

HS2 Heritage Sub-Group

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10th September 2013

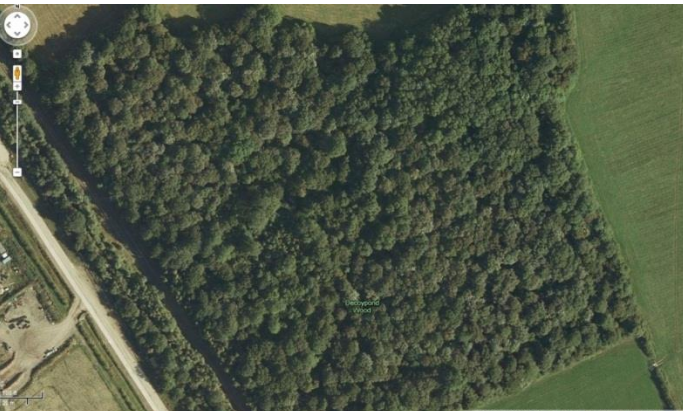


Agenda

- Introduction
- Phase 1 update
- Hybrid bill overview
- HS2 planning regime and EMRs
- Draft heritage memorandum
 - Discussion
- Summary of key points
- Next steps and actions
- AOB

Phase 1 update

- Finalising the environmental statement
- Preparing bill documents & schedules
- Preparing the EMRs
- Community Forums; September
- Re-consultation on Land and property compensation; soon to be announced



Hybrid Bill Overview



Public Bills

- Change the law as it applies to everyone
- Generally introduced by Government and debated in Parliament
- Individuals can make representations to MPs but have no right to be heard

Private Bills

- Promoted by organisations to give themselves powers beyond or in conflict with the law
- Affects only certain individuals
- Individuals affected have the right to petition and be heard

Typical powers in a hybrid Bill

- Based on Crossrail / CTRL
- Deemed planning permission
- Undertake works
- Compulsorily purchase land
- Railway regulation
- Modifications / disapplication's of protections (e.g. listed buildings, ancient monuments, trees)
- Stop up highways



Key hybrid Bill documents



- Bill clauses
- Bill schedules
- Environmental Statement (ES)
- Plans and Sections
- Book of Reference



Questions?

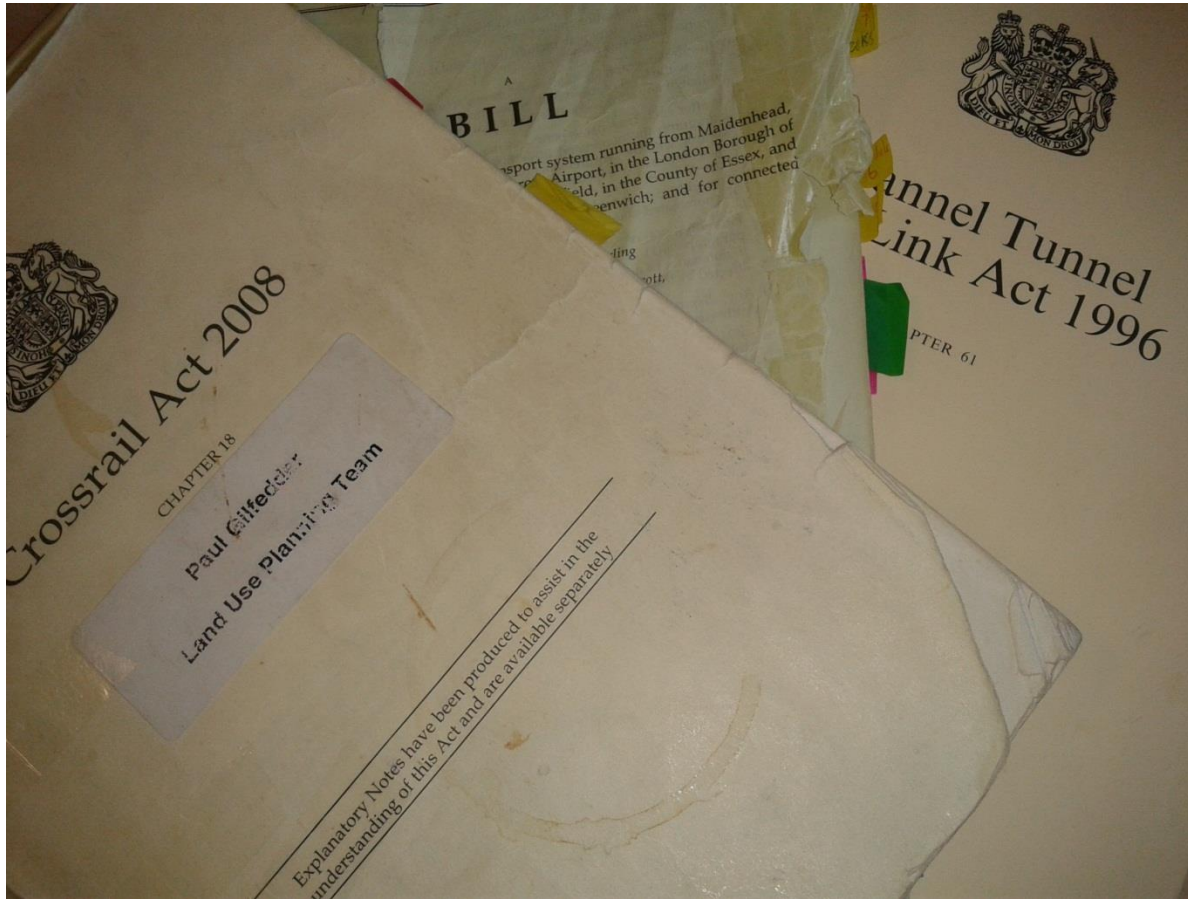
HS2 Planning Regime and EMRs– Heritage Sub-Group

