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OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

HIGH SPEED RAIL (WEST MIDLANDS - CREWE) BILL

Second Sitting

Tuesday 25 June 2019

(Afternoon)

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

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Saturday 29 June 2019

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The Committee consisted of the following Members:*Chairs:* Ms KAREN BUCK, † PHILIP DAVIES

Burghart, Alex (<i>Brentwood and Ongar</i>) (Con)	† Harrison, Trudy (<i>Copeland</i>) (Con)
† Coyle, Neil (<i>Bermondsey and Old Southwark</i>) (Lab)	† Johnson, Dr Caroline (<i>Sleaford and North Hykeham</i>) (Con)
† Daby, Janet (<i>Lewisham East</i>) (Lab)	† Maclean, Rachel (<i>Redditch</i>) (Con)
† Dhesi, Mr Tanmanjeet Singh (<i>Slough</i>) (Lab)	† Robinson, Mary (<i>Cheadle</i>) (Con)
† Donelan, Michelle (<i>Chippenham</i>) (Con)	† Rodda, Matt (<i>Reading East</i>) (Lab)
Duffield, Rosie (<i>Canterbury</i>) (Lab)	† Ross, Douglas (<i>Moray</i>) (Con)
† Foxcroft, Vicky (<i>Lewisham, Deptford</i>) (Lab)	† Sweeney, Mr Paul (<i>Glasgow North East</i>) (Lab/Co-op)
† Gaffney, Hugh (<i>Coatbridge, Chryston and Bellshill</i>) (Lab)	Adam Mellows-Facer, Rob Page, <i>Committee Clerks</i>
† Ghani, Ms Nusrat (<i>Parliamentary Under-Secretary of State for Transport</i>)	
† Green, Chris (<i>Bolton West</i>) (Con)	† attended the Committee

Public Bill Committee

Tuesday 25 June 2019

(Afternoon)

[PHILIP DAVIES *in the Chair*]

High Speed Rail (West Midlands - Crewe) Bill

2 pm

The Chair: Welcome back to the Committee. I remind colleagues to turn electronic devices to silent.

New Clause 1

REPORT ON TREES AND WOODLAND HABITATS

- (1) The Secretary of State must prepare a report on—
- the likely effects of the scheduled works on trees and woodland habitats;
 - steps to be taken to minimise or mitigate those effects.
- (2) The report must include specific consideration of—
- ancient trees, including those on construction sites which will not be designated for long term railway use;
 - tree felling, with particular reference to birdlife nesting and breeding seasons;
 - wildlife habitat corridors; and
 - woodland, including ancient woodland.
- (3) The report must be laid before Parliament within one year of this Act being passed.—(*Matt Rodda.*)

Brought up, and read the First time.

Matt Rodda (Reading East) (Lab): I beg to move, That the clause be read a Second time.

It is a pleasure to serve under your chairmanship, Mr Davies. The new clauses proposes that the Secretary of State must prepare a report on the likely effects of the scheduled works on trees and woodland habitats and steps to be taken to minimise or mitigate those effects. The report must include specific consideration of ancient trees, including those on construction sites—

The Chair: Order. It might be helpful to the hon. Gentleman to know that although he is very welcome to read out the new clause, he does not need to do so as it is on the amendment paper. If he wishes to do so to make his point, he is more than welcome to.

Matt Rodda: Thank you for your advice, Mr Davies. If I may, I will finish reading the new clause, but I will not read out the subsequent new clauses to the Committee, for the sake of brevity.

The report must include specific consideration of tree felling, with particular reference to bird nesting and breeding seasons; of wildlife habitat corridors; and of woodland, including ancient woodland. The report must be laid before Parliament within one year of the Act being passed.

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): It is a pleasure to serve under your chairmanship, Mr Davies. I do not see a need for the new clause. The environmental statements already report the likely significant effects of phase 2a on trees and woodland habitats, including on ancient and veteran trees and ancient woodland. They also set out the proposed mitigation and compensation for the likely effects of the railway. HS2 Ltd has published an ancient woodland strategy for the scheme that sets out the expected losses of ancient woodland habitat and the range of compensation measures proposed in response to those losses. We have made assurances to organisations such as the Woodland Trust about the protection of woodland and ancient trees.

Furthermore, I attend quarterly ministerial roundtable meetings with the environmental agencies to ensure that HS2 Ltd has its feet held to the fire on this important issue. Very little will have changed between the environmental information that has already been provided and the environmental information that will be published one year after Royal Assent.

Following extensive engagement with the Woodland Trust, HS2 Ltd was able to offer a number of assurances on woodland and ancient trees. It committed to retaining Noddy's oak near Stockwell Heath in Staffordshire, along with five other veteran trees. The environmental minimum requirements for phase 2a include a key requirement that the nominated undertaker must use reasonable endeavours to adopt mitigation measures that will further reduce any adverse environmental impacts caused by phase 2a.

We will of course continue to engage with relevant stakeholders and interested parties through the national environment forum and through the environmental health sub-group of the phase 2a planning forum. I reiterate that the new clause should be withdrawn.

The Chair: I appreciate that the hon. Member for Reading East is stepping in for his colleague, and valiantly so. The idea is to make your speech when moving the new clause, but all is not lost—if he wants to speak to the new clause now, he is very welcome to do so.

Matt Rodda: That is very generous and gracious of you, Mr Davies. I am sorry if I misunderstood the process while I am standing in for my colleague.

I appreciate that the Minister has taken some time to come back with the Government's response, but it is worth highlighting some of those points in a little more detail because of the importance of wildlife. As we discussed this morning, it would be somewhat ironic if a positive and pro-environmental measure such as high-speed rail was inadvertently to damage habitats and the Government were unable to respond fully to those concerns.

