

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet                      **DATE:** 22<sup>nd</sup> June 2015

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**(For all enquiries)**

**WARD(S):** Langley St Marys/Langley Kedermister/Foxborough and Colnbrook with Poyle

**PORTFOLIO:** Councillor Sohail Munawar  
Commissioner for Social and Economic Inclusion

### **PART I** **NON-KEY DECISION**

#### **High Speed 2/Heathrow Express Depot**

##### **1 Purpose of Report**

The purpose of this report is to provide members with an update following discussions with High Speed 2 (HS2) on the relocation of the Heathrow Express (Hex) Depot and approval to proceed (subject to Full Council) with petitioning against the HS2 Hybrid Bill Additional Provision.

##### **2 Recommendation(s)/Proposed Action**

The Cabinet is requested to resolve that delegated authority be given to the Head of Legal Services subject to Full Council approval for a petition to be raised against the Additional Provision in the HS2 Hybrid Bill for the relocation of the Hex Depot to Langley.

##### **3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

##### **3a. Slough Joint Wellbeing Strategy Priorities**

The following Slough Joint Wellbeing Strategy Priorities are addressed by the following scheme:

Health - The relocation of the Depot is likely to affect air quality around Langley and the Brands Hill areas as construction traffic will be routed through Brands Hill which is an AQMA site.

Economy and Skills - The relocation of the Depot will not lead to any additional jobs being created in the borough (as the staff currently working at the Old Oak Common site will be redeployed to Langley). Some new jobs could be created during the construction period although this not guaranteed.

Regeneration and Environment - Slough's environment will not be enhanced by this development and could impact negatively on the Wellbeing Board's regeneration aspirations: by restricting business growth. Residents will also experience more

noise, vibration and traffic during both the construction and operational phases of the Depot.

Housing - Housing will also be directly impacted as the site currently identified for the Depot was to be used for housing.

Improving the image of the town -The image of the town will be affected by the size of the development and increased traffic congestion.

### 3b **Five Year Plan Outcomes**

The following Five Year Plan outcomes are affected by the HS2/Hex Depot relocation:

Outcome One: Slough will be the premier location in the south east for businesses of all sizes to locate, start, grow, and stay

- The proposed development will have a significant effect on transport infrastructure in the immediate vicinity of the proposed Depot and possibly across the rest of the borough (particularly during the construction period). Construction is estimated to take around 2 years before the Depot is fully operational.
- Air quality in the vicinity will also be affected: most if not all HGV traffic will want to come through the Brands Hill area which is already recognised as being the worst of our four AQMA sites. There is no mitigation planned by HS2 so it will be difficult to stop this routing unless a low emission action is delivered.
- There is also a potential risk that HS2's proposals could cause abortive costs to the Western Rail Link to Heathrow (WRLtH) scheme. HS2 are currently proposing an alternative option for the Hollow Hill Lane bridge to that required by the WRLtH scheme: HS2 propose keeping the bridge and increasing its height in order to allow all traffic to pass over it (HGV's traffic is currently restricted), while WRLtH want to close the bridge and reprovide it outside the borough. The bridge cost alone for the HS2 option is estimated to be in the region of £50m.

Outcome Two: There will be more homes in the borough, with quality improving across all tenures to support our ambition for Slough

- If this Depot goes ahead as planned approximately 200 new dwellings and / or businesses will be lost and cannot be relocated elsewhere in the borough. There would also be a loss in council tax and / or business rates that would have accrued back to the council as a result of these new developments.

Outcome Three: The centre of Slough will be vibrant, providing business, living, and cultural opportunities

- In order to make the Centre of Slough vibrant, we need to change the image and perception of the town by emphasising and promoting our accessibility, connectivity and productivity to new businesses. Increased congestion and a lack of good quality housing could frustrate our efforts and inhibit local economic growth.

### 4 **Other Implications**

(a) Financial - There is likely to be a cost implication to fund a petition. At present officers are seeking clarification on the costs involved from other local

authorities who have already submitted petitions under the first round of petitioning. It is also usual for bodies seeking to petition against a Bill to appoint a parliamentary agent to advise on the formulation of the petition and to physically lodge the document with the Bills office. These costs are also being investigated.