Paul Gilfedder

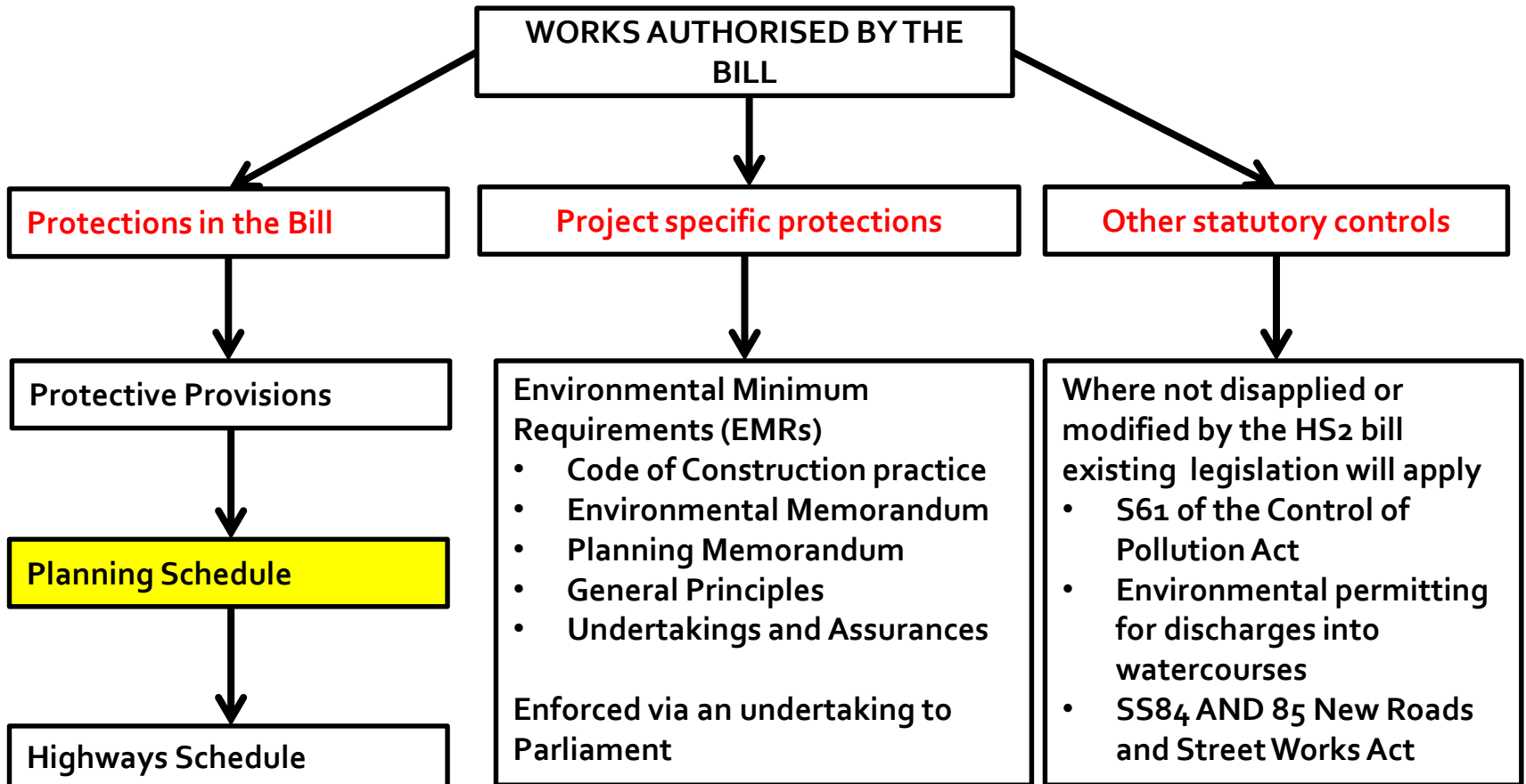
Planning in railway hybrid bills

- Under the HS2 Bill planning will be one of the principal controls local authorities will have
- The Nominated Undertakers building HS2 will have to obtain a range of approvals from local authorities
- This is different to 'normal' planning local authorities are used to
- Needs to be seen in the context of controls imposed through the hybrid bill process