From the previous stages of HS2, a number of issues have caused serious concern to residents, communities and the public more widely. Although the Bill itself clearly shows a response to some of those elements, it is not as comprehensive as it needs to be. That is why I am seeking a reassessment by the Government through the new clauses.

New clause 1 would require the Government to produce a report on how any actions by HS2 will impact on the natural environment—wildlife, birds and trees. The report

could be laid before the Select Committee considering petitions on the potential threats to the natural environment. We have scrutinised the Bill to see whether there is a lack of clarity, and we have tabled the new clause to address that.

By bringing forth a report to be laid before Parliament, the Government would ensure greater focus and scrutiny of the HS2 project. The new clause calls for the report to be laid within a year of the passage of the Bill, which also means there is time for the Government to develop a greater scrutiny role over HS2 Ltd, which is obviously a separate company, and to ensure that it changes its practices and is prepared to give an answer to the House if hon. Members decide that it should do so.

Labour Members have serious concern about the impact of HS2 on the natural environment, as we have discussed a number of times, including this morning, whether on birds nesting, animals burrowing, or indeed the trees themselves. I know from previous debates and questions, which have been asked by Members from all parties, that this issue has been reported on a number of times. However, the approach, behaviour and actions of HS2 Ltd to date have demonstrated why it was crucial to table the new clause.

There have also been reports that HS2 Ltd is using the practice of netting bushes—it has been widely covered in the media in recent months—which clearly can cause real distress to animals, and especially birds, which breach the netting but can then become trapped. We call for the practice to cease. The company should instead seek to remove bushes and hedgerows at a time of year when birds are not nesting—this obviously relates to existing legislation and good practice. There is plenty of time in advance of these major works to reschedule them, to be far more sensitive to the rhythms of nature and, as a result, to do more on this front.

Likewise, it has been drawn to our attention that trees have been felled in the nesting season during the course of the programme. That is completely inappropriate, as it risks eggs, and indeed whole nests, falling to the ground. It is therefore vital that there are further restrictions on HS2, such that it schedules this work outside the nesting season. Although the Bill highlights that HS2 Ltd should follow the best examples of working with nature, including management of trees, in the first phase of the project the company has failed to live up to that. There are examples of felling taking place in the nesting season, and this practice should be halted immediately for phase 1 of the route. However, we also believe that the practice should change for phases 2a and 2b.

We believe that the Government have a responsibility to ensure that they take a more environmentally friendly approach to the project, especially in areas where the project is failing. The Government state that they will simply mitigate habitat loss with the plantation of additional new habitat in future, but that does not go far enough. On a number of occasions the Government have pledged to leave the environment better than they found it, as we all know. However, with destructive and unnecessary actions, such as netting and felling, especially at the wrong time of year, the Government's pledge is obviously just empty rhetoric.

Labour Members know that conservation is very important to the public. It has an impact on farming and on ensuring that the richness of nature can be enjoyed by all, and we are strongly committed to improving

the environment. In that regard, we believe that the Government have to be far more accountable for the actions of HS2 Ltd, especially as the company is at the early stages of a very large programme that will affect significant parts of the country.

By ensuring that the Government must produce a report, the new clause also seeks to provide the Government with a responsibility to set out how they will mitigate the actions that are being taken. I will provide a few examples. Although not common practice, can trees be excavated and moved, especially with a focus on the 27 veteran trees that line the phase 2a route? What wildlife corridors will be built during the construction of HS2 to allow small mammals, other animals and birds to move away from the construction zone? The Bill is silent on that, yet we know that wildlife, whether birds or animals, needs clear corridors that support the wider existence of species. To disrupt those corridors without taking steps to provide alternatives is negligent, yet the Bill is silent on that.

By calling for the Government to be accountable to Parliament on these issues, we will build confidence among MPs and residents that the Government are undertaking due diligence on these important factors, which, I am afraid to say, they have failed to demonstrate to date. It is worth adding that if our new clause is agreed, HS2 Ltd would be more accountable to the House, which I am sure we would all wish to see.

Section (2)(a) focuses on ancient woodlands, especially the points that will not form the actual HS2 route but will be used during construction, as we discussed this morning. The new clause calls for additional consideration to be made to ensure that trees are protected in these areas, since there is more latitude to avoid felling so many trees and removing so much of the natural environment. We believe that the Government, with HS2 Ltd, should ensure that any construction route and the site itself minimises the destruction of natural habitats and, where alternatives can be found, they must be found, including reducing the size of the construction sites to an absolute minimum.

I am sure that the Minister will understand Labour's concerns, which have also been stressed during the petitions stage of the Bill. Although I know that different tunnelling arrangements were scrutinised at the petitions stage—Labour would seriously consider this, especially around Whitmore—we understand that the majority on the Select Committee determined that the costs would be prohibitive and therefore there is already a far greater cost to our natural environment to be paid. This was agreed at petitions stage.

Labour would approach this project differently. However, I am sure that the Minister will understand why I have brought forward the new clause and why we believe, sadly, that she is not doing enough to mitigate the harm that the Government's approach to HS2 will cause to the natural environment.

Ms Ghani: I accept the hon. Gentleman's comments about ensuring that we have complete confidence in the project along its entire route. I agree that wildlife is important, as are trees and ancient trees. However, all his points are covered by the environmental statement, which, at 11,000 pages, is incredibly extensive. That is why I do not believe that we need another layer of reporting on a statement that is already out there.

[Ms Ghani]

The environmental statement has been scrutinised independently and by the Select Committee, which has made its own decisions.

