that the spur would not be implemented as part of HS2 phases 1 or 2. Paragraph 155 of the Select Committee’s second special report of Session 2015-16 highlights that, following the update on 9 March 2015,

“there remains a risk of blight on properties on the trajectory of the previously envisaged spur. We direct the Promoter not to use the Bill powers to implement passive provision for a Heathrow spur.”

The report directs that the promoter

“should take immediate steps to ensure that relevant landowners and communities are fully informed of the change.”

I can confirm that we accept the Select Committee’s direction regarding the Heathrow spur and that we will not use the powers contained in the Bill to implement passive provision for a Heathrow spur. The assurance will be added to the undertakings and assurances register so the Secretary of State would be accountable to Parliament were that commitment breached.

I confirm that we have taken the necessary steps to ensure that relevant landowners and communities are fully informed of the change. Indeed, the connection from Old Oak Common to Heathrow via the Elizabeth line—the line that Her Majesty has graciously allowed us to name after her—will allow eight trains per hour with 11-minute journey times. It is quite clear that there is already a clear vision for a connection between Old Oak Common and Heathrow station.

If we were looking at the timetabling of HS2 with a Heathrow spur, it would be inflexible to have maybe one or two trains an hour to Heathrow when passengers could enjoy the flexibility of taking a train from Birmingham South or, indeed, from Euston towards Old Oak Common, to connect to Heathrow airport.

I believe that I have addressed all points made by the hon. Member for Middlesbrough and I hope that the new clause will be withdrawn. I hope that all those who may have been concerned that we were planning to build the Heathrow spur or, indeed, about the passive provision, will be assured that we have no intention whatever of doing so.

Andy McDonald: I am very grateful to the Minister. He has rather nailed it by dealing with all the issues in a clear and direct way, and he will be doing everything we ask of him in the new clause. I was a little concerned that we were not going to hear about his contacting the relevant landowners but, in every measure, the Minister has described how he will give full import and effect to the recommendation of the Select Committee. I readily acknowledge that, and I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 41**MINIMISING THE USE OF LAND AT WASHWOOD HEATH**

“(1) The Secretary of State and the nominated undertaker shall use best endeavours to keep to a minimum—

- (a) the amount of land at Washwood Heath, Birmingham that is required (either temporarily or permanently) during phase one construction and associated works; and
- (b) the length of time for which such land is required,

in order to maximise early development and job creation post-construction.

(2) Within 24 months of the commencement of the use of land at Washwood Heath, and annually thereafter, the Secretary of State and the nominated undertaker must prepare a report on the discharge of the duty under subsection (1).

(3) Each report must be laid before both Houses of Parliament”.
—(*Andy McDonald.*)

This new clause seeks to minimise the use of land at Washwood Heath, both in terms of amount of land and duration of use.

Brought up, and read the First time.

4.30 pm

Andy McDonald: I beg to move, That the clause be read a Second time. We are on a little bit of a tour from Camden to Heathrow and now up to Washwood Heath in Birmingham. On the face of it, the new clause is rather sober and is perhaps not that attractive to the casual observer. However, it is extremely important for reasons that I will explain.

The new clause would minimise the use of land in both extent and time. Washwood Heath, 3.5 km east of Curzon Street, will be the site for HS2’s rolling stock maintenance depot, and the depot’s location and ability to operate efficiently will be critical to the railway’s functioning. Washwood Heath is an area of high unemployment that lies at the junction of the Ladywood, Erdington and Hodge Hill constituencies. Together, those three constituencies are home to 45% of Birmingham’s unemployed. As of February 2016, Birmingham, Hodge Hill and Birmingham, Ladywood are two of the top four constituencies in the UK for claimant rate as a percentage of the economically active population aged 16 to 64, and they are two of the top four constituencies in the UK for long-term youth unemployment claims.

Although the maintenance depot will create jobs, my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) forcibly argued the case that its potential for additional regeneration needs more recognition. Birmingham City Council originally planned to use the site to build a business park that would have created an estimated 6,000 jobs, but HS2 earmarked it as the home of a new maintenance depot instead, creating just 300 to 600 jobs. He was successful in persuading the HS2 Select Committee of the need to minimise the use of land at Washwood Heath and was instrumental in pushing the Select Committee to direct a review to minimise the use of land by the promoter and to maximise opportunities for employers to establish themselves after construction.