Learning from previous projects



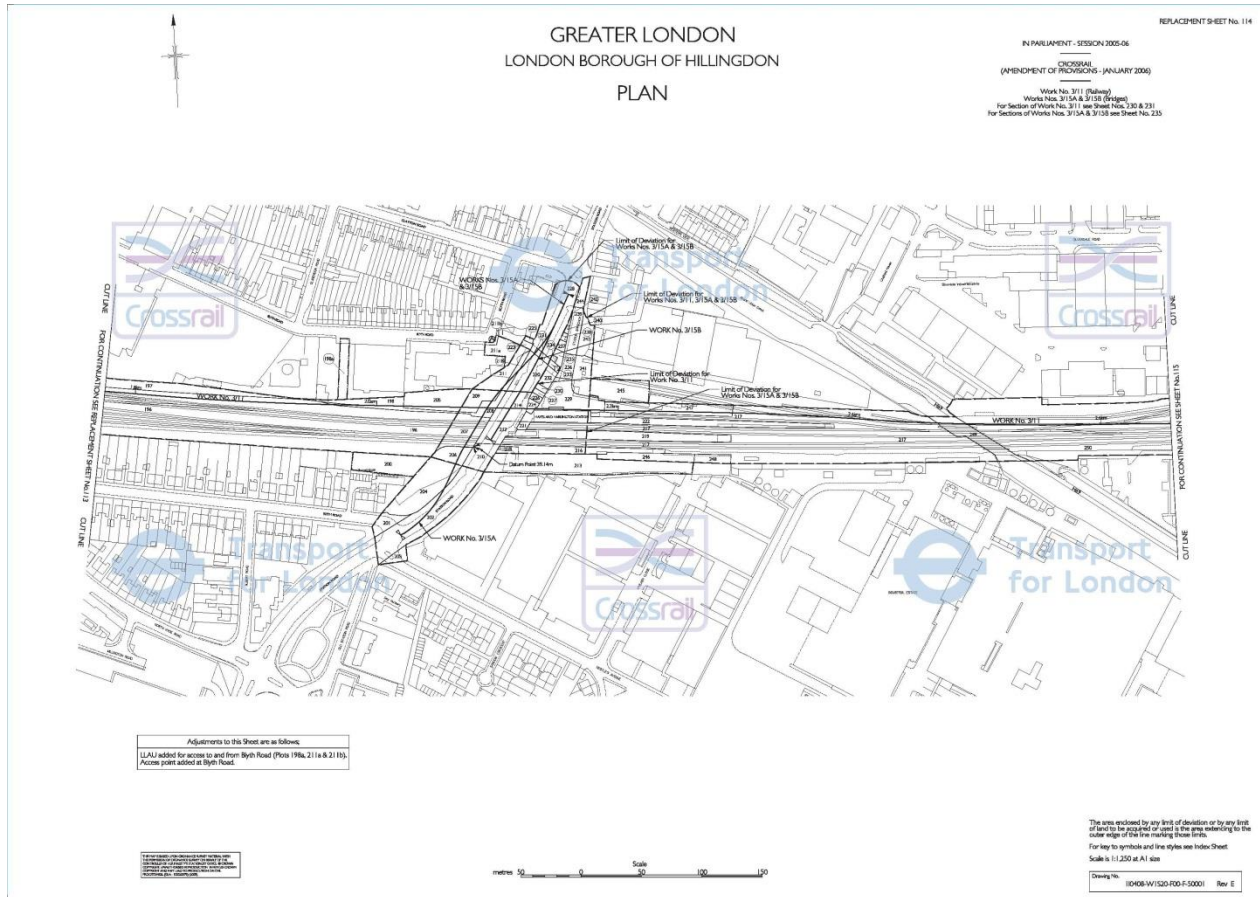
Controls in place on the HS2



Environmental Minimum Requirements

Title	Engagement	1 st Draft	Final
Environmental Minimum Requirements			
General principles	Statutory Agencies – EA, NE and EH; LPAs	Autumn 2013	Prior to Royal Assent
Environmental Memorandum	Statutory Agencies – EA, NE and EH; LPAs	Autumn 2013	Prior to Royal Assent
Planning Memorandum	Local authorities	September 2013	End House of Lords Select Committee
Heritage Memorandum	EH and local authorities	August 2013	Prior to Royal Assent
CoCP	Local authorities, statutory agencies	Autumn 2012	Prior to Royal Assent

Purpose of the Planning Regime



Purpose of the Planning Regime

- Detailed design is not approved by hybrid bill
- For the hybrid bill the level of design detail is that necessary for the bill and of the EIA
- Detailed design necessary for construction will not commence in time for Bill deposit
- Hence a need for an approvals process
- This is the purpose of planning conditions schedule
- A stream-lined process

Main features of the Planning Regime

- Balance between local controls and the delivery of a scheme of national strategic importance
- Qualifying and non-qualifying authorities
- The Planning Forum and the Planning Memorandum
- Unitary, district and county councils
- 8 week determination for submissions
- Fees

Approvals: Plans and Specifications

- Plans and specifications are approvals of design
- Plans are submitted to the relevant authority for approval
- Drawings similar to those submitted for planning applications
- Grounds for consideration and conditioning limiting
- Approvals needed for:
 - buildings
 - road vehicle parks
 - terracing
 - cuttings
 - embankments and other earthworks
 - fences
 - walls or other barriers
 - transformers
 - telecommunication masts
 - pedestrian access to the railway line
 - artificial lighting
 - waste and spoil disposal
