

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

Meeting 1 (final)

Thursday 12th June 2014 10:30am-4.00pm

Location:

Arup

Rice Room, 8 Fitzroy Street, London

List of Participants:

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Apologies:

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Agenda:

ID	Item	Led by	
1.	Welcome and introductions	HS2 Ltd	10.30
2.	2.1 Record of meeting #19 2.2 Feedback from EHP pre-meeting	All EHPs	10.30 – 11.00
3.	Draft Local Environmental Management Plans	HS2 Ltd	11.00 - 12:00
4.	Phase One Ground Investigations and CPA Section 61 discussion	HS2 Ltd	12:00 – 13:00
	Lunch		13:00 - 13:30
4.	Phase One Ground Investigations and CPA Section 61 discussion (continued)	HS2 Ltd	13:30- 14:30
5.	Discussion of published Information Papers	HS2 Ltd	14:30 - 15:45
6.	AoB	All	15.45 - 16:00

Final Record of Meeting #1 PFSG-Environmental Health: 14/06/14

ID	What	Action
1.	Update and introductions	
1.1	HS2 Ltd introduced the meeting and introductions made.	
2.	Record of Previous Meetings	
2.1	<p>The following amendments were made to draft meeting record #19:</p> <p>Under 2.1, text to be amended to highlight that local authorities will have the power to approve proposed noise mitigation measures. The Planning Memorandum, currently in draft, provides the commitment that the nominated undertaker will engage in pre-submission discussions with planning authorities, whenever reasonably practicable.</p> <p>Under 2.1 (3.1 (ii)(b)), text to be amended to reflect that the issue discussed was in relation to evening hours.</p> <p>Under 3.1 (ii)(t), HS2 Ltd confirmed that to ensure the appointment complies with procurement rules the independent chairperson will be an HS2 employee, the same as the Planning Forum chair. It was expected that the post will be filled before the next EHP subgroup meeting in September. HS2 Ltd to consider advertising the post on external websites, e.g. CIEH, as well as its own.</p> <p>Under 3.2, EOC confirmed that the judgement dates back to 2001/02. HS2 Ltd to provide a link to the judgement.</p> <p>Minutes agreed as final, subject to above amendments being made.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
2.2	<p>Feedback from EHP pre-meeting</p> <p>The draft revised Terms of References were distributed to EHPs in the preceding week for comment. EHPs requested that the list of representatives should be extended to EHP's consultants. HS2 Ltd noted that where local authorities have retained consultants used to carry out environmental health services on behalf of the council, there is no need to identify them separately. Any deviation from this would require HS2 Ltd approval before payment is authorised.</p>	HS2 Ltd
3.	Draft Local Environmental Management Plans	
3.1	<p>HS2 Ltd updated the sub-group on the development of LEMPs to date. It was confirmed that exemplars had been discussed with a number of local authorities. HS2 Ltd intends to discuss LEMPs with the remaining local authorities before their Select Committee hearings. The development of LEMPs will be in association with local authorities and therefore engagement between HS2 Ltd and local authorities is important to ensure that the LEMPs include the necessary local detail.</p> <p>Current drafts of LEMPs only include details available from the ES and</p>	

	<p>current surveys and are therefore subject to change as more local detail becomes available.</p> <p>LEMPs will not be 'live' documents but will be finalised by HS2 Ltd and sent to the supply chain as part of the tender package. It was noted that the LEMP is the local implementation of the CoCP requirements.</p> <p>It was acknowledged that the LEMP will not be able to cover all eventualities; however, controls will be in place to cover unforeseen issues e.g. isolated/repeated overruns.</p> <p>EHPs expressed concern that if the HS2 programme slipped they would come under pressure to agree Section 61 consents at short notice. HS2 Ltd confirmed that the current programme includes float. HS2 Ltd also noted that local authorities' powers in relation to the consenting process would not be dis-applied in the Bill when enacted.</p> <p>Some EHPs also expressed concern about not being consulted on the contractors' Contractor Environmental Management Plans (CEMPs), which will include details such as how local sites are set out. HS2 Ltd confirmed that there are no current plans to consult with local authorities on contractors' CEMPs. Contractors will be required to include an outline CEMP in their tender return. Once contracts are in place, the contractor will be required to submit a detailed CEMP to the Nominated Undertaker for approval.</p>	HS2 Ltd
4.	Phase One Ground Investigations and CPA Section 61 discussion	
4.1	<p>HS2 Ltd presented an overview of the Ground Investigation work, why it is required, the procurement approach, timescale and methods which will be employed. [Post meeting note: Presentation and overview document to be sent out with draft minutes of meeting]</p> <p>HS2 Ltd confirmed that works are expected mostly in core hours, but it will be necessary in some circumstances to work outside of core hours e.g. where road/rail possessions are required. GI contractors would be bound by contract conditions which require them to implementing control measures.</p> <p>Views on whether section 61 consents for GI activities varied, but the general consensus across EHPs was that a generic section 61 consent form should be developed and applied to all GI packages. A number of specific issues were identified by EHPs which need further consideration by HS2 Ltd. Such issues included a communication strategy with local residents and boundary issues (e.g. where a GI works package crosses local authority boundaries). HS2 Ltd will develop sample consent conditions and distribute to EHPs for comment, with the aim of agreeing in principle in advance of the GI works.</p>	HS2 Ltd

