

HS2

Staffordshire Wildlife Trust

HS2-HOL-033

Ecological Baseline Assessments and Surveys

Concern:

The information on a number of Local Wildlife Sites (LWS) in Staffordshire is old, and potential new LWS are not identified by the assessment.

Response:

Baseline ecological assessments for the Environmental Impact Assessment (EIA) of the Proposed Scheme have taken account of both desk based and field surveys including:

- Existing biological data from relevant Local Biological Records Centres.
- Data from national and local specialist data sources.
- Relevant published information.

Survey methodologies have been based on standard methodologies set out in the Scope and Methodology Report and were the subject of consultation with the Petitioner, amongst others.

A precautionary approach to valuation has been used where baseline information is incomplete.



Valuation of habitat and mitigation

Concern:

The extent of ecological impacts constitute a significant proportion of wildlife assets in Staffordshire and therefore additional avoidance, mitigation and compensation measures are required.

Response:

Measures to mitigate and compensate for loss of sites of high nature conservation value have been developed on a site by site basis using professional judgement, taking account of each site's specific characteristics and requirements.

HS2 Ltd's approach is set out in the Ecological Impact Assessment and Ecological Principles of Mitigation technical notes, developed in consultation with Natural England. These notes are published as an appendix to the Environmental Statement.



Ecological Site Management Plans

Concern:

Undesignated habitats are also less likely to have a bespoke Environmental Site Management Plan (ESMPs) prepared within the detailed scheme design, meaning they could miss out on adequate mitigation.

Response:

In addition to areas of ecological habitat creation, the ESMPs would also be prepared for each existing statutory and non-statutory site of nature conservation importance and ancient woodland affected by construction.

The ESMPs will specify the establishment, maintenance, monitoring of the habitat and its ecological objectives.

Draft ESMPs will be discussed with relevant environmental bodies, including the Forestry Commission and Natural England.



Ecology Review Group

An independently chaired body whose role, following Royal Assent of the Bill, would be to meet up to twice per year and scrutinise monitoring data arising from the establishment of new habitats and other ecological mitigation measures. The members include:

- Natural England.
- Environment Agency.
- Forestry Commission.
- Relevant NGOs – including Staffordshire Wildlife Trust (SWT), Royal Society of Wildlife Trusts, other local Wildlife Trusts, RSPB, the National Trust, the Woodland Trust and Local Planning Authorities.

The function of the Ecology Review Group is to:

- Scrutinise the results of monitoring of habitats and other ecological mitigation measures.
- Consider the data and recommend reasonable remedial actions where mitigation and compensation measures are not meeting objectives.
- Make reasonable proposals for specific locations for offsite habitat creation with regard to additional mitigation to address any no net loss deficit.



Lount Farm Local Wildlife Site

Concern:

Lount Farm LWS has not been re-assessed by SWT since 2006, due to its high value SWT request the site be assessed against current grassland Site of Special Scientific Interest (SSSI) criteria.

Response:

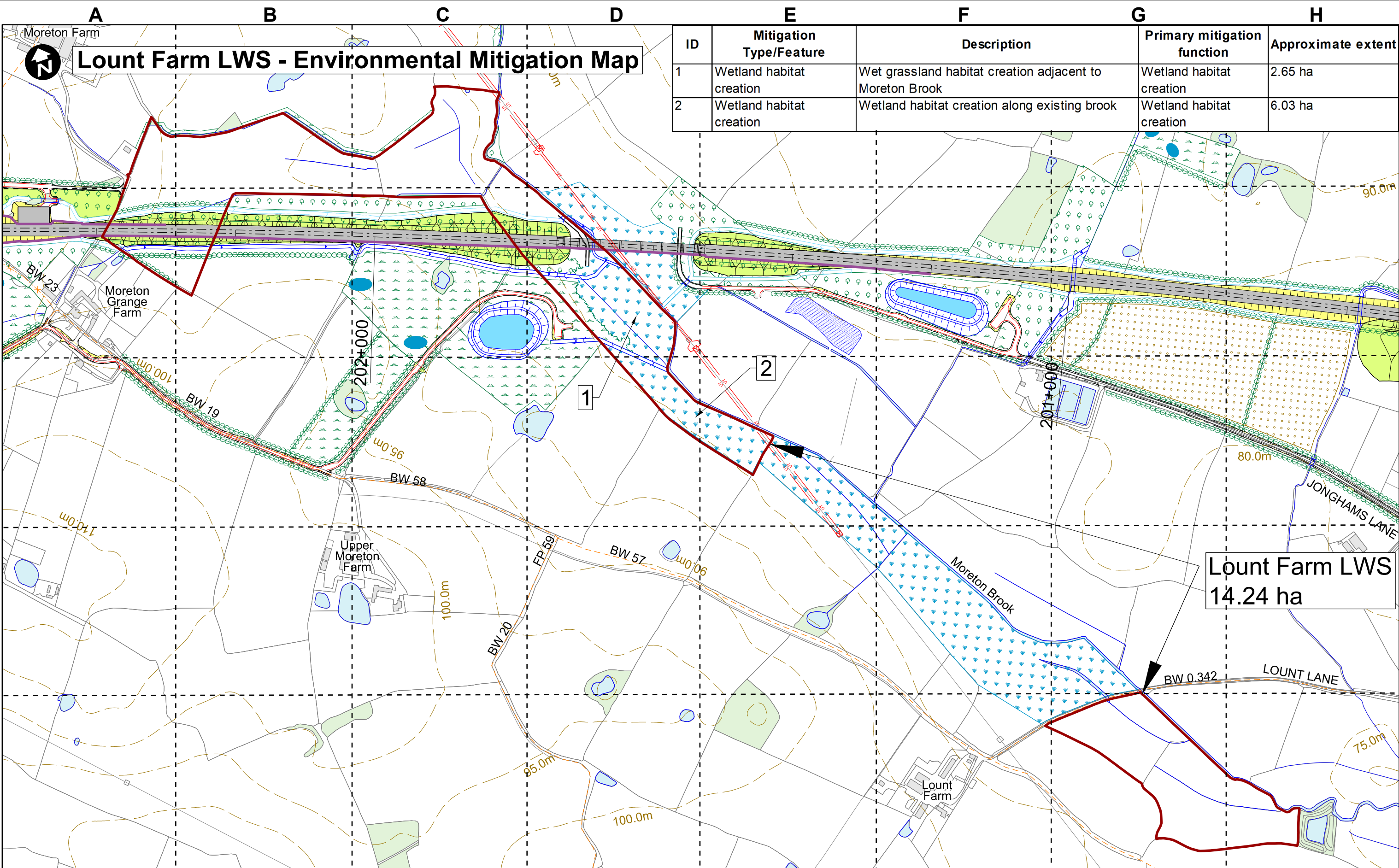
Impacts to Lount Farm LWS have been assessed on the basis of its status as a county wildlife site, **and** on the status of its constituent habitats.

