

Manchester City Council Report for Resolution

Report to: Constitutional and Nomination Committee – 4 March 2022
Council – 4 March 2022

Subject: HS2 Phase 2b Western Leg (Crewe-Manchester) hybrid Bill
Petitioning

Report of: Strategic Director (Growth and Development) and the City
Solicitor

Summary

This report sets out a procedural matter, specifically, seeking Full Council approval for the City Council to object to elements of the HS2 Phase 2b Western Leg (Crewe-Manchester) hybrid Bill, deposited in Parliament on 24 January 2022.

Recommendations

Constitutional and Nomination Committee is asked to recommend that Council, subject to being satisfied that it is expedient for Manchester City Council to do so, oppose elements of the HS2 Phase 2b Western Leg (Crewe- Manchester) hybrid Bill as detailed in the report

Council is recommended to:

- (1) Resolve, being satisfied that it is expedient for Manchester City Council to do so, to oppose elements of the HS2 Phase 2b Western Leg (Crewe-Manchester) hybrid Bill introduced into 24 January 2022 session of Parliament as detailed in the report.
 - (2) Subject to the above, delegate authority to the Strategic Director (Growth and Development), in consultation with the Leader of the Council and City Solicitor, to take all such steps as may be necessary to give effect to the above resolution including all those steps required for the Council to submit any petition and thereafter to maintain and if considered appropriate authorise the withdrawal of any petition points that have been resolved in respect of the Bill, and to negotiate and/or seek assurances/ undertaking/agreements to the Bill.
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Wards Affected - Ardwick, Ancoats & Beswick, Baguley, Burnage, Didsbury East, Didsbury West, Fallowfield, Levenshulme, Northenden, Piccadilly, Rusholme, and Woodhouse Park.

Financial Consequences – Revenue

The overall financial and resource implications of reaching agreements and/or

petitioning will be the subject of further assessment as matters requiring agreement and associated technical work are better understood. As additional funding requirements become known, resources will be identified and reported for approval in accordance with the Council's financial procedure rules.

Financial Consequences – Capital

None directly from this report.

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Report to Executive 14 December 2016 - Manchester Piccadilly High Speed 2 (HS2) Phase 2 Route Announcement
- Report to Economy Scrutiny 1 February 2017 - High Speed Rail – High Speed 2 (HS2) and Northern Powerhouse Rail (NPR)
- Report to Executive 18 October 2017 - Greater Manchester HS2 and Northern Powerhouse Rail Growth Strategy
- Greater Manchester HS2 and NPR Growth Strategy: The Stops are Just the Start 2018
- Report to Executive 7 March 2018 – Manchester Piccadilly Strategic Regeneration Framework Update 2018

- Report to Executive 27 June 2018 – Manchester Piccadilly Strategic Regeneration Framework Update 2018
- Manchester Piccadilly Strategic Regeneration Framework 2018
- HS2 Working Draft Environmental Statement 2018, available at: <https://www.gov.uk/government/collections/hs2-phase-2b-working-draft-environmental-statement>
- Report to Economy Scrutiny 7 November 2018 - HS2 Working Draft Environmental Statement (WDES)
- Report to Executive - 12 December 2018 - HS2 Working Draft Environmental Statement (WDES)
- HS2 Phase 2b Working Draft Environmental Statement Consultation Response of the Greater Manchester Combined Authority 2018
- HS2 Phase 2b Working Draft Environmental Statement Consultation Response of Manchester City Council 2018
- HS2 Phase 2b Design Refinement Consultation 2019, available at: <https://www.gov.uk/government/consultations/hs2-phase-2b-design-refinement-consultation>
- Report to Executive – 11 September 2019 – HS2 Phase 2b Design Refinement Consultation 2019
- HS2 Phase 2b Design Refinement Consultation 2020, available at: <https://www.gov.uk/government/consultations/hs2-phase-2b-western-leg-design-refinement-consultation>
- Report to Executive - 9 December 2020 - HS2 Phase 2b Western Leg Design Refinement Consultation Response
- HS2 Phase 2b hybrid Bill and related documents, available at: [HS2 Phase 2b - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/hs2-phase-2b-hybrid-bill)