We have committed in our response to the Select Committee's third special report that, in order to protect birds, we will provide bird diverters on new power lines near Parkgate, working with the West Midlands Bird Club. We continue to work with the environmental roundtable on these important issues. The Bill has taken into account the effect on wildlife, especially rare and protected species. A balance has to be struck between taking individual landowner's property and providing land for mitigation.

I remind the hon. Gentleman that all the issues he has raised are already in the 11,000-page document. For that reason, I believe that he should withdraw the new clause.

Matt Rodda: I am grateful to the Minister for giving such a detailed reply and for the work on the bird diverters, which is a step forward. I appreciate that some work has been done on this already. However, on the points that we have made and on the new clause, I would like to press this to a vote.

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

The Committee divided: Ayes 7, Noes 8.

Division No. 1]

AYES

Coyle, Neil	Gaffney, Hugh
Daby, Janet	Rodda, Matt
Dhesi, Mr Tanmanjeet Singh	Sweeney, Mr Paul
Foxcroft, Vicky	

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Maclean, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

2.15 pm

New Clause 2

REPORT ON USE OF RAIL TRANSPORT DURING SCHEDULED WORKS

(1) The Secretary of State must prepare a report on the use of rail transport during the scheduled works.

(2) The report must include an assessment of the benefits of transporting—

- (a) aggregates;
- (b) track;
- (c) concrete; and
- (d) other materials

by rail rather than road.

(3) The report must be laid before Parliament within one year of this Act being passed.—(Matt Rodda.)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

Opposition Members believe that there has been a serious modal shift in how we use freight in developments. We continually hear the Government talk about modal shift in transport, but there is no mention in the Bill of how to ensure that. For Committee members who are not familiar with this transport terminology, modal shift means a shift from one mode of transport to another, such as from road to rail. Labour does not stand in the way of development but seeks to mitigate its impact, which is why we tabled the new clause.

Rail can be the main driver of change. In the light of all construction sites' heavy dependency on heavy goods vehicles, and from discussions that my colleagues and I have had with Network Rail and others, we know that rail freight can be better utilised, and it is important to demonstrate that on such an important infrastructure project as HS2. Rail lines will be laid, and it is important, wherever possible throughout the Bill, to utilise rail for the movement of aggregates and materials. We are talking about a major rail infrastructure project, so the logic that rail should supply aggregates and minerals should certainly be considered. There will clearly be no lines at the commencement of the project, but over time the opportunity will arise.

Likewise, it is more sustainable for HS2 to source and move aggregates and material as far as possible by rail, and to use HGVs only for the final part of a journey. Equally, sourcing materials and aggregates as close as possible to the development site would also reduce the expected carbon emissions. Such an approach would also reduce congestion and lessen the impact on air pollution in the local vicinity. That demonstrates good practice in what can be achieved on such a major infrastructure project and can form the basis for a change of approach by the Government when undertaking such major works across the country.

Likewise, materials should remain on the site, or as close as possible to the site, to minimise transport movements. Laying a report before Parliament within a year of the Bill's passage would provide ample opportunity for HS2 Ltd to work with the Government to establish better construction practices.

Ms Ghani: We recognise the impact that numerous road traffic movements have on local communities. As such, the promoter has proposed numerous highway works and temporary construction haul routes to alleviate that number. The Secretary of State has also given commitments relating to the implementation of these alleviating works and to restricting the use of certain roads for HGV movements. Equally, the strategies for reusing materials to reduce the volume of aggregate necessary to be moved are under continual review. The promoter published its borrow pit review, which outlines the severe reduction in necessary vehicle movements that backfilling and reusing of spoil takes off the road network.

The new clause is not needed. The environmental statement assumes and allows for the delivery of materials, plant and other equipment to construction compounds on the traditional rail network. It contains the working assumption that:

“Wherever reasonably practicable, the rail network will be used in preference to public roads.”

All traffic modelling has included that assumption. In this way, the environmental statement reports to Parliament our preference for transporting the goods, as outlined in

the new clause, by rail rather than road. We have already assessed that there is a benefit in transporting all this material by rail, rather than road, and will seek to do that as far as possible. As with the previous new clause, virtually nothing will have changed between the publication of the environmental information and one year post Royal Assent. That is precisely what we have done on the borrow pits of phase 2a, to reduce the distance that aggregates have to travel. We have also put forward a proposed line of route to further reduce lorry movements. The new clause is therefore not needed and should be withdrawn.

Matt Rodda: I am grateful to the Minister for highlighting that commitment on the sourcing of aggregates. That is a helpful step forward, given the significant volumes of aggregates that are needed. The Government have once again talked a good game, but we would prefer to have further scrutiny of this important issue. I therefore wish to press the new clause to a vote.

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

The Committee divided: Ayes 7, Noes 8.

Division No. 2]

AYES

Coyle, Neil	Gaffney, Hugh
Daby, Janet	Rodda, Matt
Dhesi, Mr Tanmanjeet Singh	Sweeney, Mr Paul
Foxcroft, Vicky	

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Maclean, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

New Clause 3

REPORT ON DISRUPTION TO CYCLING AND WALKING

- ‘(1) The Secretary of State must prepare a report on—
- (a) any disruption likely to be caused to cyclists and walkers by—
 - (i) the scheduled works, and
 - (ii) the railway; and
 - (b) steps to be taken to minimise or mitigate that disruption.
- (2) The report must include specific consideration of—
- (a) people seeking to cycle or walk adjacent to, or in parallel to, the railway;
 - (b) people seeking to cross the railway.
- (3) The report must be laid before Parliament within one year of this Act being passed.’—(*Matt Rodda.*)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

I thank my hon. Friends the Members for Ipswich (Sandy Martin) and for East Lothian (Martin Whitfield), who attended the petitions hearings of the Select Committee on the High Speed Rail (West Midlands - Crewe) Bill as members of that Committee, and who shared with our shadow Transport team their concerns about how this

route will affect active travel. As shadow Minister with responsibility for active travel—walking and cycling—I share those concerns, which is why we tabled the new clause.

