

Phase 1 Planning Forum - Sub Group; Environmental Health (North and South)

Meeting 2 (final)

Wednesday 3rd September 2014 10:30am-4.00pm

Location:

Arup

Zunz Room, 13 Fitzroy Street, London

List of Participants:

Name	Authority	Email
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Apologies:

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Joy White	Oxfordshire County Council	joy.white@oxfordshire.gov.uk

Agenda:

ID	Item	Led by	
1.	Welcome and introductions	HS2	10.30
2.	2.1 Record of meeting #1 2.2 Feedback from EHP pre-meeting	All EHPs	10.30 – 11.00
3.	Updates on 3.1 Independent Chairperson appointment 3.2 LEMP development 3.3 Noise insulation and heritage buildings	HS2	11.00 - 11:30
4.	Phase One Ground Investigations and CPA Section 61 draft templates discussion	HS2	11:30 – 13:00
	Lunch		13:00 - 13:30
5.	Draft CoCP – Feedback on Section 13, including discussion on Noise Insulation and Temporary Rehousing Policy (ref Information Paper 23, Appendix B)	HS2	13:30- 15:45
6.	AoB	All	15:45 – 16:00

Final Record of Meeting #2 PFSG-Environmental Health: 05/09/14

ID	What	Action
1.	Welcome and introductions	
1.1	HS2 Ltd introduced the meeting and introductions made.	
2.	Record of Previous Meetings	
2.1	<p>The following amendments to draft meeting record #1 were agreed:</p> <ul style="list-style-type: none"> Under list of participants, Richard Greer's representation changed to HS2 Under section 2.1, action assigned to EOC changed to HS2 Ltd. Under section 3, amend text in the final paragraph to reflect that the issue concerned consultation and engagement, rather than agreement. Under section 5, add text to include query about the status of the Information Papers and the action to clarify this assigned to HS2 Ltd. [Post meeting note – this action is complete as a result of discussions recorded under item 6.1 of these minutes] <p>All actions identified in meeting record #1 were confirmed as being complete, with the additional comments on the following actions:</p> <ul style="list-style-type: none"> Under section 3, action incorrectly associated with CEMP to be removed. Under section 4.1, HS2 Ltd noted that a Conditions Manual was now not necessary, due to all relevant information being contained in the model consents drafted by HS2 Ltd and distributed to EHPs prior to the meeting. Under section 4.1, HS2 Ltd confirmed that comments on the LEMPs had been received from LB Camden. 	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
2.2	<p>Feedback from EHP pre-meeting</p> <p>EHPs confirmed that they would raise issues discussed at their pre-meeting under the appropriate agenda item.</p>	
3.	Updates	
3.1	<p>Independent Chairperson</p> <ul style="list-style-type: none"> HS2 Ltd confirmed that the appointment of the sub-group chairperson has encountered further problems over the summer period. EHPs suggested appointing an existing chairperson from the PF or other subgroups in the interim until a permanent chairperson can be appointed. In light of the issues discussed, HS2 Ltd to consider reviewing the job specification should the post is re-advertised. EHPs suggested that the interview panel should include a representative from the sub-group. <p>Actions from the discussion on the independent chair:</p>	

	<ul style="list-style-type: none"> • HS2 Ltd to consider the option of appointing an interim chairperson. • HS2 Ltd to consider reviewing the job specification for the independent chairperson should the role be re-advertised 	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
3.2	<p>Local Environmental Management Plans</p> <ul style="list-style-type: none"> • HS2 Ltd confirmed development of LEMPs for individual local authorities was continuing. • Lichfield EHP confirmed that their authority's petition was scheduled to be heard by Select Committee on 14th October. However, EHP had yet to see a copy of the LEMP for Lichfield. • Discussion focussed on issue of community engagement and the production of the LEMPs, as CoCP notes that HS2 will include communities in the development of LEMPs – Para 4.2.2. HS2 Ltd confirmed that LEMPs have not yet been circulated to Community Forums, but the intention is that they will be engaged in the process before local authority is heard by Select Committee. HS2 Ltd to confirm if local authorities can circulate the draft LEMPs to local communities earlier. • HS2 Ltd confirmed that it has not yet started liaising with communities on the LEMPs but will be engaging with communities on these before LA is heard at Select Committee. <p>Actions from discussion on LEMPs:</p> <ul style="list-style-type: none"> • EHPs invited to comment on the Euston and Warwick exemplars previously distributed to the group • HS2 Ltd to confirm if Lichfield LEMP has been shared with the District Council [Post meeting note – Draft Lichfield LEMP has been issued and discussed with Lichfield District Council at their office on 26 September 2014]. • HS2 Ltd to confirm if local authorities can circulate draft LEMPs to local communities in advance of HS2 Ltd sharing them with Community Forums 	<p>EHPs</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
3.3	<p>Noise Insulation and Heritage Buildings</p> <ul style="list-style-type: none"> • HS2 Ltd attended the Heritage Subgroup meeting on 24th June and provided an overview of HS2 Ltd's noise insulation policy and its application to heritage buildings. This included setting out the need to apply to local authorities for Listed Building consent and agreeing noise insulation schemes with local conservation officers. • The presentation identified the likely numbers of heritage buildings which may qualify for such measures. Based on ES predictions, the number of heritage buildings currently predicted to qualify for 	