The mitigation response to the loss of habitat at Lount Farm LWS directly relates to the quality and distinctiveness of the habitat directly affected by the scheme, rather than merely by reference to its designation as a LWS.

The proposed mitigation comprises approximately 8.7ha of lowland meadow to be created or enhanced alongside Moreton Brook, in order to connect the two currently disparate sections of Lount Farm LWS, within the Fradley to Colton area (CA1).

The designation of biological SSSIs in England is the responsibility of Natural England.





ID	Mitigation Type/Feature	Description	Primary mitigation function	Approximate extent
1	Wetland habitat creation	Wet grassland habitat creation adjacent to Moreton Brook	Wetland habitat creation	2.65 ha
2	Wetland habitat creation	Wetland habitat creation along existing brook	Wetland habitat creation	6.03 ha

HS2 accepts no responsibility for any circumstances which arise from the reproduction of this document after alteration, amendment or abbreviation or if it is issued in part or issued incompletely in any way.

© Crown Copyright and database right 2018. All rights reserved. Ordnance Survey Licence number 100049190

© Crown Copyright material is reproduced with the permission of Land Registry under delegated authority from the Controller of HMSO.

This material was last updated on 2018 and may not be copied, distributed, sold or published without the formal permission of Land Registry. Only an official copy of a title plan or register obtained from the Land Registry may be used for legal or other official purposes.

Legends/Notes:

- Engineering earthworks
- Landscape earthworks
- Railway
- Woodland habitat creation
- Landscape mitigation planting
- Grassland habitat creation
- Wetland habitat creation

- Balancing pond
- Existing inland water
- Existing woodland
- Ecological mitigation pond
- Existing public right of way
- New, diverted or realigned PRoW
- Stopped-up PRoW

- Main utility work
- HS2 access road
- Noise barrier
- Hedgerow habitat creation
- Ditches - new
- Watercourse diversion
- Floodplain
- Local placement of surplus excavated material

HS2

Registered in England
Registration No. 06791686
Registered office:
2 Snow Hill, Queensway,
Birmingham, B4 6GA

Creator/Originator
Ove Arup & Partners International Ltd

Zone	Community Area 1/2		Project/Contract		
			C861 Hybrid Bill Additional Provision 2 AP2		
Design Stage	Designs for Petition		Discipline/Function		
			Petitions		
Drawing Title	Lount Farm LWS P2A-HOL-033		Drawn	Checked	Approved
			DS	NF	TE
			Date	Scale	Size
			2020/03/10	1:5000	A3
Environmental Mitigation Map			Drawing No.		
			2PT02-ARP-PT-DSK-000-200010-PFT000033		
			Rev.		
			P01		

Opportunities for environmental enhancement

In 2018 the Promoter engaged with relevant Phase 2a stakeholders, including the petitioner, requesting them to provide a list of sites (designated and undesignated) around and beyond the limits of the Proposed Scheme that would benefit from habitat creation, or enhancement or restoration of existing habitats.

Those suggestions were sought as part of the project's wider exercise to identify opportunities to promote the HS2 'green corridor' in order to help form a network of green infrastructure, and contribute to the projects commitments to biodiversity.

Sites identified by stakeholders were assessed alongside other opportunities identified by the Promoter at that time. Currently the promoter has approved the funding for five sites (four of which are in Staffordshire), which include:

- The Wolseley Centre in CA2 (0.02ha of enhancement to parkland, 1.7ha of enhancement to grassland habitat, 1.9ha of enhancement to wetland);
- Third party land in CA3 (4ha of woodland creation);
- Land acquired at Bar Hill Farm in CA4 (2.2ha of woodland creation, 0.5ha of grassland creation);
- Land acquired at Jubilee Farm in CA5 (0.6ha of woodland creation, 0.1ha of grassland creation); and
- Land acquired at Sunny Hill Farm in CA2 (1.5ha of woodland creation, 3.1ha of grassland creation).

The Wolseley Centre

One of the sites identified was The Wolseley Centre which is owned by the SWT.

The opportunity area includes two subset areas of the SWT reserve where habitat enhancements are proposed. The northern area comprises marsh grassland habitat and a section of the River Trent, and the southern area comprises semi-improved neutral grassland habitat.