The proposed Washwood Heath site is the size of 100 football pitches—I will not comment on whether there is a decent football team to play on them—but nevertheless it makes up one third of the industrial land in Birmingham. Ensuring that such a significant amount of industrial land is used most efficiently, allowing for

the creation of employment opportunities, would be crucial in any part of the country, but it is a particular priority in an area that is so blighted by unemployment. The area potentially to be handed back after construction is now 50% greater than in HS2’s original plans. The council estimates that the land now freed up can accommodate 3,000 much-needed jobs, rather than the 300 jobs in HS2’s original plans, which is a welcome development. I pay tribute to my right hon. Friend for his persistence and persuasiveness in making that case.

The extent of the land temporarily required, and for how long it will be so required, will affect the extent of further opportunities for job creation, so it is critical both that the amount of land and the time for which it is required are kept to a minimum. The new clause would require the Secretary of State to use his or her best endeavours to keep to a minimum the amount of land required during the construction of phase 1, as well as the length of time for which such land is required.

Considering the importance of the opportunities for job creation at Washwood Heath, as well as the perceived unsatisfactoriness of HS2 Ltd’s previous dealings with landowners at Washwood Heath, there should be special emphasis to ensure that the Secretary of State and the nominated undertaker work with the landowners to make sure that as much land as possible is released as soon as possible to maximise early development and job creation.

The new clause would also require that within 24 months of the commencement of the use of land at Washwood Heath and annually thereafter the Secretary of State and the nominated undertaker prepare a report on the discharge of their duty under new clause 41(1) to minimise the amount of land used and the duration of its use, and lay each report before both Houses of Parliament, ensuring that there is sufficient oversight of the process to minimise the use of the land.

This is a crucial new clause for this community and its ambitions, and I trust that the Minister will be able to give it his and the Government’s support, and properly recognise the recommendations of the Select Committee.

Mr Goodwill: As the hon. Gentleman has just said, the Government have listened and we have taken action, not least because the right hon. Member for Birmingham, Hodge Hill, who represents this area, raised this issue in a Westminster Hall debate, and I was able to listen and respond in detail to the points he made. I have also received very detailed briefings about how this land could be best used to provide both facilities in connection with HS2 and much-needed jobs, which are being created in Birmingham in very large numbers.

As the hon. Gentleman has said, Washwood Heath will be the site of the new HS2 rolling stock maintenance depot. It is important that the design of the depot is not constrained to the point that it offers substandard operation. The depot will provide services for HS2 phase 1 trains, as well as supporting phase 2. I understand the imperative to release land at Washwood Heath to bring forward development and to create jobs for the local community, but we need to get the balance right so that both HS2 and the development can happen.

The issue of releasing land early and increasing the total amount of land released for development at Washwood Heath was discussed during the HS2 Select Committee process. We were instructed by the Select

[Mr Goodwill]

Committee in November 2015 to work with AXA, the major landowner on the site, to consider how depot design and temporary land take for spoil treatment and storage could be revised to release land for development.

Through ongoing design refinements, we have been able to increase the amount of residual land available for development from 16 hectares, as outlined in the original build design, to approximately 24 hectares. As part of this process, we have reviewed the land required for HS2 construction purposes and identified an area of approximately 4 hectares at the bottom end of the site that could be made available for immediate development.

We have committed to consider further reductions to the permanent footprint of the depot and to the temporary land take for construction as part of a detailed design. This will include looking into the feasibility of providing an underground temporary water storage system, which would enable car parking to be located on the surface of the water storage areas, thereby further increasing the areas of residual land available for employment generation.

In addition, Saltley business park, which is just west of the Washwood Heath site, is being considered as a potential alternative for certain construction activities currently planned for Washwood Heath. The use of that site will be kept under review, provided that it does not prejudice existing or future employment opportunities at Saltley business park or the timely, economic and safe delivery of HS2. Of course, use of the site would be subject to obtaining all necessary powers and consents.

We have already given a commitment to Parliament to continue to seek to reduce the HS2 footprint at Washwood Heath where reasonable. Therefore, there is no need to include such a clause within the Bill and I hope that the hon. Gentleman will withdraw the new clause.