	<p>noise insulation due to construction noise is approximately 30, with most in CFAs 1-3. The number of heritage buildings which are predicted to qualify for noise insulation due to operational noise along the Phase One route is in single figures [Post meeting note – approximately 8 properties].</p> <p>No actions from discussions on Noise Insulation and Heritage Buildings</p>	
4.	Phase One Ground Investigations - CoPA Section 61 discussion	
4.1	<ul style="list-style-type: none"> • Draft exemplars for submissions and consents were distributed to group after previous meeting and feedback invited from EHPs. • General consensus of EHPs was that the current exemplars needed improvement, particularly in relation to liaison with the public and dealing with complaints. HS2 Ltd confirmed that issues such as dealing with complaints would be a contractual requirement (as these are covered in draft CoCP). However, HS2 agreed to make appropriate revisions to the exemplars to address EHPs concerns. • Richard Greer offered to introduce sub-group EHPs to local authority EHPs with experience of how the Section 61 process applied to other projects. • EHPs questioned whether appeals relating to the consents would be progressed through the Secretaries of State as per the main works. HS2 Ltd confirmed that any appeals relating to GI consents would be progressed through the magistrates' courts. • Solihull EHP noted that the handling of cross-boundary issues still needed addressing, particularly in those locations where a neighbouring authority is unlikely to respond to Section 61 consent applications. • EHPs noted that it would be helpful for them to receive draft Section 61 consent applications prior to the formal ones being submitted. <p>Actions from the discussion on GI Section 61 consents:</p> <ul style="list-style-type: none"> • HS2 Ltd to revise text relating to liaising with the public and handling of complaints and distribute revised versions prior to the next sub-group meeting. • HS2 Ltd to introduce sub-group EHPs to other EHPs with Section 61 experience on similar projects • Lichfield EHP to send Network Rail Section 61 example to HS2 Ltd • Westminster EHP to send Crossrail Section 61 example to HS2 Ltd • HS2 Ltd to consider feasibility of producing draft Section 61 submissions for the GI works 	<p>HS2 Ltd</p> <p>HS2 Ltd Lichfield Westminster</p> <p>HS2 Ltd</p>

5.	Draft CoCP and Noise Insulation and Temporary Re-housing policy	
5.1	<p data-bbox="220 237 783 282">Noise Insulation and Temporary Rehousing</p> <ul data-bbox="268 315 1209 1603" style="list-style-type: none"> • The discussion focussed on the following issues submitted by Camden prior to the meeting. • Identifying special cases – HS2 Ltd confirmed that special cases are likely to be identified during the petition process. Special cases are invariably those which are unforeseen and therefore are difficult to capture in a single definition. HS2 Ltd also confirmed that the intent of the policy is not to exclude properties from being eligible. EHPs were invited to submit to HS2 Ltd any specific criterion they use or are aware of which relate to special cases. • Application of policy to social housing – HS2 Ltd confirmed that the policy should apply to social housing and will seek to clarify this within the policy. • Definition of eligible rooms – HS2 Ltd confirmed that eligibility will reflect a room's use. • Further detail requested regarding the application of policy to heritage buildings and how cases where temporary re-housing may not be appropriate will be dealt with. • Need to consider cases where full payment of grant could be made in advance rather than staged payments. • Further information required on how future development areas will be considered in assessments undertaken to identify eligibility for insulation • Clarification required on whether new owners will be offered insulation if previous owners rejected offer – HS2 Ltd confirmed that new occupiers of properties would have knowledge of the works and thus taken this into account when deciding to move into the property. Therefore, the policy would not require the Nominated Undertaker to offer noise insulation to new residents. • Need for policy to clarify roles and responsibilities, such as the control of the policy and its management • Request for process to be developed which will allow noise insulation applications and installation to be streamlined for multiple properties. <p data-bbox="220 1648 651 1682">Actions from discussion on NITR:</p> <ul data-bbox="268 1727 1209 1917" style="list-style-type: none"> • HS2 Ltd to send a full response to Camden's issues by email. • HS2 Ltd will seek to clarify within the NITR policy that it also applies to social housing • EHPs to submit further comments on the policy to HS2 Ltd and provide sample criteria for identifying/assessing special cases. 	<p data-bbox="1217 1749 1329 1816">HS2 Ltd HS2 Ltd</p> <p data-bbox="1217 1861 1294 1895">EHPs</p>

