

ENVIRONMENTAL HEALTH SUBGROUP of the HS2 PLANNING FORUM

Title:	Environmental Health Subgroup (North and South) Meeting #10	
Date & Time	North and South Meeting Thursday 12 May 2016 1.30 – 3.30 pm One Pancras Square, London	
Chair	Ted Allett	Interim Independent Chair
Promoter Attendees:	Gordon Allison Leila Du Toit Christian Bonard Pamela Lowery Hannah Davies Michael Flynn	HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd
EHP Attendees:	Peter Carey Somayya Yaqub Michael Jenkins John Penny Dominic Towey Julia Caraco Steve Braund Greg Pilley Julian Smith Helen Masterson Dean Walters Richard Peers Rizwan Yunus Richard Hiscock	Prospective Independent Chair London Borough of Hammersmith and Fulham Warwick District Council South Northamptonshire Council Solihull Metropolitan Borough Council South Bucks District Council and Chiltern Chiltern District Council Three Rivers District Council Wycombe District Council London Borough of Camden North Warwickshire Borough Council Staffordshire County Council London Borough of Ealing Aylesbury Vale District Council
Planning Forum Environmental Health Subgroup distribution list appended to minutes.		

Item		Action Owner
1.	<p>Welcome and introductions made</p> <p>The Chair welcomed Peter Carey, the prospective Independent Chair of the Subgroup. Peter introduced himself. Subject to his contract being agreed, he expects to take the chair at the September meeting.</p> <p>LBC and CDC expressed gratitude for being invited by HS2 Ltd to be on the interview panel and HS2 Ltd thanked LBC and CDC for their input into the process.</p>	

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2.	<p>Review of notes and actions from last meeting</p> <p>The Chair read through the actions as noted in the previous meetings minutes. All actions identified at previous meetings not listed below are now complete.</p> <p>It was requested that in future, an outstanding actions log will be distributed to the Subgroup with the minutes of meetings.</p> <p>Action: HS2 Ltd to distribute an outstanding actions log with the minutes of meetings going forward.</p> <p>The Chair questioned the action in relation to the Independent Advisory Service. HS2 Ltd confirmed that this is not part of the agenda of this meeting, and will be covered in future.</p> <p>Action: The Independent Advisory Service will be a future agenda item.</p> <p>Solihull asked to whom the LEMP has been sent. HS2 Ltd to check who the Solihull SPOC is.</p> <p>HS2 Ltd has received notification of some SPOCs, but not all.</p> <p>Action: Authorities to ensure that they have sent the contact details of their SPOCs to the HS2 Planning Forum email address.</p> <p>The Chair confirmed that during the pre-meet the Authorities confirmed that they have all now received LEMPs. HS2 Ltd confirmed that the area Heads of Environment will be contacting Authorities to arrange meetings.</p> <p>Action: HS2 Ltd to ensure that the Authorities are contacted to arrange a meeting to discuss the LEMPs.</p> <p>AVDC stated that the Select Committee report makes reference to reporting in 2016, however the report takes account of first 6 months of construction. AVDC asked whether SC got the date wrong. HS2 Ltd confirmed that in the Promoter's response they were referred to para 79. HS2 Ltd to take an action to go back to DfT on this issue and clarify.</p> <p>Action: HS2 Ltd to clarify this issue with DfT and report back to local Authorities either through a post-meeting note or update at the next EH Subgroup meeting.</p> <p>Post Meeting Note: Further clarification has been sought from DfT on the interpretation of paragraph 333. They have confirmed that the project will consider the results of the Camden study referred to in para 229 of the Select Committee report and also para 79 (not para 78) of the</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>EHPs</p> <p>HS2 Ltd</p>
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	<p>Promoter's response and determine whether these have a wider applicability. They also confirmed that the paragraph does not include a commitment to carry out a route-wide study.</p> <p>In response to the action in relation to HS2 Ltd reviewing contracts in respect of subcontractor compliance, HS2 Ltd confirmed that they have spoken with their contracts team, and have had confirmation that all contractual requirements apply through the Tier 1 contractors' supply chains. Each Tier 1 contractor has responsibility to ensure the compliance of all its subcontractors.</p> <p>The Chair requested that Action: this is formally recorded in the meeting minutes.</p> <p>In relation to the action to provide comments to HS2 Ltd on lessons learned, AVDC have provided these to HS2 Ltd. The Chair questioned whether there is any follow up required. CDC asked whether a follow up on S61s can be had, in a smaller group, outside of this forum.</p> <p>Action: Authorities to organise a working group to address lessons learned in relation to S61s.</p> <p>The action on Authorities providing HS2 Ltd with a list of what they would like in terms of data sharing had not been completed. LBHF referred to their experience on Thames Tideway, where lack of an agreed approach has caused problems in obtaining the data requested. LBHF therefore stated the importance of agreeing a position early on so that all parties understand what is expected and required.</p> <p>HS2 Ltd responded that they are currently formulating a data sharing strategy which will be shared with the Authorities. The Chair asked whether this would cover all data or only environmental data. HS2 Ltd confirmed that the strategy will cover at least all environmental data, however will clarify this further.</p> <p>The Chair enquired as to the likely timing of when the strategy will be finalised and shared. HS2 Ltd confirmed that it will be published towards the end of the year, and that a draft will be consulted on before then. HS2 Ltd will clarify the timings of draft consultation and final submission in a post meeting note.</p> <p>Action: HS2 Ltd to update the Subgroup, in relation to the project strategy on data sharing. The update will include details on the expected timescales of draft and final submission, and scope of the strategy.</p> <p>SMBC noted that the point about NO₂ monitoring at the bottom of page 9 of the minutes from last meeting is an action but had not been</p>	<p>HS2 Ltd</p> <p>EHPs</p> <p>HS2 Ltd</p>
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	<p>recorded as such. HS2 Ltd confirmed that they are including an update on this in the Air Quality Update that is part of today's agenda.</p>	
3.	<p>Construction Commissioner</p> <p>HS2 Ltd presented slides on the Construction Commissioner.</p> <p>HS2 Ltd clarified why the role name had changed from 'Complaints Commissioner' to 'Construction Commissioner'. This is because the updated name makes it clear that the role is to mediate on construction issues, and not on matters not related to construction.</p> <p>HS2 Ltd confirmed that the role is currently interim because final terms of reference for the role were not available, as the independent panel to fix them had not yet been formed: however the project wanted an independent mediator in place to deal with any complaints now.</p> <p>LBC asked whether the intention is to have community and Authority representation on the panel. HS2 Ltd confirmed that is the intention.</p> <p>In response to AVDC, HS2 Ltd confirmed that the definition of 'construction' in this context is anything that can cause physical damage or can cause claims for damage.</p> <p>The Chair stated that the new title doesn't elude to the fact that the role is responsible for complaints. The Authorities agreed that 'Construction Commissioner' does not make clear what the role does. HS2 Ltd responded that the role was made very clear in the job description and would be made clear in any correspondence relating to the role.</p> <p>AVDC asked how frequently the Construction Commissioner will be reporting to the independent body. HS2 Ltd confirmed that this will form part of the review by the independent body: in Information Paper G3 it says 'provide an annual report and other reports as required'.</p> <p>The Authorities and The Chair raised the importance of the role being truly independent from HS2 Ltd. HS2 Ltd confirmed that what 'independent' is in this instance will be looked at as part of the review by the independent body.</p> <p>CDC stated that the text on the slide (point 2 of role exclusions) is misleading, as it could mean that certain activities such as noise and lorry movements are excluded from their remit. The Chair suggested that what should be excluded are complaints about non-compliance with a planning approval.</p> <p>AVDC suggested what may be useful to the public is a list of where they can complain about various things.</p>	