Andy McDonald: I am grateful again to the Minister. He has taken very seriously the comments of the Select Committee and he has gone a long way to responding to its pleadings and to those of my right hon. Friend the Member for Birmingham, Hodge Hill.

I regret to say that I am not persuaded to withdraw the new clause, because it is necessary that this important clause appears in the Bill. This is a crucially important investment issue for that part of the world and the new clause would give additional confidence to those who wish the area to be otherwise developed if we made it abundantly clear on the face of the Bill that there is that obligation, opposite minimising duration and scope of the land taken for HS2. For those reasons, I ask that the matter be put to a vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 8.

Division No. 11]

AYES

Anderson, Mr David	McGovern, Alison
Glendon, Mary	
McDonald, Andy	Mahmood, Shabana

NOES

Burns, rh Sir Simon	Doyle-Price, Jackie
Chalk, Alex	Goodwill, Mr Robert

Huddleston, Nigel
Jenkins, Andrea

Nokes, Caroline
Vickers, Martin

Question accordingly negated.

Mr Goodwill: On a point of order, Mr Chope—a rather spurious one—may I take this opportunity before we conclude proceedings to thank everybody who has participated in the debates last week and this week? The debate has ranged widely, from ancient pear trees to the Clapham omnibus, from air quality to burial grounds and even to cheese parmos. I wonder whether the nominated undertaker would be required if one were to eat too many cheese parmos. Possibly the utilisation of the burial ground might follow on, as night follows day.

There has been a spirit of cross-party engagement. The project will span many years and generations. It was conceived under a Labour Government, and I hope it will be delivered by a Conservative Government. The leaders of the great cities of the north, many which are unfortunately under the control of the Labour party and regularly receive the support of Labour party voters, are integral to delivering the scheme. The possible exception to that cross-party engagement was the short debate on the nationalisation of the railways; I think that that debate will rumble on until and beyond the general election.

I thank you, Mr Chope, for your excellent chairing of the Committee. Please pass on my thanks to Mr Hanson, who chaired our meetings last week. I thank the members of the Committee and the secretariat, who have done such good work keeping us together; my officials in the Department for Transport; those who keep the record in the *Official Report*; and those who maintain the security of the Committee by ensuring that the doors are locked in a timely way. I think that history will show this as another step towards our goal of delivering a 21st-century railway of which many generations will be proud, realising that the work that we did here made a difference to this country's future.

Andy McDonald: Further to that point of order, Mr Chope, may I also express my thanks to you for chairing so expertly, and to Mr Hanson, who performed superbly, saving us from an invasion by the House of Lords? At one point he got a good deal of exercise, and I think he owes us a debt of gratitude for his improved physicality after bobbing up and down to move through clauses with great rapidity. We had an excellent discussion about the man in the Clapham omnibus—

Alison McGovern (Wirral South) (Lab): Person.

Andy McDonald: My hon. Friend is quite right; we corrected it to “person”. She scolds me correctly. We also had a tour around other jurisdictions, including Australia and the Bondi tram, which I am sure you would have found absolutely fascinating, Mr Chope, had you chaired that particular sitting.

There has been a great deal of consensus and good will among the parties; a lot of the good will sits on the other side of the Committee permanently. We have yet to hear in further detail about the Minister's burial ground. I was curious whether the residents were still paying him rent. With that, Mr Chope, I thank you.

I thank the Clerks specifically for their superb assistance to me and my assistant in preparing the Bill; the Doorkeepers; and, of course, the police who have kept us safe throughout the process. This is an important Bill, and we have given it proper attention and interrogation. I think that we all look forward to the fruition of a most important infrastructure project for the United Kingdom.

The Chair: I shall be delighted to pass on to my co-Chairman the generous remarks that have been made. I feel as though I have missed out, because I have had

only one day in front of this extremely genial Committee. It seems well focused, with no lengthy speeches or unnecessary or irrelevant comments. It is not for me to comment on the merits of the Bill, as the Minister knows, but I reaffirm my support for all the hard work put in by the Clerks, *Hansard*, the security staff and so on. It has facilitated the speedy passage of this Bill.

Bill to be reported, without amendment.

4.46 pm

Committee rose.