1. Background

- 1.1 High Speed Two (HS2) is the Government's scheme to implement a new high speed north – south railway network, from Manchester to London via Birmingham and Crewe. This is a major national infrastructure proposal that would be progressed over several decades and is being taken forward in a number of phases. Phase one will connect London with Birmingham and the West Midlands. Phase 2a will extend the route from the West Midlands to Crewe. The Phase 2b Western Leg will connect Crewe to Manchester.
- 1.2 Phase one of the three hybrid Bills received Royal Assent on 23 February 2017. Phase 2a, from the West Midlands to Crewe, received Royal Assent on 11 February 2021. The hybrid Bill for HS2 Phase 2b "Western Leg", between Crewe and Manchester was deposited in Parliament by the Department for Transport (DfT) on 24 January 2022. This report is concerned with the Phase 2b Crewe-Manchester hybrid Bill ("the Bill").
- 1.3 The Bill includes provision for new high-speed rail stations (providing for HS2 and Northern Powerhouse Rail services) at Manchester Piccadilly and Manchester Airport, along with a tunneled section of railway that will connect the respective stations. It also covers the provision of other related infrastructure, including new highways layouts and car parking and Metrolink services at the two stations.
- 1.4 Northern Powerhouse Rail (NPR) is a proposal to deliver a high speed rail network between Manchester, Liverpool, Leeds, Newcastle, Sheffield and Hull. The Government's preferred outline plans for NPR are included in the recently published Integrated Rail Plan (IRP) (please note that the IRP does not include proposals for Sheffield and Hull as originally intended). The Bill does not cover the whole of the proposed NPR scheme, but rather elements to enable its future delivery.

2. Hybrid Bill for HS2 Phase 2b Crewe and Manchester hybrid Bill

- 2.1 The Bill for Phase 2b Crewe-Manchester will secure powers to implement the Phase 2b Western Leg of the HS2 network including building stations at Manchester Piccadilly and Manchester Airport, and a railway tunnel from Davenport Green to Ardwick with ventilation shafts at Junction 3A of the M56, Withington Golf Club (Palatine Road), a car park for the Christie Hospital, and Fallowfield Road retail park. More specifically the Bill includes powers to:
 - Build and maintain HS2 and its associated works;
 - Compulsorily acquire interests in the land required;
 - Sever the existing Ashton line of the Metrolink to enable the construction of HS2's Piccadilly station;
 - Make consequential changes to the Metrolink network, including the provision of a turnback at New Islington, new track to serve a Piccadilly Central stop and passive provision (but not a stop or new track) at the HS2 Airport station;
 - Affect or change rights of way, including the stopping-up or diversion of

- highways and waterways (permanently or temporarily);
- Modify infrastructure belonging to statutory undertakers (e.g. utility companies);
- Carry out work on listed buildings and demolish buildings in conservation areas;
- Carry out protective works to buildings and third-party infrastructure; and
- Make necessary changes to existing legislation to facilitate construction and operation of HS2;

It also grants the necessary changes to existing legislation to facilitate construction and operation of the HS2 Phase 2b (Crewe – Manchester) scheme, including an exemption from existing powers to restrict the use of local streets by HGVs.

2.2 The principal stages of the Bill are as follows:

- There is currently a period for representations on the formal Environmental Statement (ES) which sets out the environmental impacts of HS2 Phase 2b, to which the City Council will respond by 31st March 2022;
- The first reading of the Bill has been completed and was a formality; the second reading in the House of Commons will approve the principle of the Bill and the railway scheme and set out the timetable for petitions against the Bill to be heard (see below). Thereafter, the Bill proceeds to a Select Committee which would present the first opportunity for petitioners to seek amendments to the Bill;
- The Bill is then re-committed to a Public Bill committee of the House of Commons followed by Report stage and Third Reading; and
- The Bill is then sent to the House of Lords where the process is repeated with a further opportunity for petitioning. When both Houses have approved a hybrid Bill, it receives Royal Assent.

