

 <b>Council</b> <b>7<sup>th</sup> December 2011</b>		<b>Agenda Item No. 15</b>
<b>Title</b>	High Speed Two (HS2) - Update Report.	
<b>For further information about this report please contact</b>	Tony Ward, Senior Policy Officer (Policy, Projects and Conservation).	
<b>Wards of the District directly affected</b>	All	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	July 27 <sup>th</sup> 2011 Special Council meeting – minute no – 29.	
<b>Background Papers</b>	Supporting technical documents and route maps on Department of Transport website <a href="http://www.dft.gov.uk/hs2">www.dft.gov.uk/hs2</a> 6 <sup>th</sup> January 2011, Executive report 8 <sup>th</sup> June 2011, Executive report	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	25/11/11	Chris Elliot/ Bill Hunt
Head of Service	25/11/11	Paul Pinkney
CMT	25/11/11	
Section 151 Officer	25/11/11	Mike Snow
Monitoring Officer	25/11/11	Paul Pinkney
Finance	25/11/11	Mike Snow
Portfolio Holder(s)	25/11/11	John Hammon
<b>Consultation &amp; Community Engagement</b>		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## **1. SUMMARY**

- 1.1. Members will be aware of the Government's consultation on the HS2 (High Speed Rail) proposal that took place during the summer of this year. This report updates members on matters that have arisen in the interim and informs them of possible future arrangements/ actions that Warwick District Council may undertake as a consequence of the Government's pending announcement regarding the future of HS2 (currently anticipated to be before the end of December 2011).

## **2. RECOMMENDATION**

- 2.1. That members note the content of the information update regarding the HS2 proposal (Appendix A).
- 2.2. It is requested that authority is delegated to the Head of Development Services in consultation with the portfolio holder for Development and the Leader of the Council to determine if it is in the best interests of the Council to participate in any Judicial Review initiated by 51M.
- 2.3. That, subject to 2.2 above that any financial obligation in connection with a Judicial Review is met from the £100,000 previously allocated to oppose HS2.

## **3. REASONS FOR THE RECOMMENDATION**

- 3.1. The proposed High Speed 2 Rail line is a very significant development proposal threatening the physical and economic integrity of Warwick District and potentially impacting on the future of many of its residents and businesses.
- 3.2. The Government's decision on whether to proceed with the proposal is likely to be announced before the end of December 2011. At that time it will be vital that the Council is in a position to be able to act quickly in terms of making a decision on whether, and on what grounds, it may wish to launch a legal challenge in conjunction with the 51M consortium of Local Authorities.
- 3.3. Recommendations 2.2 and 2.3 will ensure that the Council will be able to effectively respond to the Government's decision (within the window of opportunity) in the event it needs to participate in legal action to protect the interests of Warwick District. By undertaking this with the 51M group, the Council will strengthen its case and benefit from the pooling of resources, funds and expertise.

#### 4. **POLICY FRAMEWORK**

##### 4.1. **Policy Framework** – N/A

- 4.2. **Fit for the Future** – The continued resistance to High Speed Two (HS2) will help to protect the environment of the District in accordance with the SCS which aims to protect the built and natural environment.

#### 5. **BUDGETARY FRAMEWORK**

- 5.1. Warwick District Council has, so far, made budgetary provisions of £100K to oppose HS2. A first invoice of £36K for our share of the consultants work undertaken so far on behalf of the consortium has been paid.
- 5.2. It is anticipated that any Legal Challenge may require collective finance in the order of £100K, however this cost will be shared between the 51M consortium members and will not require any additional financial input (beyond the current £100K budgetary allocation) from Warwick District Council at this stage.
- 5.3. In the event it becomes apparent that there may be a need for additional financial input from this Authority then no such undertaking will be entered into until a further report detailing such requirements has been submitted for consideration/ approval.

#### 6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1. An alternative option would be to not to engage in any possible judicial review of a Government decision to progress HS2. However, this may prove detrimental to the ability of 51M to launch a successful challenge and could have detrimental consequences for Warwick District's environment/future.