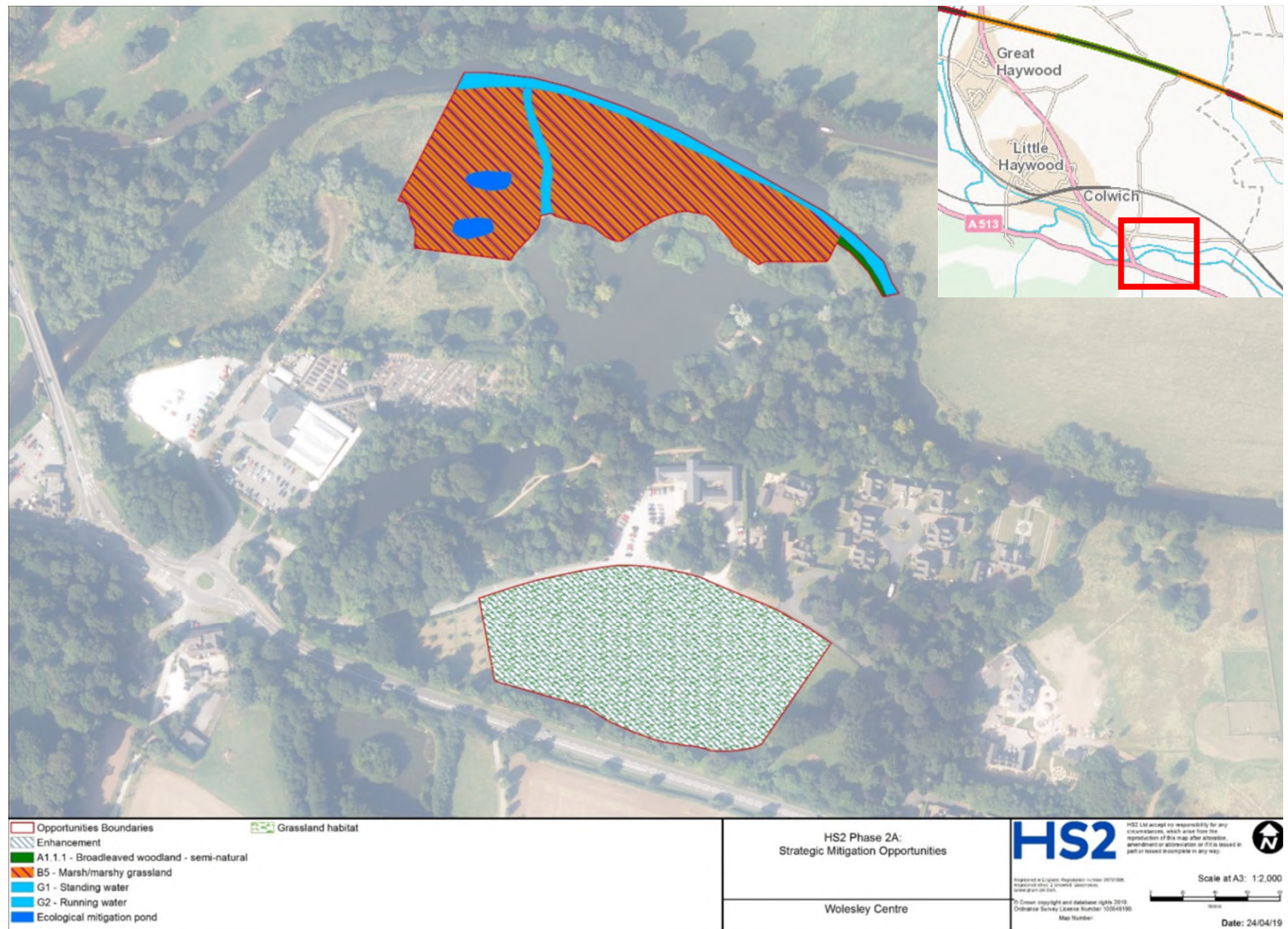
The Promoters preliminary assessment identified the potential enhancement of the site which include (subject to agreement with the SWT):

- Improving the condition of semi improved neutral grassland,
- Improving the condition of marshy grassland, and
- Improving the condition of marsh meadow.
- Ditch works to reconnecting the River Trent to Swan Lake.

This opportunity has been assessed as being sufficient to mitigate the reported residual effect impact to lowland meadow habitat of principal importance (HoPI) at Lount Farm LWS.

SWT has not, to date, accepted the offer but has offered to work with the Promoter to identify other alternative sites to mitigate the residual impact on Lount Farm LWS.





Irreplaceable habitat

Concern:

The Promoter has only assessed ancient woodland and veteran trees as irreplaceable habitats. The location and extent of all types of irreplaceable habitats impacted by the proposed scheme have not been identified.

Response:

The National Planning Policy Framework (2019) defines irreplaceable habitats as “habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and 68 veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen”.

Instances of irreplaceable habitat identified as subject to significant effects on the Phase 2a Scheme are:

- ancient woodland; and
- ancient and veteran trees.

If, subject to further surveys or evidence additional instances of irreplaceable habitat were to be identified, this would be dealt with on a case-by-case basis in accordance with HS2 Ltd’s Environmental Minimum Requirements.



Mitigation Principles: Birds

Request:

The project develops a Priority Birds Mitigation Strategy, showing how temporary and permanent habitat will conserve and enhance populations.

Response:

- Consideration has been given to the requirement for specific mitigation and/or compensation in relation to birds.
 - For the majority of bird species, impacts arising from construction of the Proposed Scheme are not likely to result in permanent adverse effects on breeding and wintering populations.
 - This is because habitats supporting these species would be recreated once construction is complete.
 - Specific measures for birds are discussed in the Volume 2 reports, Chapter 8 where appropriate.
 - Temporary adverse effects on individual populations of less common species, significant at up to county level are likely to occur for the duration of construction.
 - During construction, the Nominated Undertaker and its contractors will apply the provisions within the draft CoCP, including those for ecology. This includes (9.1.4) the preparation of ecology site management plans including information (where appropriate) on protected or notable species including breeding birds.
-

Kate Dewy

By email only to k.dewey@staffs-wildlife.org.uk

6 July 2018

Dear Kate

**HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL – HOUSE OF COMMONS SELECT COMMITTEE:
PETITION HS2-P2A-000091 – STAFFORDSHIRE WILDLIFE TRUST ("SWT")**

I am writing to you in my capacity as the Director of Hybrid Bill Delivery at HS2 Ltd, which is acting on behalf of the Promoter of the High Speed Rail (West Midlands-Crewe) Bill ('the Bill') currently before Parliament. I understand that SWT have a number of concerns about the impact of Phase 2A of HS2 (known as 'the Proposed Scheme') and have submitted a petition on that basis against the Bill in the House of Commons.

I understand you met with my colleagues on 29 June to discuss your petition issues. Following that meeting I am writing to clarify our position in relation to the issues you raised and the measures identified to address your concerns:

1. Local Wildlife Sites: Designation, Mapping and Adequacy of the Environmental Statement
2. Local Wildlife Site: Lion Lodge Covert
3. Local Wildlife Site: Lount Farm
4. Other Local Wildlife Sites discussed with SWT
5. Veteran Trees

1. Local Wildlife Sites and Adequacy of the Environmental Statement

In its petition and in discussion with us, SWT has raised concern over the potential value of existing wildlife sites, where these have not been surveyed in some time or are due to be designated. The Promoter contends that the Environmental Statement (ES) is a robust assessment of affected sites. The ecological impact assessment has taken account of guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM) and considers all ecological receptors which have the potential to be affected by the construction and/or operation of the Proposed Scheme. Baseline and ecological assessments have taken account of both desk based and field surveys, with surveys conducted ranging widely based on the species or habitat involved. Should new data from further baseline ecology surveys or revised formal designations arise, these would be reported and assessed where appropriate in a Supplementary Environmental Statement provided they were identified within the relevant survey period.

