

HS2 Colne Valley Regional Park Panel –Terms of Reference

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Introduction

This document sets out the terms of reference for the HS2 Colne Valley Regional Park Panel following assurances by the Promoter to South Bucks District Council (and other parties) dated 8th June 2015 and the House of Commons Select Committee in June 2015. The terms of reference also build on the statement dated the 15 July 2015 from the House of Commons Select Committee responding to the request for a tunnel for the Colne Valley.

The Terms of Reference have been developed and agreed in a collaborative way with all members of the Panel and now take precedent over the assurances offered on the 8th June 2015 by the Promoter of HS2.

Membership

Membership of the Colne Valley Regional Park Panel (the Panel) will, with attendance as appropriate, consist of representatives of the following organisations:

- a) High Speed Two (HS2) Limited;
- b) Department for Transport;
- c) London Borough of Hillingdon;
- d) South Bucks District Council;
- e) Chiltern District Council
- f) Three Rivers District Council;
- g) Hertfordshire County Council;
- h) Buckinghamshire County Council;
- i) Natural England;
- j) Environment Agency (with knowledge of the local area);
- k) The Herts and Middlesex Wildlife Trust,
- l) The Bucks, Berks and Oxfordshire Wildlife Trust;
- m) The London Wildlife Trust and
- n) The Colne Valley Regional Park Community Interest Company.

An independent chair will be appointed for the Panel. Panel members will be involved in the appointment of this person.

Each member will submit a named individual to act as their 'lead' representative. A substitute for each member will also be named, to deputise if/when required, but all participants should aim to achieve continuity in the work of the Panel as far as practically possible.

During the lifetime of the Panel, additional members may be recruited/co-opted for their expert or unique insight, at the discretion of the Panel Chair for attendance at specific meetings. This may include members from the HS2 Design Panel, who will independently be considering the design proposals for the Colne Valley Viaduct and associated infrastructure

Function

Through collaboration and in a non-statutory role (and recognising that some members have a separate statutory role), the Panel will work in partnership to seek to harness local knowledge and pro-actively input into the design development of new landscape and ecological mitigation and enhancement, land use development and HS2 structures, (including the proposed Colne Valley viaduct), brought forward as part of HS2's Proposed Scheme in the Colne Valley Regional Park. This collaboration will be in recognition of the wider objectives of the Colne Valley Regional Park (listed in Annex A) and the requirements for HS2 stipulated by the HS2 Bill and its supporting documentation.

To complement this, the Panel will develop an 'HS2 Additional Mitigation Plan for the Colne Valley', which will identify additional landscape and ecological mitigation and enhancements within the Colne Valley Regional Park (geographic boundary as defined in Annex B to these terms of reference). These enhancements will be in furtherance and beyond the mitigation proposed within the HS2 Proposed Scheme. This may encompass proposals both within and outside the present HS2 Bill limits (in the case of the latter separate planning approvals and delivery mechanisms may be required).

In all it does the Panel will consider how best to respond to the social, economic and ecological aspects of the locality in addition to environment matters to achieve a more distinctive and sensitive outcome within the Colne Valley Regional Park.

The Panel will work collaboratively and in a timely way to consider the following:

1. Develop and co-ordinate recommendations to the relevant local planning authorities regarding HS2 Ltd's proposed landscape design within the Colne Valley Regional Park.
2. Develop and co-ordinate recommendations to HS2 Ltd for appropriate "Additional Mitigation Measures" for both the construction period and subsequent operation of the railway, subject to the accepted limitation that proposals 'do not unreasonably impact on the timely, economic and safe delivery and operation of the railway'.
3. Review proposals put forward by HS2 Ltd and other bodies, including the Colne Valley viaduct design, and co-ordinate recommendations across its members to the relevant local planning authorities.
4. To proactively input to and review design principles, policies and guidance produced by or on behalf of HS2 Ltd for the Colne Valley Regional Park.

To be effective the Panel will be kept informed as and when appropriate about other relevant HS2 fora and decision-making processes, including the HS2 Design Panel, the Ecology Technical Group, Growth Taskforce, LA Planning Forum, etc.

In assurances already given to some of the local authorities, the Secretary of State has confirmed that he will require the nominated undertaker to have regard to the comments made by the Panel as far as is reasonably practicable, and so far as it does not impact the timely economic and safe delivery and operation of the railway, and is relevant to the grounds on which the relevant planning authority would be entitled to refuse approval under Schedule 16 to the Bill.

Outputs

Over time the outputs of the Panel will change. Any such change will be subject to the agreement of its members.

The Panel will agree a 'Forward Plan' to outline the scope its work over a period of time. Starting at the end of 2015, it will continue throughout 2016 and into the detailed design phase post-Royal Assent. This Forward Plan will incorporate HS2 Ltd's latest construction programme for the area.

The Panel will be responsible for defining the scope and producing the 'HS2 Additional Mitigation Plan for the Colne Valley Regional Park' (or similarly titled document). This will include the development of additional landscape, ecological/bio-diversity, land-use and design proposals in areas of the Colne Valley Regional Park that are affected by HS2 Ltd (including the production of site design briefs for defined areas). The Panel will work collaboratively to identify how these proposals will be delivered and identify the necessary approvals that would need to be sought to facilitate this delivery.

