



ELF Briefing: High Speed Rail Network

1. Introduction

On the 11th May 2010 the Conservatives formed a new government in coalition with the Liberal Democrats. One of the first decisions taken by the coalition government has been to scrap the Heathrow third runway, including no further expansion of Stanstead and Gatwick airports. Instead, the government has thrown its weight behind the introduction of a High Speed Rail network.

Undoubtedly, a new High Speed Rail network has the prospect of affecting many hundreds of residents whose homes may become blighted under the new proposed route. In order for those who may be affected or concerned by these proposals to have an understanding of the process the Environmental Law Foundation has put together the following briefing.

If you are concerned and want more specific advice please contact our Advice Line on 0207 404 1030 or email info@elflaw.org

2. Background to proposals

On the 11th March 2010, the former Labour Government issued a command policy paper¹ describing its plans for a “Y-shaped” high speed rail network, the trunk of which would connect London with a new station in Birmingham, before splitting in two, with one part heading off to Manchester and the other to Leeds.

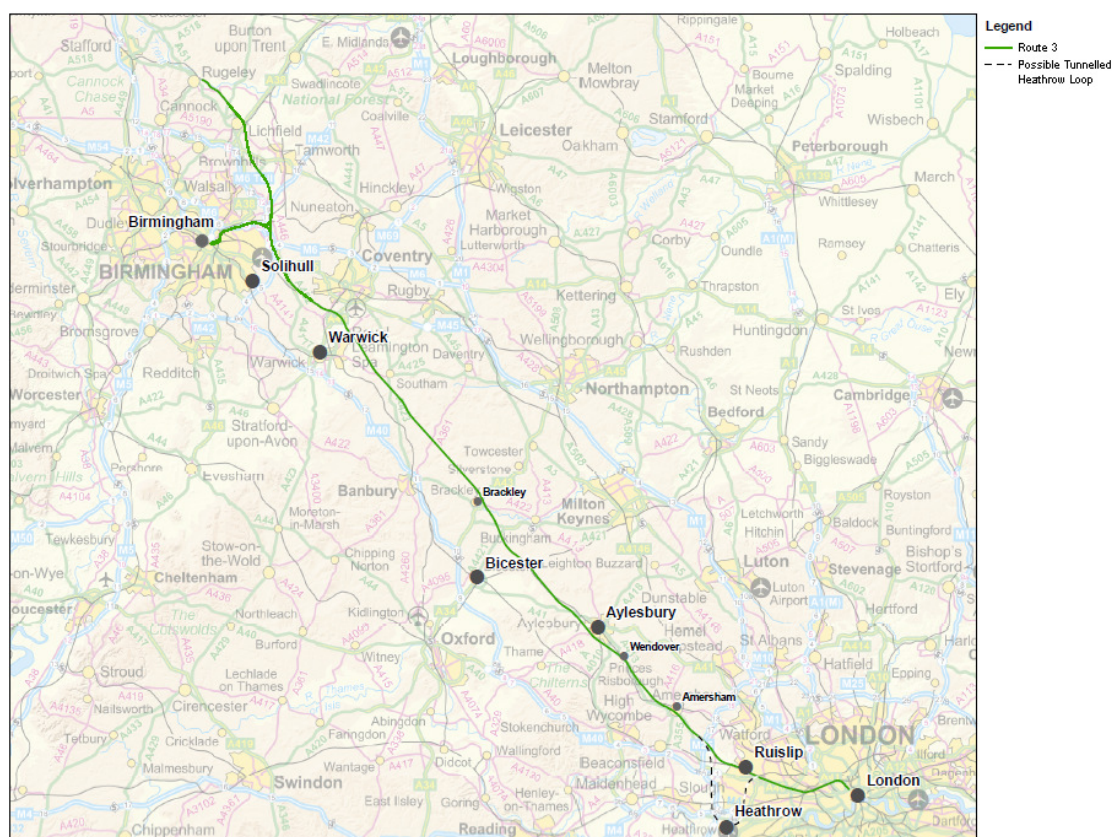
The proposed route will allow trains to travel at speeds of up to 250 miles per hour.