As explained in the Promoter's Response Document, it is not possible to gain access to every survey site. However where baseline information is incomplete a precautionary approach to valuation has been used for these instances, to ensure that all likely impacts of the Proposed Scheme have been identified and adequate ecological mitigation is provided.

SWT have expressed concern that all potential Local Wildlife Sites (LWS) are designated in order for the first step of the mitigation hierarchy (avoidance) to be adequately considered and that the project may require further land to be taken in order to provide adequate environmental mitigation. The Promoter does not accept this is the case and contends that the precautionary approach means powers for sufficient mitigation have been included within the Bill (and the subsequent Additional Provision).

2. Local Wildlife Site: Lion Lodge Covert

The Promoter acknowledges that, according to the ecological assessment set out in the ES, there will be a residual effect due to the loss of 1.5ha of inland saltmarsh habitat at Lionlodge Covert LWS. SWT have suggested that they would like to see a bespoke solution proposed in order to compensate for the loss of this habitat. The Promoter agrees that an appropriate solution must be explored; we have been engaging with SWT to seek to identify off-site enhancement measures to compensate for the loss of this saltmarsh. We would like to continue this engagement to the mutual benefit of both parties. I am therefore pleased to offer SWT the following assurance:

“The Promoter will require the nominated undertaker consult with Staffordshire Wildlife Trust with a view to identifying off-site enhancement measures to compensate for the permanent loss of 1.5ha of inland saltmarsh habitat at Lionlodge Covert LWS as identified in the Environmental Statement accompanying the Bill.”

In this assurance, “the nominated undertaker” refers to the body or bodies appointed by the Secretary of State to carry out the powers conferred under the Bill to construct and maintain the scheme. The nominated undertaker may be HS2 Ltd, or it may be another body or bodies appointed to oversee the construction and operation of Phase 2A.

If accepted, the assurance set out above will be included in the Register of Undertakings and Assurances, which is held by the Department for Transport. Drafts of the Register will be published regularly during the passage of the Bill and it will be finalised after Royal Assent. A nominated undertaker will be contractually obliged to comply with all relevant undertakings and assurances set out in the Register. Further information on how the Secretary of State will ensure compliance with assurances made by HS2 Ltd is set out in HS2 Phase 2A Information Paper B5, Compliance with Undertakings and Assurances¹.

SWT have also requested that the Great Haywood Viaduct be extended in order to provide the opportunity for potential restoration of the saltmarsh habitat. SWT accepts the view of the Promoter that construction of a viaduct rather than an embankment would not significantly reduce the environmental impact at the saltmarsh and acknowledges that attempts to recreate a saltmarsh post-construction would be somewhat experimental and perhaps not sure of success.

The Promoter considers that the Great Haywood Viaduct would need to be extended by 590 metres in order to avoid the Lion Lodge saltmarsh. A single viaduct option would not be feasible, requiring a small central embankment to be retained in order to support two, shorter-span viaducts. This has an indicative cost of £10.5m. It is considered that this could also require piling in close proximity to the Tixall Fault and saline spring and that further vehicle movements may be required for off-site disposal of material as it will not be used for the proposed embankment. Taking these factors into account, the Promoter does not consider that the extension of the viaduct would be a proportionate response to

¹ A copy can be found at <https://www.gov.uk/government/publications/understanding-the-hybrid-bill-hs2-phase-2a-information-papers>

this concern and has proposed to consider opportunities of offsite compensation in order to reduce the reported effects.

3. Local Wildlife Site: Lount Farm

SWT have requested that the Promoter consider the feasibility of extending the Moreton Brook Viaduct in order to avoid the impacts on Lount Farm LWS, by replacing the embankment included on the Proposed Scheme. While SWT accepts that this may not reduce the significant environmental impacts at this site, you have suggested this could facilitate habitat replacement in situ at the existing LWS.

As set out in the Promoter's Response Document in relation to Lount Farm, the extension of the Moreton Brook Viaduct would not significantly reduce the reported environmental impacts. The Promoter considers this would require a lengthening of the viaduct by 695 metres and could cost £24m. As with a potential viaduct extension at Lionlodge Covert, this would be likely to require further vehicle movements on the local road network for disposal of material. The Promoter is also concerned that the low clearance at this location would make it difficult to access for maintenance purposes and introduces the risk of a bridge strike.

4. Other Local Wildlife Sites discussed with SWT

SWT have raised concerns over the reported construction impacts at a number of LWS in Staffordshire. As was outlined in the Promoter's Response Document, the ES is a reasonable worst-case assessment of predicted impacts and the assessment is based on a number of assumptions about design and construction practices. As set out in HS2 Phase 2a Information Paper E1: Control of Environmental Impacts, the Environmental Minimum Requirements (EMRs) will, among other things, require that "the nominated undertaker will ... further reduce any adverse environmental impacts caused by the Proposed Scheme, insofar as these mitigation measures do not add unreasonable costs to the project or unreasonable delays to the construction programme". Please see the Information Paper for further detail on these controls.

Specific queries raised by SWT are addressed below:

Finners Hill Hedgerows BAS

SWT have asked whether an alternative access could be provided in order to avoid the use of Newlands Lane and reduce the impact on the Finners Hill Hedgerow. The Promoter can confirm that the hedgerow is within the land required to construct the Stockwell Heath embankment and is thus assumed to be lost when the embankment is constructed. As set out above, this impact may be reduced in line with HS2 Phase 2a Information Paper E1: Control of Environmental Impacts and the draft Code of Construction Practice. Where practicable this hedgerow is proposed to be translocated to the nearest suitable habitat creation area. As reported in the Community Area Report 1, Volume 2 of the ES, reinstatement of existing hedgerows in this area is expected to provide approximately 28.8km of hedgerow in addition to the mitigation described.

