

Charter for High Speed Rail A Greengauge 21 commentary

The 'Right Lines' Charter was released on 7th April by a group of charitable bodies: Campaign for Better Transport, CPRE, the Chiltern Society, Civic Voice, Environmental Law Foundation, Friends of the Earth, Greenpeace, RSPB, the Wildlife Trusts and the Woodland Trust. It is a short document which comprises the following statements together with four principles that it believes should be followed in planning high-speed rail in Britain.

Statements from the Right Lines Charter:

An efficient, sustainable transport system is vital to our prosperity and wellbeing. Reducing the damaging impact of travel on the environment and local communities by shifting journeys from road and air to rail needs to be a key priority. High Speed Rail is one option for increasing rail capacity and connectivity.

This is a Charter for doing High Speed Rail well. The supporters of this Charter believe that:

- the process and particular proposals for High Speed Rail should comply with the principles set out below;
- the Government's High Speed Rail consultation and detailed High Speed 2 (HS2) proposals are unsound at present and fall well short of these principles.

The Charter was welcomed by the Secretary of State for Transport who insisted that the HS2 plans were environmentally friendly and said that: "I am pleased that so many respected organisations are voicing their support for high speed rail and they should be assured that the Government is already acting on their points of concern. The Government has a clear strategy for a greener, more efficient and more productive transport system with high speed rail at its heart."

Greengauge 21 is pleased that the national environmental NGOs are engaging in the consultation process on high-speed rail. We agree with the need for principles in the planning of HSR - we used a set of Guiding Principles in the development of the Fast Forward strategy, although not the same ones. We also accept the Principles in the Charter - although there are others too that need to be taken into account in practice. Overall, this is a contribution that should help move the debate forward.

Where we differ from the authors of the Charter is in their assessment of how Government is performing against their adopted Principles. Some of the ambitions set out in the Charter would unduly prolong the planning period for HS2, and would help neither the promoters' case nor that of objectors.

Analysis

There are four principles, in each case a statement (bold text) followed by a commentary. We accept the principles but only some of the commentary that follows them.

Principle 1. National Strategy

High Speed Rail proposals need to be set in the context of a long-term transport strategy stating clear objectives.

The Government's High Speed Rail proposals are at present not part of any comprehensive long term transport strategy or nationally agreed priorities.

By contrast, all the other countries developing High Speed Rail are doing so within a national framework. Objectives need to be ambitious yet realistic and could include: reducing the need to travel, improving rail capacity and connectivity throughout the country, reducing regional economic disparities and ending dependence on oil.

A particular challenge for a UK strategy is to tackle rising carbon emissions from land transport swiftly. The Committee on Climate Change says¹ that at least a 60% cut in domestic emissions is needed by 2030 to be on the path to secure a 90% cut (equivalent to 80% once emissions from international aviation and shipping are factored in) by 2050. High Speed Rail therefore needs to be planned and justified as a strategic element of a sustainable, near zero carbon transport system.

Extract from Right Lines Charter

This first principle is of course desirable, and Greengauge 21 agrees with it. We consider that the key objectives for HSR and for transport are already clear even if we do not have a national transport strategy, as such, in place at the moment.

In respect of the critical driver of the case for high-speed rail – the need for more transport capacity at the national level – there is a broad policy context in place. Government is clear that the key objectives of HS2 are to deliver a substantial increase in rail capacity, thereby promoting long-term and sustainable economic growth. It is clear that Government has no intention of adding extra motorways or runways where the demand pressures are greatest: it is high-speed rail that will be used to add capacity because this is the most sustainable practical approach.

The Government's National Infrastructure Plan of 2010 set out a strategy to deliver the transport infrastructure necessary to support sustainable economic growth. And we expect the need for a broader policy context to be met at least in part through the publication of the National Policy Statement for transport, as is provided for under the 2008 Planning Act.

It is necessary to consider the length of time it might take to develop a long term transport strategy and get it agreed, which would entail its own consultation process. And realistically, it would need to be subject to regular updating to deal with shifting circumstances. Furthermore, much of the relevant broader policy context lies in the fields of energy policy and regional policy.

Indeed, from the standpoint of objectors to HS2 as well as those who are keen to see it implemented, following the first principle too literally would entail a substantial delay to the planning process, extending periods of uncertainty and of non-statutory planning blight. So this first principle may not deliver on its apparent appeal.

Principle 2. Testing the Options

Major infrastructure proposals, such as High Speed Rail, need to be 'future-proofed' by comprehensive testing against different scenarios. This will help identify the best solutions for genuinely furthering sustainable development.

It is not possible to predict impacts accurately over a 75 year timescale, as is being attempted for HS2. This has led to the methodology for assessing HS2's benefits being seriously called into question.

The treatment of impacts that cannot be monetised, such as those on landscapes, heritage and habitats, has been particularly limited in HS2's business case, with very limited weight given to them.

A new strategic and transparent approach is needed for High Speed Rail in an increasingly uncertain future. Assumptions about future transport policy and trends need to be exposed to scrutiny, taking account of possible technological changes as well as changes to the cost of different forms of travel.

Extract from Right Lines Charter

This is a good principle and Greengauge 21 supports it. High-speed rail should be tested against different scenarios. The objective of finding solutions for 'genuinely furthering sustainable development' is well-chosen.

There can be no claim of accuracy in predicting the impacts of HS2 over a 75 year period. But there is value to having a central estimate, based on explicit and testable assumptions. Amongst other merits, this ensures comparability with the effects of other solutions, as this Principle seeks, in a consistent way. As the HS2 consultation materials make clear, the business case for HS2 has already been tested under a variety of different scenarios to understand its strengths and weaknesses.

