

Hybrid Bill Petition

**House of Commons
Session 2017-19
High Speed Rail (West Midlands – Crewe) Bill**

Do not include any images or graphics in your petition. There will be an opportunity to present these later if you give evidence to the committee.

Your bill petition does not need to be signed.

Expand the size of the text boxes as you need.

1. Petitioner information

In the box below, give the name and address of each individual, business or organisation(s) submitting the petition.

Rachel Giles Ph.D.
Evidence and Planning Manager

On behalf of:

Cheshire Wildlife Trust,
Bickley Hall Farm,
Bickley,
Malpas SY14 8EF

In the box below, give a description of the petitioners. For example, “we are the owners/tenants of the addresses above”; “my company has offices at the address above”; “our organisation represents the interests of...”; “we are the parish council of...”.

Cheshire Wildlife Trust is the leading local environmental NGO operating in the area impacted by HS2 Phase 2a within Cheshire East.

The Trust represents the interests of 13,000 members, operating under a charitable objective to ‘...promote the conservation, protection and improvement of the physical and natural environment...’(1962, last amended October 2016). It is within this charitable objective that we make this Petition in the interests of protecting and improving habitats, species and the landscape within Cheshire.

2. Objections to the Bill

In the box below, write your objections to the Bill and why your property or other interests are specially and directly affected. Please number each paragraph.

Only objections outlined in this petition can be presented when giving evidence to the

committee. You will not be entitled to be heard on new matters.

1. The Cheshire Wildlife Trust believes that HS2 Phase 2a will result in significant long term impacts on biodiversity assets of county importance in south Cheshire and substantially increase the fragmentation of wildlife habitats in the Meres and Mosses Nature Improvement Area. We believe there is a failure to address these impacts in the current bill.
2. The proposals (which include the Checkley Lane borrow pit) will destroy 58 hectares of the 105 ha Randilow and Bunker Hill Local Wildlife Site located in the civil parishes of Blakenhall and Checkley cum Wrinehill in Cheshire. Approximately half of the LWS sits within the surface water catchment area for the internationally important Betley Mere (a Meres and Mosses Phase 1 Ramsar and SSSI) and the LWS is a key core site within the Meres and Mosses Nature Improvement Area designated by the government in 2012 to *'create joined up and resilient ecological networks at a landscape scale'* and to create *'high quality wetland sites that support key plant and animal species making them more resilient to climate change'*.
3. The destruction of the majority of this core site within the NIA undermines the Government's commitment set out in the 25 Year Environment Plan to *'connecting habitats into larger corridors for wildlife'* – and the principle that development should deliver 'net gain' to try to reverse the loss of wildlife in our country.
4. In accordance with the vision of the NIA, much of the Local Wildlife Site is currently managed for the benefit of farmland birds under a 10 year Higher Level Environmental Stewardship agreement which is set to continue until 2021. As a result of pro-active management the LWS supports the most significant assemblage of breeding birds recorded along the entire Phase 2a route, with 41 species and 12 notable species including breeding BoCC red listed/S41 listed yellow wagtail. This rapidly declining species (*Motacilla flava ssp. flavissima*), is an endemic breeder in the UK and Randilow and Bunker Hill LWS represents one of just 12 known breeding sites for this species in the county and possibly the only population in SE Cheshire.
5. The Local Wildlife Site also supports an assemblage of bat species which is considered remarkable for Cheshire with 7 species including rare bats such as Nathusius' pipistelle, serotine, noctule and Leisler's bat.
6. The Environmental Statement produced by HS2 Ltd. concluded that the assemblages of birds and bats at this site were both of county value (section 8.3.22 Vol 2 Community Area Report for South Cheshire) however there is a failure to include adequate measures in the bill to mitigate or compensate for the loss of foraging and commuting habitat for bats at this site and no measures to compensate for the loss of nesting, roosting and foraging habitat for farmland birds such as yellow wagtail.