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	<p>LBC asked in relation to timescales associated with the independent panel. HS2 Ltd stated that specific dates are not available, however it will be before Royal Assent. LBC asked how they will be informed on progress relating to independent panel. It was agreed that this should be through the Planning Forum.</p> <p>The Chair asked whether it will be advertised on the HS2 Ltd website for members of the public to be part of the panel. HS2 Ltd will check and feedback to the Authorities.</p> <p>Action: HS2 Ltd to check if it will be advertised on the website for members of the public to apply to be on the independent panel for the role of Construction Commissioner, and keep Planning Forum advised.</p> <p>Authorities asked when the results of the interviews for the interim Construction Commissioner will be announced. HS2 Ltd confirmed that a candidate has been put forward, however their appointment needs to be approved by the DfT. HS2 Ltd confirmed that if approved, they would start as soon as possible.</p> <p>Chair asked that a further update on the role be provided at the Planning Forum next week.</p> <p>Action: HS2 Ltd to provide further update on the role of the Construction Commissioner at the Planning Forum on 18/19 May.</p> <p>LBHF asked for a flow chart on responsibilities linked to complaints and community engagement. HS2 Ltd confirmed this will be part of a slide to be shown at Planning Forum.</p> <p>Michael Flynn left the meeting.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
4.	<p>Information Paper E23: Noise Insulation and Temporary Rehousing policy – comments by Authorities</p> <p>The Subgroup discussed the comments that the Authorities had provided HS2 Ltd since the last meeting, and the updated version that HS2 Ltd provided in return.</p> <p>Further edits to E23 were discussed and HS2 Ltd agreed to consider including these in a further updated version. HS2 Ltd also agreed to provide full responses to the comments and suggestions made by the Authorities in the version of E23 they submitted to HS2 Ltd on 10th April.</p> <p>Action: HS2 Ltd to provide the Authorities with an updated version with comments on what changes have been incorporated and why.</p>	<p>HS2 Ltd</p>