It is inevitable that major construction projects will cause an element of disruption to journeys, and inconvenience to cyclists and, to an even greater extent, walkers, but diversions can have a real impact. If a car has to divert for a few miles to cross the HS2 construction site or the final HS2 line, that will add to its journey and its carbon footprint. If a cyclist does the same, it could add considerable time to their journey. It is worse for pedestrians; it could result in hours of extra time.

We tabled the new clause because we need to encourage active travel much more in this country; as was said, the Government are not meeting their targets for it. They have far more to do in this area. The new clause asks the Government to consider the factors further, and to report to Parliament within a year of the Bill’s passing into law. Subsection (2) highlights the need to have regard to not only routes that traverse the rail line, but those that run adjacent to it, which could also be affected. The Government missed a significant opportunity in failing to create a cycle path along the HS2 route. In many continental countries, major roads and rail lines have cycle paths parallel to them; once there is access to the land, it is an obvious choice to make.

Cycle routes are increasingly popular; they are the most direct route, away from car and lorry use. A segregated north-south cycle route adjacent to the line, but obviously some distance away from the line’s boundary, would have been an important legacy of the HS2 project. There would have been very little extra cost, in the light of the scale of this enormous construction project. Again, we ask the Government to show more concern for walkers and cyclists by considering the issue and reporting back to Parliament within a year of the enactment of the Bill.

Ms Ghani: Contrary to what the new clause suggests, I do not agree that we have not looked into or provided for non-motorised use. Let me give the hon. Gentleman some examples. On the particular part of HS2 that we are here to scrutinise, we have offered assurances to Cycling UK that some footpaths will be made more suitable for people who cycle or ride horses, so that local users of those public rights of way can seek, through the appropriate local planning process, to have those upgraded routes redesigned.

Yesterday, in response to the Transport Committee’s third special report on the Bill, we committed to working with Colwich parish council as it seeks funding from the recently announced £21 million Sustrans fund, and from funds that I announced last year. Phase 2a’s own £5 million community engagement fund and business and local economy fund are also available to improve towpaths, which will improve local walking and cycling facilities. I also announced the £6.5 million road safety fund, which provides even more money to support local initiatives for cycling and walking and for other non-motorised users.

Once again, I refer back to the environmental statement, because it covers most of the points raised. The report focuses on the impact of construction operations on cycling and walking. We have looked into the potential disruption in great detail in every area where it will

[Ms Ghani]

occur along the phase 2a route. We have reported the likely effects and the proposed steps to mitigate those effects in the environmental statement. I refer the hon. Gentleman in particular to the community area report in that statement, which goes into detail on each part of the route. In that assessment, we included the likely effects on other non-motorised users of public rights of ways, such as horse riders, as is appropriate for works in a rural area, and steps for their mitigation.

There is a report, mitigations are taking place and there is engagement with local communities. The new clause is not needed and should be withdrawn.

Matt Rodda: I appreciate the Minister coming back on this issue. However, yet again the scale of ambition is very limited, and there is arguably far too little mitigation. A cycle path along the length of the HS2 route would have been a huge enhancement for the country at a time when we are failing to meet our cycling and walking targets; not having that shows a lack of ambition. I will press the new clause to a vote.

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

The Committee divided: Ayes 7, Noes 8.

Division No. 3]

AYES

Coyle, Neil	Gaffney, Hugh
Daby, Janet	Rodda, Matt
Dhesi, Mr Tanmanjeet Singh	Sweeney, Mr Paul
Foxcroft, Vicky	

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Macleane, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

New Clause 4

COMPENSATION SCHEME FOR TENANTS

(1) The Secretary of State must by regulations make provision for a scheme to compensate tenants adversely affected by the scheduled works.

(2) The scheme must make provision for tenant occupants of—

- (a) house boats;
- (b) mobile homes;
- (c) static homes including caravans;
- (d) farms; and
- (e) other private properties.

(3) Regulations under this section may contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient.

(4) Regulations under this section must be made by statutory instrument.

(5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.—(Matt Rodda.)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

Having listened to the concerns of the public, Labour proposes new clause 4. It was evident at the petitions stage of the Bill that along sections of the route HS2 would cause great disruption for residents, but there has been deep dissatisfaction with the way that HS2 Ltd has handled compensation. There have rightly been changes in practice to ensure that landowners and freeholders receive compensation for the loss of their homes, but the issue has not been completely resolved. The Government have provided compensation for individuals, but the new clause addresses where they have fallen short. Its purpose is to ensure that compensation is paid to tenants such as tenant farmers, who often live in close proximity to their place of work, and who will now have responsibility for finding new accommodation, and are more than likely to face longer journey times to work, and residents in urban settings who will lose their home as a result of HS2.

We cannot ignore the fact that across the UK, there are many private rental properties, which many people make their home for a significant time; like social housing tenants, they often plan for it to remain their home for their whole life. There are tenants in other forms of accommodation, too, such as houseboats, which cannot necessarily move, permanent caravans and mobile home parks. Some of those who rent comprise the poorest in our society. Uprooting them and causing them to move—possibly to a property demanding higher rent—could result in greater inconvenience and expenditure. It could mean moving costs and longer travel times. Clearly, HS2 must pay an appropriate amount of compensation for the disruption that it causes these residents.