Clifford's Wood SBI and AWI

SWT has enquired whether a green underbridge would be included at this location. I can confirm that the Swynnerton Estate South underbridge within Lodge Covert, design requirements are specified to provide space sufficient space for the passage of wildlife, including bats. Planting at either end of the underbridge, connected to both retained and newly created habitats either side of the Proposed Scheme, would guide species through it. As reported in the ES, following implementation the adverse

effect on the bat assemblage between Lodge Covert and Birchwood would be reduced to a level which is not significant.

Pipe Wood SBI and AWI

SWT have asked the Promoter to consider the greening of the diversion for footpath 38, near Pipe Wood, in order to allow for the movement of bats. As set out in the Promoter's Response Document, the requirement for a green bridge is not currently supported by the survey data gathered to date, or the assessment of the impacts of habitat fragmentation in this area. It is thought to be more likely that bats travel east from Pipe Wood, away from the Proposed Scheme, towards other large woodland blocks and river valley habitats. The Promoter can confirm that further bat surveys are planned for this area to further our understanding of how the area is utilised by bats.

Bishton (north of) BAS

SWT have asked whether an alternative route can be provided which avoids the loss of hedgerows. As explained to Staffordshire County Council, there are a lack of suitable roads to get access to this remote part of the route, the Promoter believes that it is appropriate at this stage of development of the scheme to seek sufficient powers in the Bill to ensure that construction and any operational maintenance works can be undertaken in this area. However the Promoter recognises the value of the hedgerows in this area and has already given the following assurance to Staffordshire County Council on 8 May 2018:

"14.(a) The Promoter will require the nominated undertaker to explore during detailed design of the Proposed Scheme and, if reasonably practicable, implement options for alternative traffic management measures which could be carried out within the existing highway boundary on Bishton Lane instead of the Bishton Lane Widening Works in order to seek to avoid or reduce the need for the Bishton Lane Widening Works and the associated permanent loss of approximately 3km of native species-rich hedgerows reported in paragraph 8.4.16 of the Community area report for CA2, Colwich to Yarlet, in Volume 2 of the Environmental Statement. As part of this the nominated undertaker will have regard to the volume of HS2 traffic proposed to use Bishton Lane during the construction and operation of the Proposed Scheme.

In this assurance: "Bishton Lane Widening Works" means the widening of a 1.5km section of Bishton Lane to 3.5m in width, with provision of passing bays, from The Hollies to Colwich Bridleway 23, with replacement hedgerow planting on both sides of Bishton Lane as set out in paragraph 2.2.11 of the Community area report for CA2, Colwich to Yarlet, in Volume 2 of the Environmental Statement."

Poolhouse Wood SBI

SWT have requested that specific plans for wet woodland mitigation are included in the Promoter's woodland mitigation, reflecting the wet woodland which will be lost at Pool House wood. As set out in the Promoter's Response Document, in accordance with the Ecological Principles of Mitigation in the Scope Methodology Report Addendum a route-wide, integrated strategic approach has been developed to compensate for loss of woodland. The suitability and provision of wet woodland would be considered as part of the detailed design stage on a site specific basis, and detailed within the Ecological Management Plans.

5. Veteran Trees

In relation to impacts on veteran trees, the Promoter refers SWT to the response given in the Promoter's Response Document, which references the assurances given to Staffordshire County Council on this issue. The Promoter understands this issue will be addressed by the Woodland Trust when they appear before the Select Committee.

I hope that the information set out above in relation to the issues raised in your petition to the House of Commons gives you the comfort required in order to withdraw your petition.

Petitions may be withdrawn by sending an email or letter to the Private Bill Office of the House of Commons informing the Clerk to the Select Committee that you wish to withdraw your petition².

If you have any queries please don't hesitate to contact Amber Corfield, Petition Manager, on 020 7944 8683 and amber.corfield-moore@HS2.org.uk.

Yours sincerely



Oliver Bayne

Director, Hybrid Bill Delivery
High Speed Two (HS2) Limited

² Contact details can be found on the Select Committee website at <http://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-west-midlands-crewe-bill-select-committee-commons/contact-us-17-19/>

Staffordshire Wildlife Trust

by email only: k.dewey@staffs-wildlife.org.uk

23 October 2019

Dear Kate

**HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL – HOUSE OF LORDS SELECT COMMITTEE:
PETITION HS2-P2A-033 – STAFFORDSHIRE WILDLIFE TRUST ('SWT')**

I am writing to you in my capacity as the Director of Hybrid Bill Delivery at HS2 Ltd, which is acting on behalf of the Promoter of the High Speed Rail (West Midlands-Crewe) Bill ('the Bill') currently before Parliament. I understand that SWT have concerns about the impact of Phase 2A of HS2 (known as 'the Proposed Scheme') and have submitted a petition on that basis against the Bill in the House of Lords.

The purpose of this letter is to summarise the Promoter's position on the issues that remain of concern to SWT, in advance of your hearing before the House of Lords Select Committee.

Local Wildlife Site (LWS) data

In your petition, as with your petition submitted against the Bill in the House of Commons, you request that the Promoter adopt a new methodology for assessing the value of Local Wildlife Sites (LWS). The Environmental Statement (ES) submitted with the Bill is a robust assessment of affected sites and follows guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM). It considers ecological receptors and habitats which have the potential to be affected by the construction and/or operation of the Proposed Scheme. As such, your request for a new methodology is not an approach the Promoter intends to pursue. It is both unnecessary and would duplicate the assessment of ecological impacts of the Proposed Scheme that has been reported in the ES and the Supplementary ES.

As explained in the Promoter's Response Document (PRD), amendments and additions to LWS designations made since the ES was deposited with the Bill have been assessed as part of an updated baseline within the Supplementary ES that accompanied the deposit of Additional Provision 2 to the Bill in the House of Commons. These updates were identified through data provision from SWT and other relevant Wildlife Trusts along the route and included non-statutory sites within a 500m radius of the land required for the Proposed Scheme.

