

BY EMAIL AND SPECIAL DELIVERY

Rt Hon Grant Shapps MP

Secretary of State for Transport

[REDACTED]
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[REDACTED]
[REDACTED]

Direct Dial: [REDACTED]

Email: [REDACTED]
[REDACTED]

Your Ref:

Our Ref: [REDACTED]

Date: 16 September 2019

Requires your Urgent Attention

Dear Secretary of State,

Re: Pre-Action Protocol Letter: HS2 – Authorisation of Enabling Works Pending Review

We act for Mr Chris Packham CBE, the naturalist and broadcaster. We enclose with this cover letter a Pre-action Protocol Letter (“PAP letter”) of today’s date addressed to you. The writing of that PAP letter pre-dates your announcement¹ this morning that certain removals of ancient woodland for HS2 should be stopped temporarily. Having considered that announcement, we make the following comments supplementary to the Pre-Action Protocol Letter (parts of which may have been superseded by the announcement).

Our client welcomes your decision today to reconsider the Government’s previous decision, announced by way of a written statement to Parliament on Tuesday 3 September 2019, that it had authorised HS2 Ltd to continue with unnecessary enabling works on the HS2 project during the period pending the outcome of the independent

¹ <https://www.gov.uk/government/news/transport-secretary-acts-on-hs2-ancient-woodland-clearances-during-oakervee-review>

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cross-party review. That is, our client believes, a step in the right direction to protect ancient woodlands from imminent unnecessary destruction.

Mr Packham CBE is concerned, however, by the absence of detail in your announcement today as to both (i) which enabling works will now cease, and (ii) the criteria by which decisions to cease enabling works will be made.

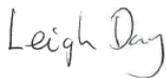
Please urgently confirm that none of the 13 ancient woodlands identified in the schedule to the Pre-Action Protocol Letter will have any enabling works carried out in them during the period pending the outcome of the independent cross-party review.

In the event that enabling works will be carried out at any one or more of the 13 ancient woodlands during the period pending the review, please urgently:

- (i) identify the precise criteria by which you intend to assess which works are necessary to prevent major cost and schedule impacts (and provide copies of your assessments of the 13 ancient woodlands against these criteria); and
- (ii) provide written assurance that we will be notified in advance where any decision is taken to authorise those works on that basis and of the reasons for that authorisation.

Please provide a response to this letter by 4pm Thursday 19 September.

Yours faithfully,



Leigh Day

Cc: Natural England

Enc

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