There is no *a priori* reason why the weight given to impacts on landscape, the heritage and habitats would be greater if a financial value is placed upon them. As the incorporation of carbon into the monetised cost benefit framework illustrates, there is little consensus on the monetary value to ascribe and much depends on 'scenarios' – in the case of carbon, on for example the future make-up of electrical power generation sources.

It has to be right that possible technological changes are taken into account along with cost and price information when assessments are made. Transparency and availability for scrutiny should be watch-words for an investment of this importance.

Principle 3. Public Participation

Early public involvement in the development of major infrastructure proposals, including High Speed Rail, is essential. People need to be involved when all options are open for discussion and effective participation can take place.

The evidence from High Speed 1 and other major projects is that early and effective public involvement can reduce opposition and lead to better design and delivery of projects. The public should be able to have their say at a time when they can still make a difference. This is implicit in the Government's wider localism agenda. It is also an express requirement of the 1998 Aarhus Convention, to which the UK is a signatory.

Extract from Right Lines Charter

This principle calls for early public involvement in the planning decision at a time when all options are open – again, a principle with which Greengauge 21 agrees.

It is two years since Government announced its decision to proceed with HS2, one year since the plans were published in full, together with analyses of the alternatives that had been considered. During 2010, the published plans were extensively updated following a series of informal local consultations. There is now a five month formal consultation process under way in which a lot of the debate has been about the merits of alternatives to HS2. If following this process the Secretary of State elects to proceed with the project, it will be a through a Hybrid Parliamentary Bill, a process itself that is likely to take between two and three years, with detailed consideration of every aspect of the proposal. And on current plans, the Bill process would not start until 2013 to allow time for detailed revision and design, and a full Environmental Impact Assessment to take place post-consultation.

This suggests that this Government and the previous administration has been open and is following an extensive and timely consultation process. It should not be criticised for setting out a clear view of its preferred way forward. If instead there were several rival options on the table, it would be very much harder for objectors to formulate their views and concerns.

It is therefore surprising to see reference made to High Speed One. That project had a distinctly chequered history through its planning process from which many lessons do seem to have been learned. In the early stages of HS1 planning, a set of four routes was published, causing widespread concern and generalised blight over substantial areas in Kent, before a preferred (and different) route was selected. While the eventual Parliamentary Bill process and detailed planning progressed more smoothly, lessons have been learned from the mistakes of HS1: the HS2 planners have carried out sufficient work to recommend one preferred route while declaring alternatives rejected with the reasons for their rejection, thereby avoiding more generalised and avoidable blight and distress.

Principle 4. Minimising Adverse Impacts

High Speed Rail proposals need to be designed from the start to avoid significant adverse impacts on the natural environment, cultural heritage and local communities (including biodiversity, landscape, tranquillity and access) during construction and operation.

Setting inflexible objectives for HS2 to meet technical specifications – such as a theoretical top speed of 400km/h – and preconceived requirements – such as interchange stations at airports – has seriously limited the range of route options considered. It also limits the scope for those participating in the consultation to propose changes to the preferred route.

Although mitigation can reduce adverse impacts, it is not as good as avoiding impacts in the first place. Specifications and design speed should not be rigidly fixed in advance but be shaped by the opportunities to minimise impact and maximise benefit. This requires respecting environmental limits and a strategic approach to reducing impacts by prioritising avoidance over mitigation, with compensation being the option of last resort.

Extract from Right Lines Charter

This principle is of course right – it is essentially about taking environmental factors and impacts into account seriously and from the outset. But we don't recognise the assessment that follows.

Setting a design standard at 400km/h seems to us to be a prudent provision that avoids the risk of a need in future to attempt re-engineering the infrastructure to accept evolved technology (as called for in Principle 2, in fact). There is a supposition that this design assumption has limited the choices of route – and at a local level this may be true, but the HS2 Ltd reports suggest that relaxing this requirement offers little benefit: the route has to go somewhere.

There was no preconceived requirement to serve airports in HS2 Ltd's remit, only that interchange had to be provided somewhere to access Heathrow. But this needn't restrict the alignment corridors studied and indeed it is clear from HS2 Ltd's published reports that there was a very wide examination of alignment corridors considered, including those (such as in the M1 corridor) that did not allow for direct access to Heathrow.

Also, there is nothing at all to stop an objector making a case for another alignment with differing technological assumptions or for those revised assumptions (say a lower top speed) being applied to the preferred alignment.

The strategic approach called for in this Principle entails providing for avoidance ahead of mitigation, in respect of environmental impacts. HS2 Ltd had six 'driving factors' in their design process, including this one:

"...harnessing the principles of sustainable development, where possible avoiding or otherwise minimising, and then mitigating, environmental impacts..."

This statement appears to match Principle 4 closely.

Conclusion

The Charter with its four Principles is a helpful contribution to the consultation on HS2. The commentary surrounding the four principles, however, in large measure is not supported by evidence – and in places is contradictory.

We see no grounds for concluding (as the Charter's authors have) that the current HS2 proposals are 'unsound at present and fall well short of these principles'. Substantively, there seems to be a compliance with what HS2 Ltd and Government has done to date in its planning of HS2.

Ministers will nevertheless be wise to engage with these national groups to explore the extent to which the four principles have been applied to date and any changes to the HS2 planning process that might usefully be made.

Greengauge 21

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