The Promoter remains of the view that formal designation of an area of local ecological value as an LWS does not call into question the adequacy of the ecological assessment of that site and of the effects of the Proposed Scheme as reported in the ES. On the contrary, habitats and species occurring

at that site will have been assessed adequately through the habitats and species assessments carried out for the ES. Where data is limited, such as due to the absence of field surveys, a precautionary baseline has been built up according to the guidance reported in the Scope and Methodology Report (SMR) and the SMR Addendum. This constitutes a 'reasonable worst case' basis for the subsequent assessment and development of mitigation. The Promoter therefore contends that the precautionary approach adopted means powers for sufficient mitigation have been included within the Bill (and the subsequent Additional Provisions to the Bill).

The Promoter has considered your request for funding to undertake surveys on our behalf and considered this against (a) the updated assessments already completed; (b) the Promoter's iterative process of on-going further ecological surveys and how they inform design of mitigation or compensation measures to be incorporated into the Proposed Scheme; and (c) the controls in place to ensure mitigation is delivered. Against that background the Promoter has concluded that it would not be appropriate to fund SWT to undertake further survey work.

Known Local Wildlife Sites – impacts and mitigation

SWT has requested that further avoidance, mitigation or compensation is provided within the Proposed Scheme for impacts reported on LWS. The Promoter has set out its position in relation to this issue in PRDs issued in response to your petitions against the Bill in both Houses of Parliament. Our position remains that the Proposed Scheme includes the appropriate levels of compensation for the effects of the scheme on LWS and Biodiversity Alert Sites (BAS) in Staffordshire, and across the route. In the instances where significant residual effects remain, including for example at Lount Farm LWS and Lionlodge Covert LWS, the Promoter would seek offsite compensatory measures to reduce these effects to a level that is significant at no more than local/parish level.

It should be noted that although the Proposed Scheme would result in significant loss and/or fragmentation effects to 15 LWS and eight BAS¹ in Staffordshire, these represent 2 per cent and 5 per cent of the total LWS and BAS respectively in Staffordshire (as of 2017).

In your petition, you also request an assurance that SWT and the relevant local authority will be notified of any work within 100m of a LWS. The Promoter has responded to this request by explaining the process established under Schedule 17 to the Bill, under which certain matters and details of the deemed planning consent are reserved for subsequent planning authority approval.

Further, under paragraph 18 of Schedule 17, Natural England are defined as the appropriate body for planning authorities to invite to make representations on requests for approvals that are considered by the planning authority to affect 'nature conservation or the conservation of the natural beauty or amenity of the countryside'.

Lount Farm Local Wildlife Site

Due to the quality of the habitats occurring within this site, you have specifically requested that they are evaluated and assessed against current grassland Sites of Special Scientific Interest (SSSI) criteria. As previously set out in PRDs and earlier in this letter, the Promoter's ecological impact assessment follows guidance published by CIEEM.

This assessment includes the consideration of the effects arising from various impacts that would be caused by the construction and operation of the Proposed Scheme. Further, in line with the scope and

¹ As reported in the relevant Community Area Reports within Volume 2 of the ES.

methodology that underpins the environmental impact assessments undertaken by the Promoter, which are compliant with the requirements of the EIA Directive and Parliamentary Standing Order 27A, habitats have been evaluated using published criteria for the recognition of sites supporting habitats of value at a range of geographic scales.

For statutorily designated sites, the valuation afforded has been based on the value prescribed by the designating body. In that context, it is important to note that the Promoter is not the body that designates wildlife sites.

All habitats and species occurring within the boundaries of the designated site have also been considered under the evaluation of habitats and species sections of the ecology chapter within the ES to ensure that the subsequent assessment provides a true indication of potential effect on conservation status of these habitats/species.

Irreplaceable habitats

SWT have requested that the Promoter consider additional habitats as irreplaceable, citing the National Planning Policy Framework's (NPPF) definition. The Promoter has responded to this request in PRDs issued in response to your petitions against the Bill in both Houses of Parliament, explaining how the Promoter has identified and reported irreplaceable habitat, and how mitigation and compensation measures have been determined. As those responses set out, at present, the only instances of irreplaceable habitat assessed on the Proposed Scheme as subject to significant effects are ancient woodland and ancient and veteran trees.

It is important to note the NPPF specifically states that 'the Framework does not contain specific policies for nationally significant infrastructure projects', which include the Proposed Scheme as it is being promoted under the Bill.

Priority birds

Your petition requests that mitigation for birds is brought together into a Priority Birds Mitigation Strategy document. In PRDs issued in response to your petitions against the Bill in both Houses of Parliament the Promoter has explained the methodology and processes used to assess and report impacts on bird populations.

It has also been explained that where there is a significant reduction in the availability of nesting or roosting habitat as a consequence of the Proposed Scheme, consideration has been given to the requirement for specific mitigation and or compensation in relation to those effected bird assemblages - i.e. in addition to those ecological mitigation/compensation measures that will mitigate impacts on bird populations but for which they are not the primary purpose - and where in the ES this information can be found.

With that in mind, the Promoter does not intend to produce a separate strategy document in relation to mitigation for priority birds.

I'm aware that my team has offered to meet you in advance of your House of Lords hearing; please let us know if you wish to do so.

If you have any further queries please don't hesitate to contact Sebastian Jew, Petition Manager, on 020 7944 8354 or Sebastian.jew1@hs2.org.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read 'O Bayne', with a long horizontal stroke extending to the right.

Oliver Bayne

Director, Hybrid Bill Delivery
High Speed Two (HS2) Limited

High Speed Two (HS2) Limited

Albany House
96-98 Petty France
London SW1H 9EA

Telephone: 08081 434 434

Minicom: 08081 456 472

Email: hs2enquiries@hs2.org.uk
[gov.uk/hs2](https://www.gov.uk/hs2)

Ms K Dewey
Staffordshire Wildlife Trust
The Wolseley Centre
Wolseley Bridge
Stafford
ST17 0WT

Sent via email: k.dewey@staffs-wildlife.org.uk

28 August 2020

Dear Ms Dewey

**HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL – HOUSE OF LORDS SELECT COMMITTEE:
PETITION HS2-HOL-033 – STAFFORDSHIRE WILDLIFE TRUSTS**

I am writing to you in my capacity as the Director of Hybrid Bill Delivery at HS2 Ltd, which is acting on behalf of the Promoter of the High Speed Rail (West Midlands-Crewe) Bill ('the Bill') currently before Parliament.