7. The technical note – Ecology and Biodiversity – Ecological Principles of Mitigation, sets out the circumstances whereby additional mitigation/compensation will be provided in the bill and states that (for birds) *'mitigation and/or compensation will be provided where in the absence of this provision, there is the potential that a significant adverse effect may arise'*. Clearly the loss of 58 hectares of this important farmland bird site will result in a significant impact at the county level and therefore we ask that measures should be taken within the bill to reduce the impacts to a level that is not considered significant.
8. The Environmental Statement Community Area Report for South Cheshire (para. 8.4.24) identified that in the absence of mitigation the loss and fragmentation of commuting and foraging habitat (notably the loss of woodland at Randilow Farm), construction will result a permanent adverse effect on the assemblage of bats in this area *'which will be significant at the county level'*.
9. In accordance with paragraph 4.3.3 of the Ecological Principles of Mitigation *'no mitigation/compensatory planting will be provided with the primary aim of addressing losses of bat foraging habitat since planting to be provided to address other significant effects will act to fulfil this function.'* However there is a shortfall of approximately 87 ha of compensatory habitat in local area CA5 (calculated using the HS2 biodiversity metric), including a shortfall of 12.55 hectares of native plantation woodland when the agreed difficulty and time multipliers are factored in. The multipliers are used to account for the fact that a plantation woodland takes decades to develop and requires sympathetic management for it to acquire the array of biodiversity present in mature woodlands, so a greater area needs to be planted to compensate for this.
10. The loss of the woodland at Randilow Farm (which appears on the Cheshire Tithe maps) will be offset by an equivalent area of new plantation. However failure to apply the agreed risk multipliers means that the area provided is insufficient and will not compensate for the loss of the mature woodland or provide equivalent invertebrate-rich bat foraging habitat for many decades. This means that there will be a significant impact on the local bat assemblage for many decades to come.
11. HS2 Ltd intend to address these shortfalls in local habitat provision at a route wide level in order to achieve *'no net loss of biodiversity'*. The result is that residual impacts on foraging, commuting or nesting habitat for bats, birds and other species will not be adequately addressed at a local level.

3. What do you want to be done in response?

In the box below, tell us what you think should be done in response to your objections. You do not have to complete this box if you do not want to.

The committee cannot reject the Bill outright or propose amendments which conflict with the principle of the Bill. But it can require changes to the Government's plans in response to petitioners' concerns, which can take the form of amendments to the Bill or commitments by

HS2 Ltd.

You can include this information in your response to section two 'Objections to the Bill' if you prefer. Please number each paragraph.

Relocation/restoration of the borrow pit

12. In order to partly address the significant impacts set out above, including the loss of the majority of the Local Wildlife Site, we are asking that the Checkley Lane borrow pit is relocated to a less sensitive area. New wildlife habitat should be created within the relocated/restored borrow pit primarily to address the remaining residual impacts on farmland birds and bats. If relocation is not possible the entire 40 hectare Checkley Lane borrow pit should be restored to wildlife habitat and *managed in the long term* for the benefit of farmland birds and bats.
13. The current proposals are to restore the 40 hectare borrow pit at Checkley Lane back to agricultural land, where *'the ecological condition of these areas is at least as good as it was prior to the excavation'* (5.7.7 Borrow Pits Restoration Strategy). At Checkley Lane this should involve creating at least 3 large ponds and approximately 3 hectares of neutral or marshy grassland as well as planting several hedgerows. However in order to address the issues raised above, the Cheshire Wildlife Trust would like to see these measures extended. This is in accordance with section 5.7.9 of the Borrow Pits Restoration Strategy which sets out the principles of restoration of borrow pits stating: *'it may be appropriate to restore them (the features) to a better condition than existing, in order to aid in achieving the goal of no net loss in biodiversity'*.
14. We believe that at this location (a Local Wildlife Site), it is essential that restoration achieves a better condition than existing in order to address the unmitigated impacts listed above. We would like to see the measures to create semi-natural habitat extended across the whole borrow pit site to include the creation of shallow scrapes and areas of reedbed, as well as extensive areas of species-rich and marshy grassland and further ponds. These measures are relatively inexpensive and will help to create the invertebrate-rich conditions favoured by the species which will be significantly impacted at this site such as the insectivorous farmland birds (including yellow wagtail) and the foraging bats.
15. These proposals will also create nesting habitat for the impacted ground-nesting farmland birds and birds that nest on the margins of waterbodies such as red listed reed bunting (directly impacted by the scheme at this site).
16. New locally native species-rich hedgerows should be planted along part or all of the periphery of the borrow pit site to provide ecological connectivity between the mitigation plantation woodland and the wider landscape and to provide habitat for the other priority species which currently occupy the site including yellowhammer, linnet and grey partridge.

