

17th June 2010

Dear Sir/Madam,

High Speed 2 – the Exceptional Hardship Scheme Consultation

Further to the consultation on the above scheme issued on 11th March, please find below the response from Buckinghamshire County Council.

Should the Department for Transport introduce an Exceptional Hardship Scheme ahead of decisions on whether, and if so how, to proceed with a high speed route?

Buckinghamshire County Council (BCC) agrees that the Department for Transport (DfT) should introduce an Exceptional Hardship Scheme (EHS) ahead of any decision on high speed rail.

BCC feels that an EHS would be an essential part of mitigating the impact of such a national scheme. There is evidence that the announcement over the potential HS2 routes passing through Buckinghamshire has already had a severe detrimental impact on house prices, the number of house sales and even the number of house viewings across the County. The negative impacts have not just been felt on the Government's preferred route, but also on the alternative routes (2.5 and 4) suggested in the HS2 Ltd' s Report to Government.

Buckinghamshire County Council would strongly recommend that an extended EHS is brought forward, such as the one proposed by the HS2 Action Alliance (as soon as possible following the close of consultation). The alternative HS2 Action Alliance compensation solution has been informed by both the BAA and Central Rail schemes, both of which have been recognised as best practice by the DfT. As such the County Council commends the *principles* of the HS2 Action Alliance alternative compensation scheme, and strongly recommends that DfT examine this work and take it into consideration for a scheme on such a national scale.

It is understood that in a letter from Theresa Villiers, the then Shadow Secretary of State for Transport to the Rt Honourable John Bercow MP on the 20th March 2010 (ref TVPF) it was stated that ' the Conservatives are committed to reviewing the blight rules to see if greater assistance can be given to those affected by projects such as this'. The County Council would ask that the new Coalition Government stands by this commitment in regard to the EHS and re-examine the impact of the scheme to ensure that the EHS fairly and appropriately addresses the impacts on those affected.

Do you agree with the proposed principles underpinning the proposed Exceptional Hardship Scheme? If not, what alternative principles would you propose, including specific criteria for determining qualification for the scheme?

Buckinghamshire County Council does not agree with the fundamental principles that underpin the EHS as they do not fairly and appropriately address the impacts of the High Speed rail announcement, especially in relation to affected local residents and businesses.

There are several areas in which the EHS needs considerable additional work:

The County Council requests that the scope is expanded beyond "close vicinity". Firstly a definition should be provided as to the meaning of 'close vicinity'. It is clear that the impact of the HS2 announcement is not limited to what might be defined as "close vicinity"; indeed property along the preferred alternate route has already been adversely affected. The scheme should be designed to address the impact of the announcement and not solely defined by where there is "exceptional hardship" giving rise to "a pressing need to sell". Eligibility should not be restricted to those either in "close vicinity" and exceptional circumstances.

The County Council strongly advises that eligibility is extended to those who have suffered a loss in value due to the announcement of all the routes (including the alternatives). In addition the EHS should cover all properties, not just residential occupiers. Numerous businesses have been severely affected by the announcements. In addition these businesses may have an equal need to sell as residential owner occupiers. It is understood that a similar scheme utilised for the Crossrail project also included businesses.

Properties above the proposed tunnelled sectors should be included if any a loss of value resulting from the HS2 announcement can be demonstrated. Buckinghamshire County Council also sees no basis for the scheme to only become applicable where there is a 'threshold loss' of 15%. This ultimately may result in the property owners having to carry up to 15% of the loss themselves. This argument is reinforced by the BAA and Central Rail examples where it is understood that the compensation scheme for these had no threshold.

Do you agree with the proposed system for operating the proposed Exceptional Hardship Scheme? If not what alternative arrangements would you suggest?

Buckinghamshire County Council does not agree with the proposed system for operating the proposed EHS. The panel suggested should be entirely independent. The scheme should allow for more than one independent valuation and also allow the property owner to obtain their own valuation. In addition, there should be a right to arbitration/appeal to allow a review of the initial decision.

Yours sincerely



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