Labour is concerned that this issue has been overlooked by the Government. We therefore believe that it is necessary for the Government to produce a report on the impact that the HS2 programme has on those who rent different forms of accommodation, and to come up with a compensation scheme that provides reasonable mitigation for the costs and disruption that the programme has caused.

2.30 pm

Ms Ghani: The hon. Gentleman raises a very important point, and it is vital that HS2 engages fully with residents and deals with them swiftly, clearly and with humility. As this is such a sensitive issue, and no doubt many people will focus on it, I will take a moment or two to respond.

Most types of tenants affected by the scheme are already provided for under current compensation law. Where they are not, the Government can use flexible, non-statutory arrangements to provide support. Where the law is silent, the Government have committed to taking forward appropriate measures in discussion with stakeholders and residents, should it be necessary to do so. Matters of tenant compensation are complex, because they depend on an individual's tenancy arrangements. However, I will endeavour to summarise briefly the support that is available. I will outline the legal position, the comprehensive non-statutory schemes that the Government have developed to assist property owners who are affected by HS2, and the work that the Government are taking forward following parliamentary scrutiny of high-speed rail hybrid Bills.

The elements of compensation payable are set by the Ministry of Housing, Communities and Local Government, and apply to all Government-led infrastructure projects, including HS2. The HS2 scheme applies these arrangements, which have been debated, agreed and set by Parliament, together with the vast body of case law on the subject. Compensation is based on the principle of financial equivalence: the person affected should be financially compensated with no less and no more than what they have lost. Compensation due to tenants is therefore commensurate with their interests and the land they occupy; for example, if a private tenant property is subject to compulsory purchase, the tenant should be eligible for various heads of claim that comprise the market value of the leasehold interest in the land. They might also be eligible for a home loss payment for the loss of their home, and for reasonable moving costs.

The key part of the non-statutory arrangements is a consideration of atypical properties and special circumstances. These are established, funded arrangements that apply to tenants as well as property owners. I am pleased to say that in response to concerns raised by the phase 2a Commons Committee, the Government have committed to improving guidance on those atypical arrangements and raising awareness and accessibility, so that we can continue to provide the right support at the right time to people who need to use them. The Government have also been charged with developing a non-statutory prolonged disruption scheme in response to the phase 1 Lords Committee's concerns on this subject. The Government intend shortly to release details of the scheme, which will assist residents who have different types of tenure, and who are affected by significant construction noise across the HS2 route.

Finally, in response to concerns raised by the phase 2a Commons Committee, the Government have committed to taking forward three strands of work on compensation for owners of houseboats and other types of moveable home. The first is to explore whether there is a case for bringing houseboats into line with caravans on statutory home loss payment entitlement. The second is to establish whether there is a case for introducing regulations to compensate houseboat residents who are affected by significant noise disturbance from rail works. The third is to explore the potential use of non-statutory compensation measures in advance of legislation being introduced, should the case for change be established. The Government are committed to taking forward appropriate measures in discussion with stakeholders and affected residents.

In conclusion, I believe the Government's established non-statutory arrangements, which are as broad and inclusive as possible, are an appropriate and flexible tool to support all types of residents affected by the HS2 scheme. That is why I believe the proposed new clause is unnecessary, and I would urge the hon. Gentleman to withdraw it.

Matt Rodda: I thank the Minister for her response, and for mentioning the legal principles of the compensation scheme. As she said, however, the Government's response is still a work in progress. For that reason, and because of the serious public concern about rented properties, I will press the new clause to a vote.

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

The Committee divided: Ayes 6, Noes 8.

Division No. 4]

AYES

Daby, Janet	Gaffney, Hugh
Dhesi, Mr Tanmanjeet Singh	Rodda, Matt
Foxcroft, Vicky	Sweeney, Mr Paul

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Maclean, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

New Clause 5

REPORT ON FORMS OF RAILWAY TRACK

'(1) The Secretary of State must prepare a report on the relative merits of using slab track and track laid on sleepers in the scheduled works.

(2) The report must include specific consideration of—

- environmental impact;
- cost efficiency; and
- maintenance.

(3) The report must be laid before Parliament within one year of this Act being passed.'—(*Matt Rodda.*)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

The new clause follows an inquiry at the petitions stage of the Bill that there was no remit to consider at that stage. Hon. Members will have heard that the kind of tracking used can have a significant impact on cost, including long-term maintenance costs, and the noise of the railway. It also has an impact on the speed at which trains travel. As the route has been singled out as providing high-speed rail travel, it is right that the Government work with engineers on the issue.

Although using slabs on the rail line is believed to be more expensive initially, it could prove much more efficient in the long term than using sleepers because it is low-maintenance. Across Europe and beyond, modern railway infrastructure projects are changing, and it is common for slab track to be preferred to sleepers. This short new clause asks the Government to assess the cost, efficiency and impact of that approach.

Ms Ghani: I do not see the need for the new clause. Again, the environmental statement assesses a reasonable worst case for the impacts of construction and operation of the railway. That includes so-called slab track, and track laid on ballast, or sleeper track. To comply with the environmental minimum requirements, the type of track used must be within the reasonable worst-case impact assessed in the environmental statement.

HS2 is one of the most scrutinised pieces of legislation to pass through the House—it even has its own Select Committee—and there are several other opportunities throughout the year for an inquiry to take place. There is constant reporting to Parliament and justifications for why decisions are taken. Reporting to Parliament

[Ms Ghani]

obviously matters, and it takes place, but constant discussions about cost add another layer of financial burden and bureaucracy when the reports are already in place. The new clause is not needed and should be withdrawn.