According to the command policy paper the first London to Birmingham section should begin to be constructed in 2017 and be completed by the end of 2026². The cost of this first section is estimated to be between £15.8 billion and £17.4 billion³.

¹ Department for Transport, High Speed Rail - Command Paper, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/commandpaper/>

² Department for Transport, High Speed Rail - Command Paper, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/commandpaper/>, page 9

Diagram of Proposed route:



3. Views on High Speed Rail by Coalition government

Although high speed rail is an initiative of the former Labour Government, the new coalition government is also in favour.

However, some of the detail differs from that proposed by the former Labour Government. For instance, the Conservatives want the construction of the project to begin in 2015⁴, and claim that the overall cost of the project could be less than that proposed by Labour⁵. On the other hand, prior to the election the Liberal Democrats argued that the rail network should be funded by tolls on road freights and by a tax on internal flights⁶. We will now have to wait and see what proposals emerge from the new coalition government.

³ Department for Transport, High Speed Rail - Command Paper, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/commandpaper/>, page 68

⁴The Conservative Party website Transport section, available at http://www.conservatives.com/Policy/Where_we_stand/Transport.aspx

⁵Villiers, Theresa. Conservative Party Shadow Transport Secretary, "Rail Review: Getting the best for passengers" (Feb 2009), available at <http://www.conservatives.com/~media/Files/Downloadable%20Files/Railreview.ashx?dl=true>, page 11

⁶Liberal Democrat Party website, "Nick Clegg welcomes proposals for high speed rail to link Sheffield (15 Mar 2010)", available at http://www.libdems.org.uk/news_detail.aspx?title=Nick+Clegg+welcomes+proposals+for+high+speed+rail+to+link+Sheffield&pPK=5cc3f488-2f91-4e9b-a77b-eae065df87f7

4. Environmental implications

E.L.F. recognises the advantages of rail travel. Nonetheless, there are questions regarding the implementation of this project, especially concerning its environmental implications, which will have to be properly addressed in order for high speed rail to be socially and environmentally sustainable. Provided below is a brief description of some of the outstanding questions that remain.

a) The potential damage to the local environment

Should it be implemented, the current high speed rail proposal could negatively affect the local environment of two areas: the Chilterns (which is an Area of Outstanding Natural Beauty - AONB) and the vale of Aylesbury and Warwickshire.

Paragraph 22 of the Planning Policy Statement 7 (Sustainable Development in Rural Areas)⁷ states that major development within an AONB can only be considered if it satisfies the following criteria:

- 1) It is clearly in the national interest and
- 2) It cannot be built anywhere else.

The Chilterns Conservation Board, an independent body established by Parliamentary Order in July 2004 to “foster the economic and social well-being of local communities within the area of outstanding natural beauty”⁸, does not believe that the High Speed Rail proposal meets either of these criteria. They argue that building and operating the High Speed 2 line will have significant environmental costs and that there will be “irreversible damage”⁹ to the nationally-protected landscapes of the Chilterns AONB. They go on to say that “thousands of acres of farmland and woodland will be lost, thousands of trees felled, hedges grubbed up and valuable wildlife habitat destroyed”¹⁰.

b) Carbon emissions

The main objection made by an environmental organisation called Campaign for Better Transport is that the current proposal, whose carbon emissions are set to be neutral, will not contribute to a “reduction in CO₂ of 80% by 2050”¹¹, as required by the Climate Change Act 2008¹². They further argue that, for the high speed rail to cut carbon emissions, it will have to be “powered by renewable energy” and be supplemented by a range of other measures to encourage passengers to use trains instead of airplanes and cars; measures such as: “taxation on short distance flights,

⁷ Department for Communities and Local Government, Planning Policy Statement 7: Sustainable Development in Rural Areas, available at