(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<b><u>Legal</u></b> a) Legal advisor to be appointed. b) Four weeks to respond to Additional Provision in the Hybrid Bill.	a) Early intervention with legal approving advisor. b) Legal advisor drafting early response prior to the Bill being deposited.	
<b><u>Property</u></b>	No risks identified	
<b><u>Human Rights</u></b>	No risks identified	
<b><u>Health and Safety</u></b> Air Quality affecting residents	SBC will need to lobby for HS2 to provide mitigation	
<b><u>Employment Issues</u></b> No new jobs created Impact on attracting new business to area	SBC will need to lobby for HS2 to consider this if the site proceeds	
<b><u>Equalities Issues</u></b>		
<b><u>Community Support</u></b> Unfavourable response to wider public consultation.	HS2 to provide response to public feedback.	
<b><u>Communications</u></b> a) Public unaware of proposals	a) Appropriate stakeholder engagement to be carried out before works are carried out	
<b><u>Community Safety</u></b>	No risks identified	
<b><u>Financial</u></b> Legal costs will need to be met.	a) Engagement with proven/experienced legal representatives	
<b><u>Timetable for delivery</u></b> Works expected in 2017.	Discuss with HS2 routing to limit impact should development proceed.	
<b><u>Project Capacity</u></b>	No risks identified	
<b><u>Other</u></b>		

(c) Human Rights Act and Other Legal Implications - There are no Human Rights Act Implications for the proposed action. Individuals and communities who are 'specially and directly' affected by the Hybrid Bill may petition against it, with the petition being heard by the House of Common's High Speed Rail (London – West Midland) Select Committee. This Committee has the power to amend the Bill by limiting the powers its gives and by inserting new powers. Where the latter amendments might themselves cause particular adverse effect, they can also be petitioned against.

So far there has been one round of such 'Additional Provision' to the Bill, initiated by the promoter (the Department of Transport) in 2014 and largely

concerned with reaching accommodation with petitioners from various parts of the line. A second round of petitioning has recently been announced (commencing on the 13 July) with an anticipated deadline of 10 August for the deposit of final petitions to the Select Committee.

Subject to members view, officers intend to petition Parliament on HS2 during this second round of petitioning.

- (d) Equalities Impact Assessment (EIA) - There is no identified need for the completion of an EIA for the proposed action.
- (e) Workforce - There are no identified workforce implications for the proposed action.
- (f) Property - There are no identified property implications for the proposed action.
- (g) Carbon Emissions and Energy Costs - There are no identified carbon emission and energy cost implications for the proposed action.

## 5. **Supporting Information**

- 5.1 The Hex Depot relocation to Langley is as a direct consequence of the changes being made to the Old Oak Common interchange/maintenance site as part of HS2 works. HS2 argue that there is insufficient space to locate and/or operate from this site. A number of other potential sites have been investigated and evaluated but Langley is being proposed as the only viable option.
- 5.2 Officers believe there are a number of more effective ways of delivering the Depot - either at other sites along HS2's route or from the Old Oak Common site. These alternatives have been presented to the HS2 but to date these suggestions have met with very little support from with the HS2 team.
- 5.3 We are aware that HS2 plan to deposit an Additional Provision (AP) (with an accompanying Environmental Statement (ES) to the Hybrid Bill (setting out their plans for Langley) with Parliament, on the 13<sup>th</sup> July 2015.
- 5.4 The deadline for the submission of final petitions to the Select Committee is presently unclear - but we have been advised that it could be as little as 3 to 4 weeks after the AP has been deposited. This means that any petition officers develop (with the assistance of a parliamentary agent) will need to be lodged with the Select Committee by 10 August at the latest.
- 5.5 In order for our petition to be recognised and heard by the Select Committee, we need to:
  - Demonstrate how HS2's proposals for the Langley site "*directly and specially affect*" the council; and
  - Show that our petition has the full approval of council.
- 5.6 At this point in time, and based on the limited information that is currently available, we anticipate that we may be able to petition on the following issues:
  - Loss of housing in the Langley area
  - Increased air pollution
  - Noise
  - Additional HGV traffic on the road network

- Risk of Flooding
- Impact on the WRLTH scheme
- Wider socio – economic losses

5.7 Delegate approval to develop the precise wording and form of the deposited version of any petition developed is therefore being sought to ensure that the Commissioner for Social and Economic Inclusion in consultation with the Strategic Director of Regeneration, Housing & Resources and the Acting Head of Transport has the necessary authority to lodge a petition of behalf of the authority.

5.8 A submission version of the final petition can be brought back to Cabinet for information at a later date.

## 6 **Comments of Other Committees**

None.

## 7 **Conclusion**

That Cabinet approve in principle (subject to Full Council) delegated authority to petition against the Additional Provision in HS2 Hybrid Bill by August 2015.

## 8 **Appendices Attached**

None.

## 9 **Background Papers**

None.