5.2	<p>Draft Code of Construction Practice</p> <ul style="list-style-type: none"> • In response to request from HS2 TD Town Planning, the subgroup was invited to submit comments on sections 5.2.8, 5.4, 5.12 and Section 13. • Section 5.2.8 – EHPs requested this section should require the contractor to make a special case for carrying out activities outside of core hours which are not part of the core works. HS2 Ltd noted that the control of such activities would be through the Section 61 process, in which the contractor will be required to demonstrate the application of BPM. • Section 5.4 and 5.12 – no specific comments raised during the meeting • Section 13.1.1 – Chiltern EHP made a request for tranquil areas to be included. HS2 Ltd referred EHP to Quiet Areas legislation. • Section 13.2.1 – Chiltern noted that BPM is not defined in CoPA Section 72 as suggested by the CoCP. HS2 Ltd noted that the CoCP's requirement for the contractor to consider BPM is a strong commitment. • Section 13.2.4 – HS2 Ltd confirmed that CEMPs and Noise and Vibration Management Plans (NVMPs) are to be agreed between the Nominated Undertaker and the Contractor and are not subject to review by the local authority. EHPs also raised concerns about the control of multiple contractors and requested further details on how multiple contractors and their impacts will be managed. • Section 13.2.8 – EHPs requested for draft submissions of Section 61 consents to be required from contractors before formal submissions made. • Section 13.10-15 – EHPs asked if vibration would be included in the Noise Insulation and Temporary Rehousing policy. HS2 Ltd confirmed that vibration impacts would be covered in Section 61 consents but that it did not expect significant vibration effects to occur at residential properties during construction. • Table 1 – HS2 Ltd confirmed that the levels in this table are consistent with those both used by Crossrail and cited in BS 5228 Part 1, except those for Sunday which reflect what was applied in the Phase One EIA. • Section 13.2.19 – HS2 Ltd confirmed that the vibration trigger levels in Table 2 apply to different types of property, and not just residential. • Section 13.2.23– EHPs requested further clarity on the required qualifications/competencies of those who will be undertaking scoping vibration assessments. EHPs also requested clarification on the timing of such an assessment. HS2 Ltd confirmed that this assessment is likely to take place once a risk assessment of the Noise and Vibration Management Plan had been undertaken. • Section 13.2.26 – EHPs sought clarification on whether or not those carrying out surveys would be independent. • Section 13.3 – EHPs requested clarification on the required 	
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	<p>qualifications/competencies or those who will be undertaking monitoring. HS2 Ltd confirmed that the issue of competency is covered in the CoCP.</p> <ul style="list-style-type: none"> Sections 13.3.3-4 – EHPs requested further clarification on how the LEMP and Section 61 process for identifying monitoring locations described in these paragraphs would work in practice. HS2 Ltd confirmed that the proposals for monitoring locations put forward by the contractor are likely to be informed by the ES and 13.3.4 allows for adjustment to these locations where detailed discussions with local authorities identify additional/alternative monitoring locations. Section 13.3.5 – EHPs requested further clarification on how exceedances identified by monitoring data will be dealt with. <p>Actions from discussion of draft CoCP:</p> <ul style="list-style-type: none"> HS2 Ltd to confirm where control of multiple contractors is covered in the draft CoCP EHPs requested further clarification on how exceedances identified by monitoring data will be dealt with. HS2 Ltd to confirm that National Grid will be contractually committed to comply with the CoCP requirements HS2 Ltd to clarify if vibration surveys referenced under 13.2.6 will be carried out by independent surveyors HS2 Ltd to consider including wording in 13.2.23 to clarify that the levels of vibration which would cause damage to buildings are magnitudes greater than those levels which affect people and therefore building damage will be quite unusual compared to effects on people. HS2 Ltd to consider including wording in 13.3.5 which cross-references other sections of the CoCP (particularly references to the NVMP) to clarify the purpose of monitoring and how data will be used. EHPs to submit comments to HS2 Ltd on section 4 and 7 (air quality and land quality) of the draft CoCP for discussion at next sub-group meeting. 	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>EHPs</p>
6.	AOB	
6.1	<p>Class approval documents</p> <ul style="list-style-type: none"> Chiltern raised an issue concerning the Class Approval for Contaminated Land and Sustainable Placement currently being considered by the Planning Forum. HS2 Ltd confirmed that these issues were not included within the scope of the Class Approval (which is defined in Schedule 16, Part 1, Paragraph 5 of the HS2 Bill) but that it would be willing for this document to be shared with EHPs for information or for discussion at future meetings if that was the request of the sub-group. 	

	<p>Relationship between Information Papers and Undertakings and Assurances</p> <ul style="list-style-type: none"> • HS2 Ltd clarified that any statement in Information Papers which is preceded by 'The Nominated Undertaker will' will be included in the register of Undertakings and Assurances. The Nominated Undertaker will be bound to the Undertakings and Assurances, as the Secretary of State for Transport will be making this commitment to Parliament. • HS2 Ltd confirmed that Information Papers are evolving and are subject to change, such as where errors have been identified. <p>No actions resulted from the AOB items.</p>	
6.2	<p>Date of next meeting</p> <p>Date confirmed as Wednesday 5th November in London – venue to be confirmed by HS2 Ltd in due course.</p> <p>EHPs thanked the hosts for providing the meeting facilities.</p>	HS2 Ltd