<http://www.communities.gov.uk/publications/planningandbuilding/pps7>

⁸ The Chilterns Conservation Board, available at

http://www.chilternsaonb.org/conservation_board.html

⁹ The Chilterns Conservation Board, available at <http://www.chilternsaonb.org/hs2/>

¹⁰ The Chilterns Conservation Board, available at

http://www.chilternsaonb.org/news_detail.asp?ID=144

¹¹ Campaign for Better Transport, available at

<http://www.bettertransport.org.uk/campaigns/trains/high-speed-rail#7>

¹² Climate Change Act 2008, http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080027_en.pdf

affordable rail fares and a moratorium on new runways and new/wider motorways”¹³. In addition, George Monbiot, in his book *Heat*, claims fast trains travelling at 350 kmph emit as much CO₂ as an Airbus travelling the same distance¹⁴, and the High Speed 2 Rail is set to travel at speeds of 360 kmph¹⁵. The question that remains therefore is whether or not this high speed rail proposal will be the best way of cutting carbon emissions.

c) Cost

The concern about the financial burden of the high speed rail proposal is directly linked to the problem of carbon emissions. As the high speed rail itself may not reduce carbon emissions, it is important that other measures are adopted concomitantly, like for example, that the construction of the high speed rail does not take funding away from the existing rail network and other everyday public transport, both of which will play a major part in reducing carbon emissions.

Reviewing the data on this point we see that the former Labour Government's command policy paper claims that the cost of designing and building a line from London to the West Midlands would be between “£15.8 billion and £17.4 billion”¹⁶, including appropriate provision for risk, at 2009 prices. It then says that “a largely public sector funding approach for the upfront capital costs is likely to offer the best value for money”¹⁷ and that alongside this, the costs of the project could be sought from other funds (such as Regional Development Agencies or the European Union). The command paper therefore does not make clear if the funds to pay for the high speed rail will come from the budget of the Department of Transport (DfT), thus competing and reducing funding for other forms of public transportation, or if there will be a separate budget not taken from the DfT budget.

d) Proper consultation

The former Labour Government's plans to build a new high speed rail network were released before public consultation. Despite this, the command policy paper states that the Government will hold two consultations on the high speed rail proposal. The first consultation is already in operation, and is about an **exceptional hardship scheme**, which, if approved, will compensate those owners whose properties may be affected by the construction of the high speed rail network, before the statutory blight provisions under the Town and Country Planning Act 1990 apply. This consultation began on the 11th March 2010 and will run until the **17th June 2010**. The second consultation will be about the Government's proposed London to Birmingham route and the longer term strategy for high speed rail. It is set to take place in the autumn of 2010. Since there were no initial consultations it is crucial that

¹³ Campaign for Better Transport, available at <http://www.bettertransport.org.uk/campaigns/trains/high-speed-rail#7>

¹⁴ Monbiot, George, “Heat”, p 183 - “a train travelling at 350 kmph from London to Edinburgh would consume the equivalent of 22 litres of fuel for every seat (assuming that the train is powered by electricity and that the electricity is produced by plants burning fossil fuels). Meanwhile an Airbus A321 travelling the same distance would use 20 litres per seat.”

¹⁵ Department for Transport, High Speed Rail Leaflet, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/ontobhm/pdf/leaflet.pdf>

¹⁶ Department for Transport, High Speed Rail - Command Paper, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/commandpaper/>, p 68

¹⁷ Department for Transport, High Speed Rail - Command Paper, available at <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/commandpaper/>, p 68

the subsequent consultations be carried out with sufficient rigour so as to lend them a degree of validity. For more information on the **exceptional hardship scheme** consultation, please go to the [website](#) or contact the Environmental Law Foundation.

The E.L.F. will be keeping a close eye on any forthcoming proposals and consultation and if anyone would like assistance in respect of this proposal, please do call our Advice and Referral service on 020 7404 1030.