Matt Rodda: I appreciate the Minister's response. We will not press the new clause to a vote, so I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 6

QUARTERLY REPORTS ON ENVIRONMENTAL IMPACT, COSTS AND PROGRESS

(1) The Secretary of State must publish quarterly reports on the scheduled works throughout the period in which those works take place.

(2) Each such report must contain an assessment of—

(a) environmental impact;

(b) costs; and

(c) progress compared to the scheduled timetable.

(3) The first such report must be laid before Parliament within the period ending three months after the day the scheduled works commence.

(4) Each subsequent report must be laid before Parliament within three months of the publication of the last report under this section.—(Matt Rodda.)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

There is clear concern about the cost of the HS2 programme, as has been discussed in Committee and elsewhere. Clause 61 shows that there is little accountability for the spiralling costs of the project, and as a result, they are continually rising. It is important that the Government be accountable for that. Likewise, it is important that they be accountable for HS2's impact on the environment. As discussed in the debate on new clause 1, we want to ensure that all infrastructure projects minimise carbon use and protect our natural habitats.

There must also be accountability for ensuring that the project is delivered on time. To achieve that, we believe that there must be regular reporting to Parliament by the Government, to enable Parliament to scrutinise the Executive on these important matters. We believe that quarterly reports provide the right frequency of reporting, and that they would enable all parts of Parliament to fulfil their role, including the Public Accounts Committee, the Transport Committee and the House. Reporting would also provide vital data for external bodies, such as the National Audit Office, and would allow all to follow the impact the project is having, and to ensure that the project is brought under control. I shall take each of those in turn.

Labour has already stated that it would take a different approach to the development of infrastructure across the rail network, and to projects such as HS2, which will be embedded in the wider enhancement programme to ensure proper planning in line with all enhancement projects, and to deliver a more connected and reliable

railway. For example, we would have commenced HS2 in the north, and then ensured connectivity to the north and south, reaching further afield to deliver modal shift from cars, heavy goods vehicles and internal flights.

Labour would also have ensured that HS2 was fully embedded in the ambitions for HS3, or Crossrail for the north, or Northern Powerhouse Rail—whichever title is now being used. East-west connectivity in the north of England, connecting major cities such as Manchester, Sheffield and Leeds to other major towns and cities, is vital to building a strong northern economy. Labour has identified how integration of HS2 and HS3 could result in greater efficiencies, not only on cost but on journey times. That would impact largely in phase 2b, but in the light of the widespread concern about cost, and at a time when the austerity programme has had a significant impact on communities in the midlands and the north, it is vital that the Government be more accountable.

Clause 61 is loosely worded, and more or less invites a blank-cheque approach to the project. That is quite staggering. So much investment, especially in rail, is needed across the transport system, so taking that approach without providing for further scrutiny by Parliament is wrong for a project that has attracted so much public interest. After all, as the Conservative party likes to remind us, we are talking about taxpayers' hard-earned money being spent on a major project. Labour has argued that ensuring that we all have good rail connectivity to the north, which will provide a vital opportunity to rebalance the economy and ensure that northern economies prosper, is the way forward. That is why we are supporting this initiative. We want it to enhance rail capacity, journey times and connectivity. However, as we have seen, this whole project must be brought under greater control and greater accountability. The Government should set out the expenditure clearly in quarterly reports and justify the costs.

We understand that when a project is in development for longer, inflationary factors can come into play, not least at this time of instability for our economy. However, it is right that the Government should have to justify the figures publicly. As it is possible that a future Prime Minister might question going ahead with HS2, it is important to demonstrate better governance of the finances of this project. We therefore call on the Government to present a transparent, quarterly report to Parliament that can be subject to scrutiny, so that the public can understand the financing of the project and the Government can be fully held to account.

I turn to the environmental impact, which is of great concern. As a result of Labour's motion, Parliament has declared a climate emergency. These are not just words; this is a call to action to ensure immediately that no part of Government adds to the loss of biodiversity, adds to the amount of carbon in the atmosphere, or makes sustained changes to the environment. Labour is pleased with the mitigation proposals under HS2, but when our planet is under such intense threat, and when transport emissions account for 29% of all UK emissions, there is an obligation on the Government—not least the Department for Transport—to respond proactively by reducing the impact on the environment.

The Minister will know the growing concerns that HS2 is prompting about our climate and environment. Parliament should use quarterly reports to spur the

Minister on to draw on global best practice, and to identify the true cost of the environmental impact. We recognise that in the long term, with modal shift and planting, HS2 can be mitigated. However, the crisis is now, so there needs to be greater scrutiny now.

2.45 pm

Can the Minister set out the carbon cost of this budget? If the figures are not available, will she write to my colleagues and me? If she is not able to do that, that would point to a major omission in how the Government are addressing climate change, not least with regard to their pronouncement of becoming a carbon-neutral country by 2050, which is quite a long way off. In the light of the UK missing its fourth carbon budget and the Committee on Climate Change's prediction that we will miss our fifth, unless the Government are held to account for their carbon use the latest announcement will, quite clearly, never be delivered. We cannot allow that to be the case.

As the Minister will know, her Department is not famed for delivering infrastructure projects on time. We need only look at the most recent railway control period, when major infrastructure projects and enhancement programmes were cancelled, and likewise with the road improvement project. We know that delivering infrastructure projects on time and within budget is vital for any Government's reputation, and therefore we need to ensure that HS2 remains on track. The new clause will ensure that Parliament holds the Executive to account, and the Minister should welcome this initiative, which is widely supported by the public, who are confused about the benefits of HS2.