 - borrow pits

Approvals: Plans and Specifications



Plans and specifications grounds

That the design or external appearance of the works ought to be modified—

(a) to preserve the local environment or local amenity,

(b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or

(c) **to preserve a site of archaeological or historic interest** or nature conservation value,

and is reasonably capable of being so modified.

That the development ought to, and could reasonably, be carried out elsewhere within the limits of the land on which the works of which it forms part may be carried out under this Act.

Approvals: Construction arrangements

- These are approvals of how certain matters are controlled during construction. These are:
 - road transport
 - handling of re-useable excavated material and top soil
 - storage sites
 - construction camps
 - screening
 - artificial lighting
 - suppression of dust
 - mud on a highway.
- They are not approvals of how the works are undertaken
- Class approval



Approvals: Site restoration

- The Nominated Undertaker will have to restore all sites that are temporally occupied
- The restoration scheme will have to be agreed with the relevant local authority



Approvals: Bringing into use



- BIU approvals are required from QAs for certain scheduled works prior to them being brought into use
- A way of making sure all appropriate mitigation is delivered



Questions?

Draft Heritage Memorandum



- Introduction
- Aim of memorandum
- Principles
- Consultation
- Disapplication of heritage legislation
- Mitigation
- Unexpected discoveries of national significance
- Disapplication of human remains and monuments legislation
- Setting of heritage assets
- Sustainability

Summary of key points





Next steps and actions

- Further comment to HS2 Ltd
 - Friday 27th September 2013
- Revised *draft* prepared for submission as part of the EMRS with the hybrid Bill



Questions?