You may know that the Royal Society of Wildlife Trusts appeared before the House of Lords Select Committee on 28 July and raised the issue of biodiversity net gain. Following that hearing, as suggested by the Select Committee, we have provided the Royal Society with an assurance on the matter, a copy of which I attach for your information.

If you have any further queries please don't hesitate to contact Anneleaze Marquis, Petition Adviser on 01212952743 or anneleaze.marquis@hs2.org.uk.

Yours sincerely



Simon Knight

Director, Hybrid Bill Delivery
High Speed Two (HS2) Limited

Ms K Hawkins
Royal Society of Wildlife Trusts
The Kiln
Mather Road
Newark
Nottinghamshire
NG24 1WT

Sent via email: khawkins@wildlifetrusts.org

27 August 2020

Dear Ms Hawkins

**HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL – HOUSE OF LORDS SELECT COMMITTEE:
PETITION HS2-HOL-026 – ROYAL SOCIETY OF WILDLIFE TRUSTS**

I am writing to you in my capacity as the Director of Hybrid Bill Delivery at HS2 Ltd, which is acting on behalf of the Promoter of the High Speed Rail (West Midlands-Crewe) Bill ('the Bill') currently before Parliament. The Royal Society have concerns about the impact of Phase 2A of HS2 (known as 'the Proposed Scheme') and have submitted a petition on that basis against the Bill in the House of Lords.

During your appearance before the House of Lords Select Committee on 28 July you requested that a mandatory requirement be placed upon HS2 Ltd to achieve biodiversity net gain and that this be written into the Phase 2a Bill. The Select Committee were sympathetic to your position and asked that prior to the forthcoming Environment Bill being enacted, we look beyond our existing policy for the Proposed Scheme and consider how we could seek to achieve the aim of biodiversity net gain, suggesting that this could be achieved by providing you with an assurance to that end.

I am therefore now writing to you, on behalf of the Secretary of State for Transport, to offer you the following assurance which seeks to address this matter:

"Following Royal Assent of the Bill, the Secretary of State will require the Nominated Undertaker to enhance its existing No Net Loss objective, by identifying and implementing appropriate opportunities, where it is reasonably practicable, to move towards net gains in biodiversity. This will include consultation with relevant stakeholders, including the Petitioner and the HS2 Phase 2a Ecology Review Group.

In this assurance:-

"the Bill" means the High Speed Rail (West Midlands-Crewe) Bill as brought into the House of Lords on 16 July 2019 and the "Bill" includes any Act of Parliament enacting that Bill;

"the Nominated Undertaker" refers to the body or bodies appointed by the Secretary of State to exercise the powers conferred by the Bill to construct and maintain the Proposed Scheme. The nominated undertaker may be HS2 Ltd, or it may be another body or bodies appointed to oversee

the construction and operation of the Proposed Scheme;

“the Petitioner” means the Royal Society of Wildlife Trusts;

“the Proposed Scheme” means Phase 2a of HS2 as defined further in the Bill; and

“the Secretary of State” means the Secretary of State for Transport.”

If accepted, this assurance will be included in the Register of Undertakings and Assurances, which is held by the Department for Transport. Drafts of the Register will be published regularly during the passage of the Bill and it will be finalised after Royal Assent. A nominated undertaker will be contractually obliged to comply with all relevant undertakings and assurances set out in the Register. The assurance process is set out in Annex A.

Biodiversity Investment Fund

In addition to the comprehensive package of mitigation and compensation measures that will be delivered through the powers of the Bill, we have proposed a number of different funds during the development on the Bill.

These funds are designed to spread the many potential benefits of the Proposed Scheme further and to greater effect across the communities, businesses and the natural environment. Each of the funds has been designed to respond to a particular need or effect in a geographic area, however, either individually or in combination, these funds will enable communities and organisations situated locally to the line of the route to access wider benefits from HS2 in their local area. This could be to further enhance nature conservation sites, to improve community facilities, or support local businesses and local economies in different ways.

A number of the funds accommodate and encourage match funding in order to maximise the value that can be realised from each project. We are keen to leverage other investment into projects via the match or partnership funding approach, especially from high value awards, with the aim of ensuring a lasting legacy. As an example, the Community and Environment Fund (CEF) & Business and Local Economy Fund (BLEF) on Phase 1 have already received £19m of match-funds.

We believe that providing these funds for a number of projects will increase the potential to deliver significant benefits in addition to those proposed within the Bill, which will be realised throughout the lifetime of HS2.

In addition to the already announced funds, I would like to notify you of the creation of a new £2 million ‘Biodiversity Investment Fund’ (BIF). The purpose of this new fund is to promote and enable the creation and enhancement of habitats along the line of route by third parties. The third party projects funded as part of the BIF will further contribute to the Proposed Scheme’s biodiversity objectives and progress towards meeting the commitment in the above assurance.

Below is a list of the funds for the Proposed Scheme with a brief description of each funds function:

- (a) Community and Environment Fund (CEF) & Business and Local Economy Fund (BLEF): the objective of the CEF and BLEF funds is to add benefit to communities and local economies along the HS2 route demonstrably disrupted by the construction of HS2. A fund of £5 million has been announced to be made available for the Proposed Scheme, which will be independently managed by

Groundwork UK with no fixed allocation of how fund will be divided between CEF and BLEF, to ensure maximum flexibility. Applications for the Fund will open following Royal Assent to the Bill.

- CEF – will help enhance community facilities, improve access to the countryside and conserve the natural environment along the line of route with benefits being realised at both a local and strategic level; and
- BLEF - will focus on the support of local economies in areas where businesses may collectively experience disruption from HS2 construction. Applications are encouraged from organisations which support the development of local business and tourism.

