



# HIGH SPEED TWO PHASE ONE INFORMATION PAPER

## D9: MAINTENANCE OF PUBLIC UTILITIES

This paper outlines what will be done to mitigate any risks of disruption to public utilities during construction of Phase One of HS2.

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 Bill for Phase One of the scheme which is now enacted. Although the contents were maintained and updated as considered appropriate during the passage of the Bill (including shortly prior to the enactment of the Bill in February 2017) the contents are now historic and are no longer maintained.

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.

**The Helpdesk can be reached at:**

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# D9: MAINTENANCE OF PUBLIC UTILITIES

## 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 two phases: Phase One will connect London with Birmingham and the West Midlands and Phase Two will extend the route to Manchester, Leeds and beyond.
- 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 November 2013, HS2 Ltd deposited a hybrid Bill<sup>1</sup> with Parliament to seek powers for the construction and operation of Phase One of HS2 (sometimes referred to as 'the Proposed Scheme'). The Bill is the culmination of nearly six years of work, including an Environmental Impact Assessment (EIA), the results of which were reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed Scheme.
- 1.4. The Bill is being promoted through Parliament by the Secretary of State for Transport (the 'Promoter'). The Secretary of State will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill.
- 1.5. This body is known as the 'nominated undertaker'. There may well be more than one nominated undertaker – for example, HS2 Ltd could become the nominated undertaker for the main railway works, while Network Rail could become the nominated undertaker for works to an existing station such as Euston. But whoever they are, all nominated undertakers will be bound by the obligations contained in the Bill and the policies established in the EMRs.
- 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 project have been reached.

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

## 2. Overview

- 2.1. This paper outlines what the nominated undertaker will do to mitigate any risks of disruption to public utilities during construction of Phase One of HS2.
- 2.2. The route intersects utility company networks throughout its length. There are exceeding 4,000 utility mains and services (water, sewerage, electricity, gas, telephone and other services) contained within the area affected by the Proposed Scheme.
- 2.3. HS2 Ltd has worked with utility owners and operators during the development of the project. It will seek to develop design and construction arrangements that will limit and avoid disruption to utility operators and their customers as far as reasonably practicable.

## 3. Assessment of impact on utilities

- 3.1. In developing the Proposed Scheme, HS2 Ltd has taken account of the extent of the utility equipment affected. HS2 Ltd has worked with utility companies since mid-2012 to assess the impact on their assets. It did so by:
  - developing an understanding of the infrastructure and services above and below ground in the area around the planned route;
  - overlaying the planned HS2 construction works to understand which utilities would be affected and the likely extent of the impact;
  - investigating whether, by changing the design or the construction methods of the railway, it would be likely to avoid the impact on the utilities; and
  - where impacts could not be reasonably avoided, developing designs, in partnership with the utility companies, to strengthen the affected utilities or divert them to an alternative route.
- 3.2. Within the area of the Proposed Scheme there are approximately 2,100 instances where no additional work is required to the existing utility infrastructure. Where work is required, approximately 700 utility mains and services can be protected or strengthened and approximately 1,100 are required to be diverted.

## 4. Planning and design

- 4.1. Work on utility apparatus within the street will be carried out under the New Roads and Street Works Act 1991, which establishes a nation-wide regime governing street works and providing protection for the maintenance of utilities apparatus.
- 4.2. In addition to this, in line with similar schemes, the Bill makes specific provision for maintenance and protection of public utilities in private land (Schedule 33 Part 2). The general principle is set out (at paragraph 19) that apparatus is not to

be moved under the powers of the Bill until replacement apparatus has been provided and is in operation. Similar protection is included for electronic communications code operators in Part 3 of Schedule 33 which applies the code in Schedule 2 to the Telecommunications Act 1984.

- 4.3. Where diversion of existing utility infrastructure is planned, the nominated undertaker is required to agree its plans with the utility statutory undertaker. Where the apparatus will remain in place then the nominated undertaker is required to incorporate the reasonable requirements of the statutory undertaker for the alteration or protection of its apparatus. In some instances, the existing apparatus may become surplus to requirements, and can be decommissioned and either made safe or removed.
- 4.4. Working with the utility companies, the nominated undertaker will undertake further work to identify and protect all utility plant and equipment affected by the project. On a site-specific basis, this work will also include preliminary site investigations: these will confirm the accuracy of existing records in identifying where the underground infrastructure is. Even with these precautions, there remains a risk that unrecorded infrastructure may be encountered unexpectedly, especially in locations of old apparatus or in densely developed urban locations. In advance of commencing any construction work, specific contingency plans will be prepared to manage this risk.

## 5. Implementation

- 5.1. The works to strengthen or divert the utility infrastructure will be undertaken by contractors working for the utility companies or for the nominated undertaker. Where the works are carried out for the nominated undertaker, the utility company may watch and inspect the works.
- 5.2. Whoever carries them out, HS2 works on utility infrastructure will be subject to the relevant controls in the EMRs - for example, the Code of Construction Practice.
- 5.3. Wherever possible, when the work is carried out, the new equipment will be installed and commissioned before the existing infrastructure is disconnected. However, in some circumstances a period of disconnection may be essential to allow safe completion of the work. Where this is the case, the nominated undertaker will agree appropriate arrangements (such as planned night-time or weekend closures) with the relevant utility operator. Significant planned service outages or road closures will be notified to residents in advance.
- 5.4. Before starting construction, the nominated undertaker will establish procedures with the utility operators for the management and mitigation of unforeseen events.

## 6. Community liaison

- 6.1. The nominated undertaker will have a detailed plan for managing community relations before and during construction. The plan will include the Local Environmental Management Plan (LEMP) and locally agreed community liaison plan. The LEMP sits underneath the Code of Construction Practice (CoCP) and will build on the general environmental requirements within the CoCP. It will set out how the project will adapt and deliver the required environmental and community protection measures within each relevant local authority area.
- 6.2. Contractors that undertake utility diversions for the nominated undertaker will be required to establish and maintain community liaison arrangements with the owners and occupiers of property affected by their work. The contractors will be required to produce advance information sheets that will be circulated at least two weeks before the construction works are due to start, where it is reasonably possible to do so.
- 6.3. Further details can be obtained from Information Paper G2:Community Relations

## 7. More information

- 7.1. More detail on the Bill and related documents can be found at: [www.gov.uk/HS2](http://www.gov.uk/HS2)