



# HIGH SPEED TWO

## PHASE 2a INFORMATION PAPER

### D3: CODE OF CONSTRUCTION PRACTICE

This paper outlines how the nominated undertaker will manage the effects of construction on communities and the environment through its Code of Construction Practice.

It will be of particular interest to those potentially affected by the Government's proposals for high speed rail.

This paper was prepared in relation to the promotion of the High Speed Rail (West Midlands-Crewe) Bill which is now enacted. It was finalised at Royal Assent and no further changes will be made.

If you have any queries about this paper or about how it might apply to you, please contact the HS2 Helpdesk in the first instance.

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# D3: CODE OF CONSTRUCTION PRACTICE

## 1. Introduction

- 1.1. High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in phases: Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route to Crewe. Phase 2b will extend the route to Manchester, Leeds and beyond. The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act 2017.
- 1.2. HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.3. In July 2017, the Government introduced a hybrid Bill<sup>1</sup> to Parliament to seek powers for the construction and operation of Phase 2a of HS2 (the Proposed Scheme). The Proposed Scheme is a railway starting at Fradley at its southern end. At the northern end it connects with the West Coast Main Line (WCML) south of Crewe to allow HS2 services to join the WCML and call at Crewe Station. North of this junction with the WCML, the Proposed Scheme continues to a tunnel portal south of Crewe.
- 1.4. The work to produce the Bill includes an Environmental Impact Assessment (EIA), the results of which are reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs)<sup>2</sup>, which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme.
- 1.5. The Secretary of State for Transport is the Promoter of the Bill through Parliament. The Promoter will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill. This body is known as the 'nominated undertaker'. The nominated undertaker will be bound by the obligations contained in the Bill and the policies established in the EMRs. There may be more than one nominated undertaker.
- 1.6. These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the Proposed Scheme have been reached.

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<sup>1</sup> The High Speed Rail (West Midlands – Crewe) Bill, hereafter 'the Bill'.

<sup>2</sup> For more information on the EMRs, please see Information Paper E1: Control of Environmental Impacts.

## 2. Overview

- 2.1. This information paper outlines how HS2 Ltd will manage the effects of the construction of the Proposed Scheme on communities and the environment through its Code of Construction Practice (CoCP).

## 3. Code of Construction Practice - what is it?

- 3.1. HS2 will be one of the largest construction projects in Europe. The aim is to design and construct the Proposed Scheme in such a way as to reduce the effects of construction on communities and the environment as far as is reasonably practicable.
- 3.2. The CoCP is a part of the environmental and sustainability commitments that the Government will enter into through the hybrid Bill process.
- 3.3. These commitments are known as Environmental Minimum Requirements (EMRs) and consist of a suite of framework documents which will:
  - define the ways in which the nominated undertaker will engage with people affected by the Proposed Scheme; and
  - explain how measures designed to protect communities and the environment will be put in place alongside detailed design development and construction.
- 3.4. As part of the EMRs, the draft CoCP will evolve and is subject to refinement, amendment and expansion during the passage of the Bill through Parliament. The final version of the CoCP will be produced should the Bill achieve Royal Assent.
- 3.5. The CoCP sets out a series of measures and standards that the nominated undertaker and the contractors appointed to deliver the Proposed Scheme will be required to meet for the duration of the construction of the Proposed Scheme. It will also ensure that potential impacts on people and the natural environment are kept to a practicable minimum.
- 3.6. The CoCP builds on direct experience from HS2 Phase One, and other major infrastructure schemes such as HS1, Crossrail and the London 2012 Olympics, which all followed a similar approach.
- 3.7. The draft CoCP is included in Volume 5 of the Phase 2a Environmental Statement<sup>3</sup>. Interested parties were able to comment on the content of the working draft CoCP during the consultation on the working draft Environmental Impact Assessment report. These comments informed the development of the latest draft of the CoCP. Interested parties are able to comment on the content

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<sup>3</sup> This is available here: <https://www.gov.uk/government/collections/hs2-phase-2a-environmental-statement>

of the draft CoCP during the Environmental Statement consultation which follows introduction of the Bill and again during the petitioning period.

- 3.8. The CoCP will require the nominated undertaker and its contractors to comply with all the measures set out in it as well as all applicable environmental legislation prevailing at the time of construction. The nominated undertaker and contractors will also be required to comply with relevant local standards and conditions that may be agreed with local authorities.