	<p>HS2 Ltd to consider producing a 'Conditions Manual' to assist EHPs in their assessment of the individual consents. HS2 Ltd confirmed that they will review the consent applications prepared by the GI contractors before they are submitted to EHPs.</p> <p>HS2 Ltd to advise the Planning Forum on the Environmental Health Sub Group's preferred method for dealing with Section 61 consents for GI works. Subject to any comments from the Planning Forum, sub-group TOR may be revised to confirm EHPs status as the approval authority for Section 61 consents.</p> <p>HS2 Ltd to confirm what rules will be applied when contaminated land is found during GI works and report back to the sub-group.</p> <p>HS2 Ltd to confirm the rules governing the disclosure of survey results to landowners.</p> <p>HS2 Ltd to confirm the screening levels intends to use for classifying contaminated land and the implications of these. Also to consider as an issue to discuss further at a future sub-group meeting.</p> <p>HS2 Ltd invited EHPs to submit any comments they have on the draft LEMPs to them for consideration (comments to be sent to Pam Lowery for collation).</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>EHPs</p>
5.	Information Papers discussion	
5.1	<p>HS2 Ltd explained that the Information Papers have been produced to provide readers with concise description of the Project's position on key topics and issues related to HS2. In most part they summarise the position already stated in other documentation such as the ES and CoCP. They may however include new details about policy on certain issues including new commitments, which ultimately will be included on the register of Undertakings and Assurances. HS2 Ltd to clarify the status of the Information Papers.</p> <p>HS2 Ltd confirmed that the test for 'reasonable' is a legal test and that all undertakings and assurances will be committed to by parliament.</p> <p>If it is clear from a petition that the petitioner(s) was not aware of the IPs, reference to the relevant IPs will be made clear in petition response prior to the petition being heard by Select Committee.</p> <p>HS2 Ltd confirmed that the acoustics IPs only refer to current standards. It is intended that these IPs are updated when new standards are published and/or current standards updated.</p> <p>HS2 Ltd also confirmed that any local/specific issues not covered by the IPs would be dealt with through the petition management process.</p>	<p>HS2 Ltd</p>

	<p>However, the sub-group recognised that there was a need to clarify whether route-wide issues are to be dealt with in this forum and how. HS2 Ltd noted that the decision making route on all issues was through the petition negotiation/management route and not the sub-group. However, EHPs were invited to submit their route-wide issues/questions to HS2 Ltd , who would share the responses with EHPs once the latter were cleared by the petition team.</p> <p>HS2 Ltd to consider including noise insulation as a topic for discussion on a future sub-group agenda, and which other related topics (e.g. property, equalities) need to be represented in this particular discussion.</p>	<p>EHPs</p> <p>HS2 Ltd</p>
6.	AOB	
6.1	<p>Following a discussion on the numbering of meetings as a result of the revised Terms of Reference, all attendees agreed to that the numbering should restart, with this meeting being Meeting #1 of the Environmental Health Sub-group. HS2 Ltd to send an email to Camden EHPs, requesting for the issues raised in their recent emails to HS2 Ltd to be narrowed down.</p> <p>HS2 Ltd to consider holding the sub-group meeting every 2 months. This would be considered alongside a plan for future meeting agendas.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
6.2	<p>Date of next meeting</p> <p>Date to be confirmed in due course.[Post meeting note – Date of meeting now confirmed as 3rd September to be held in Martin meeting room, Arup, 15 Fitzroy Street, London]</p>	<p>HS2 Ltd</p>