(b) Biodiversity Investment Fund (BIF): the objective of the BIF is to improve the quality of biodiversity along the line of route of the Proposed Scheme through the restoration of existing habitat and the creation of new high-quality habitat. The BIF will encourage applications for projects which will monitor and measure improvements to local biodiversity so that they can contribute to the Proposed Schemes commitments to biodiversity. The BIF will also facilitate a broad range of secondary benefits to ensure wider benefit for communities and business, including improvements to public access and educational facilities. The £2 million fund will be independently managed alongside CEF & BLEF. Applications for the fund will open following Royal Assent to the Bill.

(c) Phase 2a Woodland Fund: in recognition of the unavoidable loss of ancient woodland as a result of construction of the Proposed Scheme, the Promoter announced a £2 million to fund woodland creation and restoration activities beyond Act limits. Once allocated, this will provide a significant contribution in addition to those compensation measures which are already provided in the Proposed Scheme. The fund will be made available following Royal Assent to the Bill.

(d) Trent-Sow Parklands and Cannock Chase AONB HS2 Group: in recognition of the both nationally and locally important historic landscapes around the River Trent Valley, where the scheme passes, the Trent-Sow Parklands and Cannock Chase AONB HS2 Group was allocated a fund up to £1.5 million to deliver environmental enhancement measures to benefit local communities and the historic and natural environments. The Group has a wide membership and will encourage collaborative working between parties.

(e) Cheshire East Environment and Landscape Enhancement Fund: in response to the reported landscape effects within South Cheshire and in recognition of Meres and Mosses of the Marshes Nature Improvement Area, Cheshire East Council have been allocated a fund up to £850,000 to deliver local environmental and landscape enhancements within the Cheshire East area. The fund will be made available to Cheshire East Council following Royal Assent to the Bill.

More details about the Biodiversity Investment Fund and how to apply will be made available prior to Royal Assent to the Bill.

If you have any further queries please don't hesitate to contact Anneleaze Marquis, Petition Adviser on 01212952743 or anneleaze.marquis@hs2.org.uk.

Yours sincerely

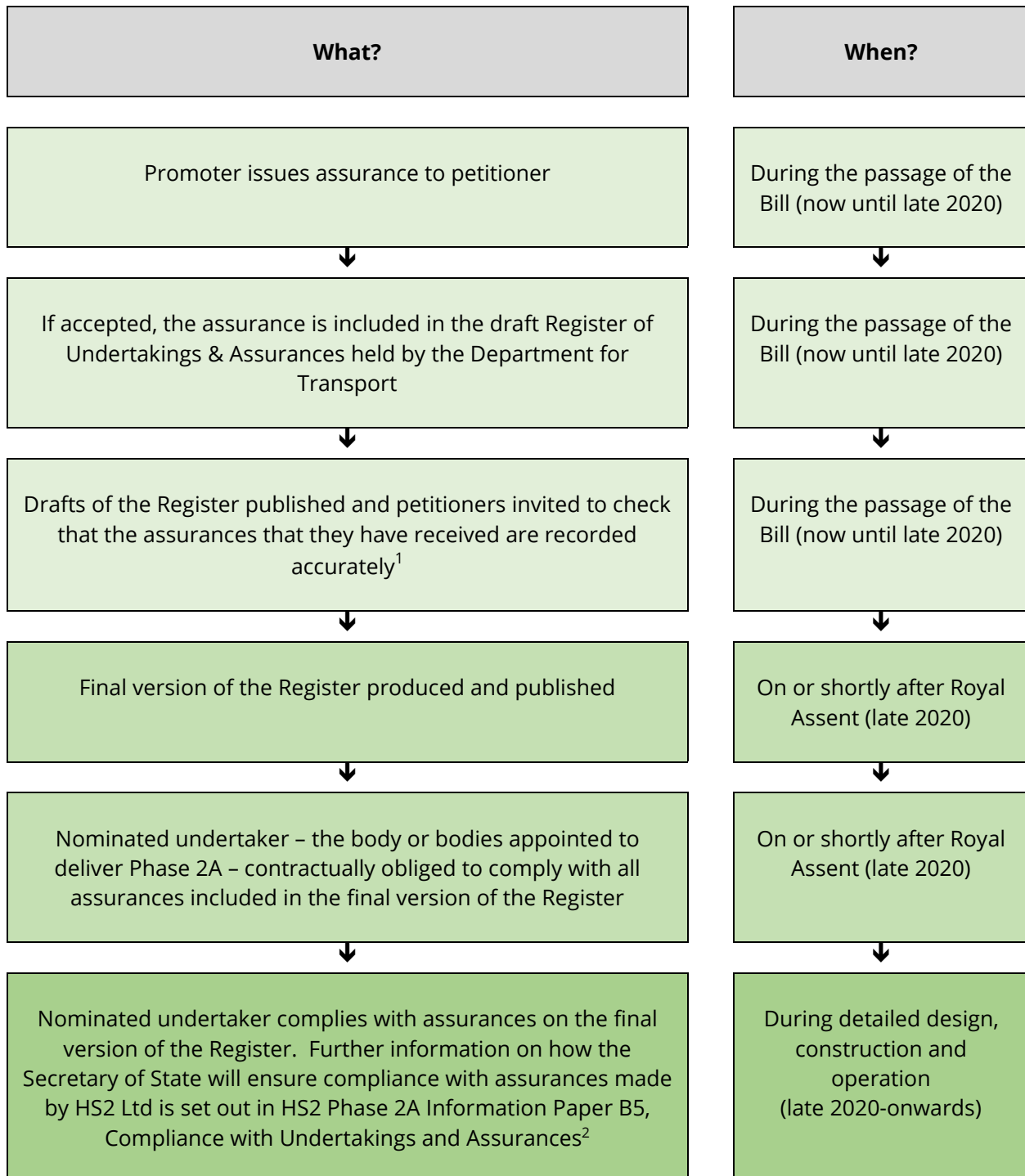


Simon Knight

Director, Hybrid Bill Delivery
High Speed Two (HS2) Limited

Annex A

ASSURANCES: STEPS AND TIMING



¹ The latest draft of the Register can be found at <https://www.gov.uk/government/publications/hs2-phase-2a-register-of-undertakings-and-assurances>

² A copy can be found at <https://www.gov.uk/government/publications/understanding-the-hybrid-bill-hs2-phase-2a-information-papers>