The Panel will produce a communication strategy which will define how it will communicate its outputs to local communities and the frequency of these communications.

Management of information and input from members

HS2 Ltd will endeavour to make available all relevant project survey and technical information pertaining to the Colne Valley Regional Park area, where this would support the function and outputs of the Panel.

Any information provided to the Panel should be provided by the nominated undertaker in a timely manner to allow its members to have sufficient time to consider it in advance of meeting.

In the event that all members do not reach consensus on any particular matter then this will be appropriately minuted.

Comments/feedback received and given by DfT/HS2 Ltd will also be minuted.

It is recognised that the Panel members will have their own decision making constraints and processes that have to be followed in accordance with their organisation's procedures. Nevertheless, each member should take reasonable steps to ensure any formal views are provided in a timely manner that does not adversely affect the delivery programme, and represent the settled views of the organisation they represent.

Decisions

The Panel Chair will aim to reach a consensus amongst members and will provide recommendations to HS2 Ltd/the nominated undertaker as well as to the relevant local planning authorities.

HS2 Ltd/the nominated undertaker will have due regard as far as is reasonably practical to the outputs of the Panel, and so far as it does not impact the timely economic and safe delivery and operation of the railway, and is relevant to the grounds on which the relevant planning authority would be entitled to refuse approval under Schedule 16 to the Bill.

Chair

The position of the Independent Chair Person will be advertised and appointed by HS2 Ltd as soon as reasonably practicable, through a transparent recruitment process. He/she will need to have credibility amongst the Panel membership in relation to its terms of reference, including relevant local knowledge.

The Chair Person will be responsible for facilitating discussions and working with the members to help them reach consensus. The Chair shall be appointed for the duration of the Panel, unless otherwise agreed by the Panel members.

Meetings

The expectation is that the Panel will meet as appropriate to support its function and outputs, although this will usually be every 6 to 8 weeks. A standard meeting will be no longer than 2 hours duration.

Any Task and Finish Groups convened to drive forward specific proposals or pieces of work will need to meet as required to deliver outputs relating to the overall work programme.

The intention will be to hold all meetings within the Colne Valley area, either at the Denham Country Park Visitor Centre or other venues nearby.

Record keeping

HS2 Ltd will at its own cost provide secretariat for the Panel. In this capacity, HS2 Ltd will endeavour to:

- Circulate draft meeting minutes and any material discussed (including presentation slides and agreed changes to the forward agenda) at the previous meeting within two weeks of the date of the meeting;
- Circulate the draft agenda for the upcoming meetings two weeks prior to meeting for consideration by members of the Panel;
- Circulate the final agenda and any, non-sensitive materials one week prior to the Panel meeting;
- Ensure circulation to the agreed points of contact for each of the organisations invited to attend the Panel, and;
- Publish unless otherwise agreed by the Panel the final agreed minutes of meetings on HS2 Ltd's website and keep organisations, who have so requested, kept updated on matters considered by the Panel (please see Confidentiality section below).

Reimbursement of Costs

In accordance with the letter from Michael Hurn dated 16 December 2015 HS2 Ltd / the nominated undertaker will fund the production of the HS2 Additional Mitigation Plan for the Colne Valley Regional Park and related site specific design briefs (subject to the costs being reasonable and having been agreed by HS2 Ltd in advance). This will include local input into the landscape, land-use and design proposals for individual areas.

Reasonable administrative costs of the Panel including the direct actual expenses incurred by its members will be met by HS2 Ltd.

Any reimbursement of costs to members of the Panel will be administered by a separate agreement/memorandum of understanding with HS2 Ltd. Whilst these agreements will be subject to their own discussions, the level of re-imburement will be limited to the actual costs incurred by that member, so far as those costs are reasonable, appropriate and are required to support the function and outputs of the Panel.

By way of managing the costs incurred, member organisations should seek to limit the number of attendees that attend the Panel to that which is necessary and appropriate. In most part it is anticipated that no more than two staff members per organisation would need to attend meetings.

Confidentiality

Meetings of the Panel are intended to be open and transparent. However, in some instances, to ensure that certain discussions can take place in a timely way and recognising the sensitive nature of some HS2 proposals it may be necessary to discuss and share information that is confidential in nature. In the event that this situation arises, HS2 Ltd will firstly confirm that the intention is to discuss confidential matters. Confidential information will only be discussed and shared with members of the Panel that have entered into a separate confidentiality agreement with HS2 Ltd.

Annex A

Objectives for the Colne Valley Regional Park:

1. **To maintain and enhance the landscape**, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity
2. **To safeguard the countryside** of the Park from inappropriate development. Where permissible it will encourage the highest possible standards of design.
3. **To conserve and enhance biodiversity** within the Park through the protection and management of its species, habitats and geological features.
4. **To provide opportunities for countryside recreation** and ensure that facilities are accessible to all.
5. **To achieve a vibrant and sustainable rural economy**, including farming and forestry, underpinning the value of the countryside.
6. **To encourage community participation** including volunteering and environmental education. To promote the health and social wellbeing benefits that access to high quality green space brings.

Annex B