There is a serious skills shortage across the country in the sectors and vital trades and professions needed to deliver these ambitious programmes. The situation is likely to become more challenging with an aging population and, indeed, with Brexit. It is vital, therefore, that we map delivery against those factors so that early interventions can be made to mitigate the risks of a lack of skills. We therefore call for a quarterly report to be laid before Parliament.

Ms Ghani: That was such a wide-ranging speech that I fear it fell out of the scope of the line-by-line scrutiny of this Bill. However, I will do my best to address as many of the issues as possible. It was slightly difficult to follow the hon. Member for Reading East, because on the one hand he says that he supports the project, but on the other he wants to throw everything into the basket to undermine it. He asserted that the costs keep rising, but that simply is not the case. The total funding envelope for HS2 remains at £55.7 billion in 2015 prices. The Department is keeping a firm grip on costs, and HS2 Ltd is working with its supply chain to ensure that that continues. I advise the hon. Gentleman that if he wants to ensure that costs are kept low, undermining the project and the supply chain is not the way to go about it.

The hon. Gentleman spoke about ensuring value for money. We will make a full business case, including assessment at the point of notice to proceed. That will also ensure that we are fully integrated, taking into account the needs of Northern Powerhouse Rail. *[Interruption.]*

The Chair: Order. We must now suspend the sitting for a Division in the House.

2.48 pm

Sitting suspended for a Division in the House.

3.3 pm

On resuming—

Ms Ghani: I return to highlighting how important this line is and the fact that it has to adhere to a single budget. Of course, without HS2 there would not be Northern Powerhouse Rail, because it requires the infrastructure for HS2.

Before I address some of the issues raised about climate change, I remind the hon. Member for Reading East that travelling by rail is the most efficient way to travel. It is a good form of transport because it means that passengers do not fill up lots of cars on the motorway or take flight. The hon. Gentleman threw down the gauntlet on a number of issues relating to carbon impacts; he gave me the right to reply in writing, but I may have the answers in front of me, so I will do my best to respond.

Compared with most other transport modes, high-speed rail offers some of the lowest carbon emissions per passenger kilometre, significantly less than cars and planes. As an annual average, the scheme's carbon footprint over the course of the construction period will represent less than 1% of the UK's annual construction carbon footprint. The scheme is expected to save 419,000 tonnes of carbon dioxide emissions through modal shift in transport—that was a very good term that the hon. Gentleman used—with approximately 364,000 tonnes saved as a result of road, rail and domestic air passengers switching to high-speed rail, and 55,000 tonnes saved as a result of road freight moving on to existing rail lines due to released capacity from the scheme. Over the 120-year design life of the scheme, the net carbon emission reduction from modal shift is estimated at minus 307,000 tonnes.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Minister makes an important point about the benefits of modal shift. It is important that we have a national aspiration to integrate all the United Kingdom's core cities with high-speed rail networks, and this is a significant step in that direction. However, on a good day, flying from Glasgow to London takes me three hours from door to door. It is clear that even with these improvements, the journey from Glasgow to London by rail will still take three hours and 40 minutes. It needs to be below three hours. What will the Minister do to advance that national objective?

Ms Ghani: There will be a reduced journey time on high-speed rail, which will open up capacity on existing railway lines. It will also shift people from roads or flights to rail, which is incredibly important. We will continue to invest north of London. This is just one way of ensuring that the journey becomes far more integrated, but I know that the hon. Gentleman would like it to become even faster. Considering that it has taken us so long to get high-speed rail up and running, who knows what will come in the next iteration? However, I do take his point.

Let me return to the important point about skills that the hon. Member for Reading East raised. At present, there are 9,000 people working on high-speed rail, with

[Ms Ghani]

more than 2,000 businesses already involved in the chain. The hon. Gentleman raised an important point about how we will reach the 30,000 people who will be required to build the railway; that is why we have two colleges set up to improve the technical and academic skills of people working on the railway line, from design to construction.

Having made all those arguments, I really do not understand the need for new clause 6. The issue of quarterly reporting has been raised, but HS2 Ltd already provides annual reports to Parliament, as required by the DFT-HS2 Ltd framework document. I believe that that level of reporting is proportionate and sufficient. The project is bound not to exceed the likely significant environmental effects assessed for the scheme, as reported to Parliament. As part of HS2 Ltd's sustainability policy, an environmental management system will be developed that will set out the procedure to plan and monitor compliance with environmental legislation; the record-keeping arrangements, including reports to my Department; and the procedures that will be put in place to monitor compliance with the Bill's environmental provisions.

There is so much scrutiny and accountability that separate quarterly reporting would be excessive and burdensome to the Department. There are already reports out there; if the 11,000-page report were read fully, I believe it would answer a number of the questions that have been raised so far. I do not believe that there is any need for the new clause. It should be withdrawn.

Matt Rodda: It is interesting to listen to a Minister trying to justify providing a lack of information to Parliament. For a programme of this scale—it is utterly huge and encompasses not only the Department for Transport, but many other parts of the public sector and a large supply chain—internal reports will obviously be produced much more regularly than the annual report that the Minister described. Given the scale of the programme, the significant investment of public money and the need for the Executive to be held to account by Parliament so that the public can see that their money is being spent well, surely it is only common sense to make the reporting public on a quarterly basis.

Separate evidence will be available internally. I am sure that people at HS2 will produce thousands of Gantt charts and other forms of reporting for internal and departmental use; having worked as a civil servant on much smaller programmes, I am sure that that information is there. Surely it is incumbent on the Government to provide Parliament with a much more regular update so that it can properly scrutinise spending such large amounts of public money.