Additional benefits

17. Returning the borrow pit to semi-natural habitat may help improve water quality at Betley Mere Ramsar/SSSI in the long term. The mere is currently highly eutrophic with a WFD quality status of 'poor' due to elevated levels of nitrate, phosphorous and nitrogen. However should the borrow pit be restored to semi-natural habitat with wetland features rather than arable land, the outcome is likely to be that less polluted runoff will enter the mere as 20 hectares of the borrow pit lie within its surface water catchment.
18. There would be additional benefits for other groups of species that will be impacted at a local level by the HS2 scheme. In particular there would be benefits for wintering birds such as snipe, teal, fieldfare and redwing, all of which over-winter on the Local Wildlife Site. The wetland fringes and wet grassland would provide excellent habitat for amphibians and a range of aquatic and terrestrial invertebrates.
19. Restoration of the borrow pit for the purpose of wildlife conservation would help towards Biodiversity 2020 goals, i.e. the UK's commitment under the United Nations Convention 2011 of Biological Diversity. It will also help to achieve the stated vision of the Meres and Mosses NIA i.e. *'high quality wetland sites that support key plant and animal species making them more resilient to climate change'*.

Practical considerations

20. The current Borrow Pit Strategy sets out the principles for back filling the pit with excavated material and applying sub-soil and top-soil. The creation of semi-natural habitat at the site will require amendments to the strategy as soil and drainage conditions will be different than those required for returning the land to agricultural use. The backfill material will be of lower intrinsic permeability than the excavated material and this may help in the creation of shallow water bodies. It is unlikely that post restoration drainage measures will be required and this should equate to a saving.
21. Top-soil is not suitable for the establishment of wildlife habitat and it will require burying under the sub-soil or removing from the site for use elsewhere.
22. As set out in the Borrow Pit Strategy, planting schemes should be implemented as soon as reasonably practicable (for example on a staged basis) and take into account the landscape character. Ideally the seeding/planting should be of local origin or of a mix that reflects the existing semi-natural flora on the site, particularly the wetland/marshy grassland flora in and around the existing ponds.
23. Long term management of the site will need to be established and it is likely that an agreement with a local grazier will be required to ensure the site is managed primarily for the benefits of wildlife conservation.

Summary

24. The current proposals will result in significant long term impacts on biodiversity assets of county importance in south Cheshire and increase ecological fragmentation within the NIA. To help reduce the likely impacts the Cheshire Wildlife Trust would like to see the Checkley Lane borrow pit relocated to an alternative site, with the caveat that there will still be residual significant impacts which will need to be addressed by creating new wildlife habitat within the restored borrow pit area.
25. If relocation of the borrow pit is not feasible we propose that the current restoration strategy is amended so that 40 hectares of semi-natural habitat, including wetland features, is created at Checkley Lane on the site of the current LWS. We also propose that the new habitats should be managed in the long term for the purpose of conserving the species which would otherwise be significantly impacted by the scheme. These measures will also help reduce ecological fragmentation and address the shortfalls in habitat creation at a local level to help deliver 'net gain', as set out in the Government's 25 Year Environment Plan.

Next steps

Once you have completed your petition template please save it and go to our website to submit it during the petitioning period.