

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Portfolio Holder (Environment) Decision Making Session

**Date of Committee** 14 May 2010

**Report Title** Supplemental Report - Exceptional Hardship Scheme for Properties Affected by the Proposed Route of the High Speed Rail (HS2)

**Summary** On 11 March 2010, Government announced plans for a High Speed Railway (HS2) from London to Birmingham and beyond. The Preferred Route passes through Warwickshire. This supplemental report recommends that the Council supports the principle of an Exceptional Hardship Scheme and incorporates in its response the detailed views expressed by the Environment and Economy Overview & Scrutiny Committee meeting on 28 April 2010.

**For further information please contact** Andy Cowan - County Planner  
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**Would the recommended decision be contrary to the Budget and Policy Framework?** No

**Background Papers** <http://www.dft.gov.uk/pgr/rail/pi/highspeedrail/>  
[www.dft.gov.uk/consultations/open/2010-18](http://www.dft.gov.uk/consultations/open/2010-18)

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

Other Committees  .....

Local Member(s)  
(With brief comments, if appropriate)  Councillor J Appleton  
Councillor M Doody  
Councillor P Fowler  
Councillor Mrs J Lea  
Councillor B Moss  
Councillor D Shilton  
Councillor B Stevens  
Councillor J Whitehouse

Other Elected Members

Councillor R Sweet

Cabinet Member

(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

Councillor A Cockburn

Chief Executive

.....

Legal

Jane Pollard

Finance

.....

Other Chief Officers

.....

District Councils

.....

Health Authority

.....

Police

.....

Other Bodies/Individuals

.....

**FINAL DECISION**

**YES** (If 'No' complete Suggested Next Steps)

**SUGGESTED NEXT STEPS :**

*Details to be specified*

Further consideration by this Committee

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To Council

.....

To Cabinet

To an O & S Committee

**Portfolio Holder (Environment) Decision Making Session  
– 14 May 2010**

**Supplemental Report - Exceptional Hardship Scheme for  
Properties Affected by the Proposed Route of the High Speed  
Rail (HS2)**

**Report of the Strategic Director for  
Environment and Economy**

**Recommendation**

That, in response to its consultation, the Government be advised that the Council supports the early implementation of the proposed Exceptional Hardship Scheme, subject to the following:

- (i) The Scheme should be expanded to make it more acceptable.
- (ii) The scope of the Scheme should be extended and the term “close vicinity” be widened and more clearly defined.
- (iii) The Scheme should be for “hardship” and not just “exceptional hardship”.
- (iv) The alternative compensation solution developed by HS2 Action Alliance should be investigated by the Government, as it appeared to have merit. There was insufficient time and resource to study the wider and fundamental implications particularly for the public sector. In the event of the Government choosing to adopt the scheme or some other alternative it should be made retrospective.
- (v) Farms and small businesses should be included in the Scheme.
- (vi) The Government should publish a timetable for its response to the consultation exercise on the Scheme.
- (vii) The requirements to a) prove that no offer had been received within three months of a property being put on sale and b) that only losses in excess of 15% would qualify under the scheme are unreasonable. The 3 month period is too long and the 15% should be substantially reduced.
- (viii) A panel separate from Government should be established to determine applications for compensation under the scheme.
- (ix) The consultation period for the Scheme should be extended by between fourteen and twenty-eight days to allow for Parliamentary debate.

**1. Further Information**

- 1.1 On 22 April 2010 Cabinet authorised the Portfolio Holder – Environment to finalise a response to the Government’s consultation on the Exceptional Hardship Scheme, to include the views of Cabinet supporting the principle of the Scheme and urging that it be brought into effect as soon as possible and have regard to the views of the

Environment and Economy Overview & Scrutiny Committee meeting on 28 April 2010.

- 1.2 At the meeting of the Overview and Scrutiny Committee, the Scheme was discussed in some detail and members of the public wishing to speak were given the opportunity to do so. Following debate by members of the Committee, it was agreed that the Portfolio Holder – Environment should be advised of the nine points included in the recommendation above.

## **2. Conclusion**

- 2.1 The advice of the Overview & Scrutiny is based on a thorough debate and is consistent with the thrust of Cabinet's views. It therefore provides a considered response to the Government's consultation within the available time and resources.

PAUL GALLAND  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

9 April 2010