On the point about the environment, I am grateful for the Minister's lovely commercial for rail travel, which I fully support. We absolutely value investment in high-speed rail, which the Labour party sees as a huge step forward for the country, but the Minister only partially addressed the specific point about the amount of carbon produced during the construction stages. Will she write to the shadow Rail Minister, my hon. Friend the Member for York Central (Rachael Maskell), to provide more detailed points about the specifics of the carbon produced during the construction period? The use of heavy goods vehicles—particularly if road freight is used, as we discussed

earlier—and of aggregates and other materials can be carbon intensive. It would be wise to consider ways of reducing that carbon impact as the programme is rolled forward.

On the final point about skills, we fully support the investment in the two colleges. That is an important part of developing a skilled workforce in the areas the line crosses. However, we ask the Government to carry out more forward planning and to consider this as an even greater opportunity to develop a highly skilled workforce for the future, given the scale of the programme and the geographical spread of the line, particularly as it runs through many relatively disadvantaged communities, whether they be isolated rural communities with limited local employment or urban city centres. On that basis, we call for a Division on this new clause.

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

The Committee divided: Ayes 7, Noes 8.

Division No. 5]

AYES

Coyle, Neil	Gaffney, Hugh
Daby, Janet	Rodda, Matt
Dhesi, Mr Tanmanjeet Singh	Sweeney, Mr Paul
Foxcroft, Vicky	

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Maclean, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

New Clause 7

ONGOING PUBLIC ENGAGEMENT

(1) The Secretary of State must by regulations make provision for ongoing public engagement about the scheduled works.

(2) The regulations may require the nominated undertaker to—

- hold public meetings;
- make provision for public help and complaints mechanisms;
- consult on changes to plans or timetables; and
- take other public engagement steps as the Secretary of State sees fit.

(3) Regulations under this section may contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient.

(4) Regulations under this section must be made by statutory instrument.

(5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.—(Matt Rodda.)

Brought up, and read the First time.

Matt Rodda: I beg to move, That the clause be read a Second time.

Already it is clear that residents and businesses along the route of HS2, and those affected by the wider construction of the line, need to be involved in this programme, not just with the passing of the Bill but beyond that, not least because the project is being funded by public money and is causing disruption to many communities.

We call on the Government to put in place regulations to ensure, through a statutory route, that HS2 and the Government continue to engage with the public and, through that engagement, respond to concerns raised. Nobody holds a monopoly on wisdom. Through strong community engagement, the project can develop in the interests of all concerned. The tweaks made by petitioners to the hybrid Bill Committee show the power of such consultation.

As the programme moves from the planning to the delivery phase, unseen consequences may, and probably will, occur. Good public engagement is vital to ensure that there is a response to those issues, whether they are environmental issues—for example, noise, dust and pollutants—or relate to congestion. Communities must have a right to engage in public meetings and to engage with proposed changes. Even with the best planned projects, we know that engagement is vital.

It is important to have a direct complaints process, to which HS2 must respond, for the duration of the building of phase 2a and all subsequent phases. Above all, the public need to have confidence in the development of HS2, but there is concern that that has been lacking to date. This must change, and the new clause would enable the Government to ensure that that happens through the establishment of secondary legislation.

3.15 pm

Ms Ghani: The hon. Gentleman raised some important points. I agree with him that we need strong community engagement and good public engagement, and that the response has to be flexible and responsive.

Let me remind the hon. Gentleman what HS2 is actually doing. This was one of the trickiest parts of my brief when I took over as Minister for HS2, because I wanted to ensure that HS2's community engagement was on point, especially as further and deeper construction work takes place. The commitment to public engagement is evidenced by the community engagement strategy and the biannual community engagement progress report. For example, in 2018 more than 36,000 people attended over 2,200 engagement activities, including meetings, drop-ins and events across the whole of the HS2 route. The 24/7 help desk dealt with 26,697 inquiries, and nine out of 10 complaints were dealt with within 20 working days or fewer. I constantly put pressure on HS2 Ltd to ensure that it is working as effectively and with as much humility as possible.

Further, as a Minister I have secured meetings in Parliament between Members and HS2, sometimes with constituents. The hon. Gentleman may not be aware of

this, so I put on the record that there is an independent construction commissioner and residents' commissioner. The residents' commissioner also gave evidence to the Select Committee. A substantial amount of public engagement is already taking place. That must continue and be of good quality. There must be speedy responses to the public's concerns, in a way that they can understand and digest, given the level of engagement already taking place and the fact that the Secretary of State has made a number of commitments to continue to engage with all stakeholders. All of that information can be found on the HS2 website. It is published online, as is the register of undertakings and assurances.

Of course, we should never take anything for granted and HS2 Ltd should continue to work as closely as possible with the communities that require further assurance or changes in lifestyle. It needs to work with them as efficiently as it can. Considering all the work that is already taking place and will take place, I believe that the new clause is unnecessary and should be withdrawn.

Matt Rodda: I am grateful to the Minister for running through the existing engagement strategy and, indeed, the volume of correspondence and engagement that has taken place. However, it is somewhat disappointing that the Government are still not pursuing this through regulations and are not putting it on a statutory footing. We will therefore press the new clause to a vote.

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

The Committee divided: Ayes 7, Noes 8.

Division No. 6]

AYES

Coyle, Neil	Gaffney, Hugh
Daby, Janet	Rodda, Matt
Dhesi, Mr Tanmanjeet Singh	Sweeney, Mr Paul
Foxcroft, Vicky	

NOES

Donelan, Michelle	Johnson, Dr Caroline
Ghani, Ms Nusrat	Maclean, Rachel
Green, Chris	Robinson, Mary
Harrison, Trudy	Ross, Douglas

Question accordingly negatived.

Bill to be reported, without amendment.

3.19 pm

Committee rose.