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5.	<p>Statement of Expectations</p> <p>CDC provided a brief explanation of what the Statement of Expectations regarding Section 61s (SoE) is and how it was developed.</p> <p>CDC requested that any Authorities who want to be involved in developing the SoE work with HS2 Ltd in a smaller working group to form an agreed approach. The Chair suggested that there is a logic to forming agreement by the end of Select Committee.</p> <p>It was decided that HS2 Ltd will organise the working group meeting to discuss in June (approximately one month from this meeting). Attendees will be CDC, LBC, LBHF, SMBC, and TRDC.</p> <p>Action: HS2 Ltd to organise working group in June for the discussion of the SoE. Authorities to attend are CDC, LBC, LBHF, SMBC and TRDC.</p>	HS2 Ltd
6.	<p>Air Quality Update</p> <p>HS2 Ltd presented slides on the topic.</p> <p>HS2 Ltd confirmed that letters have been sent to Authorities in which baseline NO₂ diffusion tube monitoring is proposed to occur. These Authorities are: LBC, LBE, LBB (Brent), LBKC, WCC and LBHF.</p> <p>It was noted that the best person to contact in LBB is Rachel Best.</p> <p>HS2 Ltd confirmed that monitoring is proposed at locations where significant effects were predicted on highways in the Environmental Statement and subsequent Additional Provisions. HS2 Ltd confirmed that if Authorities do not have any proposed diffusion tube monitoring locations in their area it is because there are no significant effects predicted. HS2 Ltd confirmed that there are no significant effects predicted outside of London.</p> <p>HS2 Ltd then went through sections of updated Information Paper E31.</p> <p>LBC stated that air quality problems arise from construction sites when there are delays in getting power supplies secured and therefore diesel generators are used in the interim. LBC asks that HS2 Ltd works to secure early power supply to construction sites to avoid this situation.</p> <p>HS2 Ltd confirmed that it is specified in the CoCP that contractors should use electrical connections where reasonably practicable. HS2 Ltd will however ensure that this is actively being looked at.</p> <p>Action: HS2 Ltd to ensure that the early provision of power supply to construction sites is being actively looked at.</p>	HS2 Ltd

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	<p>In relation to the table in IP31 relating to NRMM, AVDC asked that the term 'DPF' is defined in the document.</p> <p>Action: HS2 Ltd to add the definition of 'DPF' to IP31.</p> <p>The Authorities questioned, in relation to the HS2 Ltd tiered emission standards, why BPM is different according to geographic location. HS2 Ltd stated that their standards went beyond the GLA's standards and followed established principles of exposure reduction.</p> <p>It was decided that due to the local nature of air quality, comments are on air quality are invited in the LEMP meetings.</p> <p>Action: Authorities to provide comments to HS2 Ltd on their air quality policies/standards etc as part of the LEMP meetings.</p>	<p>HS2 Ltd</p> <p>EHPs</p>
7.	<p>Forward Plan</p> <p>HS2 Ltd presented an update slide. The Chair asks that all slides are circulated to the Subgroup immediately following the meeting.</p> <p>Action: HS2 Ltd to ensure that slides are issued to the Subgroup immediately following the meeting.</p> <p>LBC asked why there had been so many locus standi challenges as it could be perceived it was just to keep on programme. HS2 Ltd explained it was due to various reasons, but that petitioners still had an opportunity to be heard, so there wasn't necessarily a benefit to the programme. It is also likely that the House of Lords Select Committee would not uphold all locus standi challenges.</p> <p>HS2 Ltd confirmed the approximate programme of petitions and explained that it was proposed that petitions would be heard from north to south, but that Euston petitions would brought forward and would be heard following the summer recess.</p> <p>The next meeting is on 14th July, with a 13.30 start time.</p> <p>Agenda suggestions:</p> <ul style="list-style-type: none"> ○ Complaints handling & IAS (Provisional). ○ Feedback from SoE Working group ○ Construction programme update <p>The Chair asked Authorities to let him know of any other agenda items before the next meeting.</p>	<p>HS2 Ltd</p>

8.	<p>AOB</p> <p>Community Engagement Framework HS2 Ltd provided a brief update ahead of the presentation on this issue at Planning Forum on 18/19th May.</p> <p>Comments have been taken on board, and an update on the CEF will be presented at the Planning Forum. There are senior engagement managers covering each area, and one route-wide. The hierarchy of documents will be presented at Planning Forum.</p> <p>HS2 Ltd will be able to distribute a draft before next EH Subgroup, and it could become a future agenda item.</p> <p>Action: HS2 Ltd to distribute draft of the Community Engagement Framework before the next meeting. Item potentially to form part of the next agenda.</p> <p>CoCP Update HS2 Ltd confirmed that an invite has been sent to all Authorities to meet to go through the CoCP (24th May), however the response has been limited.</p> <p>Engagement Senior Engagement Managers will be attending the LEMP meetings.</p> <p>LEMPs LBC asked for confirmation that HS2 Ltd Heads of Environment will be issuing meeting invites. HS2 Ltd confirmed this is the case, and will prompt the Heads of Environment to set up meetings.</p> <p>Action: HS2 Ltd to ensure that area Heads of Environment issue meeting invites to Authorities to discuss LEMPs.</p> <p>The Chair highlighted a request from TfL to attend the EHO Subgroup meetings. It is decided that if TfL are able to express why they should attend, including whether they would be representing the GLA, then their attendance would be considered.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>