## 4. What does the CoCP cover?

- 4.1. The CoCP addresses all environmental topics associated with the construction of the Proposed Scheme, namely:
- agriculture, forestry and soils - setting out measures to avoid impacts on soils, farms and farm-based businesses and forestry land;
  - air quality - setting out measures to manage dust, air pollution, odour and exhaust emissions;
  - cultural heritage - setting out measures to manage the impact of construction works on cultural heritage assets, including designated and non-designated assets;
  - ecology - setting out measures to protect flora and fauna affected by the construction of the Proposed Scheme, with special attention to areas of particular ecological value;
  - ground settlement - setting out measures to ensure that, as far as reasonably practicable, the effects of any settlement following excavation for the Proposed Scheme tunnels and any other below ground structures are controlled and limited;
  - land quality - ensuring that appropriate measures are adopted to protect geological resources, to mitigate the sterilisation or severance of mineral areas and to assess potentially contaminated land, as well as carrying out remediation where necessary;
  - landscape and visual - ensuring measures are in place to protect the visual amenity in rural and urban areas (including designated landscape areas, parks and open spaces and smaller green spaces in urban areas) from construction activities;
  - noise and vibration - setting out measures to ensure that 'Best Practicable Means' will be applied during construction works to minimise noise and vibration at neighbouring residential properties and other sensitive receptors (including local businesses and quiet areas designated by the local authority);
  - traffic and transport - setting out measures to ensure that any disruption caused by construction traffic is minimised by contractors and that public access is maintained where reasonably practicable. The impact of road-

based construction traffic will be reduced by identifying clear controls on vehicle types, hours of site operation and routes for large goods vehicles;

- waste and materials - setting out measures to ensure contractors use material resources more efficiently, reduce waste at source and reduce the quantity of waste that requires final disposal to landfill in accordance with the waste hierarchy. These are translated to the Proposed Scheme as: the application of designing-out waste principles to minimise construction waste; working towards a cut and fill balance in relation to excavation and tunnelling; and the segregation of construction and demolition materials on-site (or through the use of a suitable waste contractor) to maximise diversion from landfill via re-use, recycling and recovery; and
- water resources and flood risk - setting out measures to ensure that site activities and working methods are effectively managed. This will protect the quality of surface water and groundwater resources from other adverse effects, including significant changes to the hydrological regime, through controls to manage the rate and volume of runoff.

## 5. Community Relations

- 5.1. The CoCP and the Community Engagement Framework will play a key role in supporting community relations during the construction process. The Community Engagement Framework will detail how local people will be informed in advance of work taking place in their area, including, for example, providing details of any closures to roads or rights of way and details of the working hours applicable.
- 5.2. A community helpline staffed 24 hours, 7 days a week will be available during the construction period to handle enquiries from the public. There will also be a small claims procedure to ensure that local people are compensated quickly for any damage to their property caused by the nominated undertaker or its contractors.

## 6. Managing local impacts

- 6.1. Local Environmental Management Plans (LEMPs) will be developed for Local Authority areas along the line of route. The LEMPs will build on the requirements of the CoCP and set out how the project will adapt and deliver the required environmental and community protection measures within each relevant local authority area.
- 6.2. The LEMPs will describe the local implementation of the requirements on lighting, security and fencing, and the provision of temporary living accommodation for contractors. They will also set out what should happen to worksites after construction has been completed.
- 6.3. The nominated undertaker and/or its contractors will engage with the local communities in order to develop the LEMPs, once the detailed design and

construction planning is underway, and the Proposed Scheme is nearer the start of construction.

- 6.4. The CoCP will ensure a consistent approach to the management of construction activities across all the local authority boundaries.

## **7. How will the CoCP be enforced?**

- 7.1. CoCPs are a tried and tested tool for managing the impacts of major projects on the environment and local communities. Since their introduction for the Jubilee Line extension in the 1990s, CoCPs have been used successfully on a wide range of major infrastructure schemes.
- 7.2. The provisions of the CoCP will be written into all HS2 construction contracts. The nominated undertaker will put measures in place to monitor the effectiveness of the CoCP and establish a process for handling complaints, with an independent arbitration service provided by a Construction Commissioner. Further information can be found in Information Paper D4: Construction Commissioner.
- 7.3. To ensure compliance with the environmental mitigation set out in the CoCP, the nominated undertaker will develop an environmental management system (EMS) in accordance with BS EN ISO 14001, the International Standard for Environmental Management Systems, full details of which are available from the International Organization for Standardization.

## **8. Next steps**

- 8.1. The content of the draft CoCP will be updated during the Parliamentary process following consultation with interested parties and technical specialists.

## **9. More information**

- 9.1. More detail on the Bill and related documents can be found at: [www.gov.uk/HS2](http://www.gov.uk/HS2)
- 9.2. More details on the International Organisation for Standardisation can be found at: <http://www.iso.org/iso/home.htm>
- 9.3. The latest version of the Phase 2a Draft Code of Construction Practice can be found within the Volume 5 of the Phase 2a Environmental Statement at: <https://www.gov.uk/government/collections/hs2-phase-2a-environmental-statement>