2.3 Notwithstanding the City Council's overall support for HS2, the City Council will need to ensure that any necessary provisions are included in the Bill and are seeking assurances/undertakings as appropriate from the promoters to maximise the benefits and minimise the negative impacts that HS2 will have on the city. Officers continue to work closely with HS2 Ltd and representatives from the Department of Transport (DfT) to ensure that necessary provisions are provided and will seek to negotiate agreements accordingly. If agreement cannot be reached on specific matters it may be necessary to petition the Bill during a specific window, with authority to do so the subject of this report. The Council has identified a number of areas which it considers to be critical in maximising benefits and minimising negative impacts of HS2 on the city which are set out at paragraph 2.4 below.

2.4 Petitioning allows any individual, group of individuals or organisation directly and specially affected by the scheme to petition against the Bill. A petition is a summary of objections to particular aspects of a Bill, to be heard before a Select Committee of MPs, and can be submitted if petitioners' concerns are not addressed in advance of the Bill's petitioning stage. The Council has

instructed Parliamentary Agents to act on its behalf in advising on negotiations with the DfT and preparation of any petition.

2.5 The key areas on which the Council is intending to petition include the following, although other areas may be highlighted as the full petition is developed:

- The design of Manchester Piccadilly station as a surface, turn back station, as opposed to an underground, through station, which could provide greater capacity, reliability, resilience, future proofing and passenger experience and result in a reduced land take.
- The retention of Gateway House, which inhibits connectivity to the rest of the city centre and fails to provide a suitable entrance and arrival point to the city at the Manchester Piccadilly HS2 station.
- The extent of highways infrastructure proposed at Pin Mill Brow, which are overly large, would unduly encourage car travel and increase pollution, sever areas of the city, and do not allow for active travel.
- The level and location of car parking proposed at Manchester Piccadilly, which is too high and not in keeping with the adjacent station's role as a city centre public transport hub, unnecessarily encourages car travel, and takes up prime development land.
- The need for a multi-modal interchange which provides bus and coach parking facilities.
- The proposed access to a new ramp for Network Rail maintenance, which routes traffic through the Mayfield development, having an unacceptably negative impact.
- Inadequate integration of, and powers for, Metrolink at both Manchester Piccadilly and Manchester Airport.
- The location of the proposed Metrolink turnback at New Islington rather than our preferred site at Velopark, and the proposal to sever the Ashton line for two years.
- The proposed location of the ventilation shaft and headhouse on the Fallowfield Road Retail Park on Birchfields Road, and the need to provide adequate flood storage required for the proposed Palatine Road ventilation shaft.
- An inappropriate design for highways access to Manchester Airport Station at Junction 6 of the M56, which does not take into account future demand from NPR services, planned development and Airport growth.
- The level of construction traffic proposed and the need for consideration of measures to enable materials to be removed using rail at Manchester Airport.
- The levels of environmental mitigation, which will be set out in more detail in the City Council's response to consultation on the hybrid Bill's Environmental Statement.
- Changes to statutory powers highlighted in the Bill.

3. Next Steps

3.1 Section 239 of the Local Government Act 1972 enables a local authority to

oppose a public or private bill where it is satisfied that it is expedient to do so. This must be done in accordance with procedure laid down in that section of the Act.

- 3.2 Under section 239 a resolution of the City Council to oppose a Bill must be passed by a majority of the whole number of the members of the City Council after giving 10 clear days' notice of the meeting and its purpose in one or more local newspapers, in addition to the normal notice required to convene that meeting. The requisite newspaper notice was published on 21 February 2022 in the Manchester Evening News.
- 3.3 Parliament is yet to publish timescales for the stages of the hybrid Bill, however it is currently understood that those petitioning the Bill may be able to do so during late May/early June 2022. The Government is aiming for the Bill to receive Royal Assent after November 2024, with construction commencing from 2027 onwards, and this phase of the new railway opening to the public between 2036 and 2041.

4. Recommendations

- 4.1 The recommendations are set out at the front of this report.