

HS2 Planning Forum
Highways Sub-group
Meeting #21
07 February 2017

Schedule 25

Peter Tomlin

February 2017

Powers under Bill Schedule 4

Schedule 4 provides the “nominated undertaker” with the power to:

- Form or improve a highway access;
- Permanently stop up certain highways;
- Temporarily interfere with and stop up any highways;
- Construct new highways as specified;

In certain cases, approval is required (but after 28 days, will be deemed to have been approved – 42 days for TfL roads).

Have regard also to Undertakings and Assurances and any Protective Provisions Agreements

Traffic Regulation Orders

Whilst Schedule 4 allows for full or partial closure of the carriageway or footway/cycle ways, the powers do not extend to regulating traffic:

- Speed limits
- Banning turning movements
- Creating new parking places
- Installing yellow lines

These need to be agreed as a part of the consultation on traffic management measures. The contractor pays the application fees and the traffic authority then makes the Traffic Order.

Schedule 25 – Traffic Regulation Orders

A new Schedule 25 has been introduced into the Phase 1 Bill:

Traffic Authority to consult Secretary of State before making a traffic order where *“it appears to the authority that provision made by the order could significantly interfere with the use of the road by heavy commercial vehicles”* for the construction of Phase One.

This applies to a road:

- which is identified in the ES as part of a construction traffic route;
- which has been approved as a lorry route under Schedule 17
- where an application has been made for approval under Schedule 17
- any part of which is within Act Limits

But Secretary of State can limit scope of roads or types of orders.

Schedule 25 – Traffic Regulation Orders

The Secretary of State can also direct a traffic authority to:

- make a Traffic Regulation Order
- vary or revoke an existing Traffic Regulation Order

If the traffic authority fails to comply, the Secretary of State may make, vary or revoke an order.

The Secretary of State can only do so:

- if considers it necessary for the purposes of the timely, efficient and cost-effective construction of Phase 1 of HS2
- if considers it reasonable in the circumstances
- following consultation with the highway authority (to ensure public safety, to reduce public inconvenience and to take account of certain matters if the highway authority is subject to an agreement etc)

Schedule 25 – Traffic Regulation Orders

The Secretary of State must prepare a statement setting out in general terms:

- Guidance regarding the duty of highway authorities to consult before making a TRO
- How the Secretary of State proposes to exercise the powers to direct or make (or vary or revoke) TROs

The statement may be varied from time to time

In preparing the statement, the Secretary of State must consult:

- The nominated undertaker
- Traffic authorities likely to be subject to the duty or powers

Schedule 25 – Traffic Regulation Orders

Undertaking being discussed with Camden LB and available to all relevant traffic authorities:

- Secretary of State not to exercise powers in the schedule related to TROs so as to affect bus lanes, cycleways, weight limits or speed limits as existing on 12 January 2017
- Consideration of environmental effects, potential effects on transport policies, capital/maintenance programmes
- Costs in relation to a direction
- Various matters regarding the guidance and processes to be adopted

Schedule 25 – vehicle removals

Schedule 25 also provides powers for an authorised person to remove a vehicle (or arrange for its removal) where it:

- (a) is on a road in contravention of a traffic restriction or which is stopped up under Schedule 4; and
- (b) obstructs the carrying out of works authorised by the Act or risks being damaged in consequence of construction

Prior to using the powers, the authorised person must consult the relevant local authority and the chief officer of Police.

The vehicle can only be relocated to another place in that road or another road.

Schedule 25 – vehicle removals

Arrangements will be discussed with the local authority and Police and may include:

- advanced warning (street notices, letter drops etc) and notifications (such as leaving notices on vehicles)
- approvals for lifting specific vehicles
- arrangement for recording (and retaining records) of the state of the vehicle
- agreeing locations where vehicles will be removed to (such as within Controlled Parking Zones, relocating from a parking place to another parking place where possible)
- notifications for tracing vehicles (such as any trace service)

Updates to RTMP

Peter Tomlin

February 2017

Updates to the RTMP

One requirement to change the RTMP to account for updates to the CoCP in Chapter 7

Other changes required to reflect:

- Use of EToN
- New Schedule 25
- other updates e.g.:
 - Traffic Enforcement Notices are now Assesnet
 - Clarifications such as rural road driver training
 - Refer to HS2 Limited consistently

Chapter 3 Introduction

Main changes:

- Set out in table form the sequence of LTMPs to be provided for consultation via the local TLG meetings
- West Midlands area meetings are taking place via another forum led by others
- Clarification on Traffic Advice Notes – includes processes and procedures

Chapter 4 Traffic flow management

Main changes:

- Revises the submission package for Lorry route approvals to match the planning forum note
- Early applications may be made by enabling works contractors for lorry route approvals on a case by case basis
- Contractors may need to consider if works are required to lorry route to improve journey time reliability
- Certain clarifications on vehicle checks, to align with project policies and procedures
- Clarification on use of ANPR to ensure compliance with requirements of the Surveillance Commissioner

Chapter 4 Traffic flow management

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- Certain clarifications on vehicle checks, to align with project policies and procedures
- Clarification on use of ANPR to ensure compliance with requirements of the Surveillance Commissioner
- Include reference regarding banksperson training

Chapter 5 Safety and environmental management

Main changes:

- Clarification that drivers regularly accessing worksite will need to have CPC –valid training in vulnerable road user training, rural road driving and fuel efficiency driving within certain time limits

Chapter 6 Workforce travel management

No changes

Chapter 7 Highway works, street works and traffic management

Main changes:

- Amendment related to the CoCP about engagement with vulnerable road users
- Approvals will be contractor-led, to reflect that they are responsible and HS2 is accountable.
- Amendments regarding notification using EToN
- Include note that contractors identify the need, and pay appropriate fees, for TROs.
- Option to include a dispute resolution process
- Further summary of matters related to maintenance periods
- New section related to new Schedule 25
- Revised flowchart in figure 7.1

Chapter 8 Highway management

Main changes:

- Clarification on the rectification or repair of reported defects of traffic management
- Clarification that temporary highway works are expected to be designed to appropriate standards to suit their purpose, but materials and construction to last for the period that the temporary works are planning to be in place.
- Clarifications that contractors responsible for temporary highway/carriageway works until certificate of practical completion issued and following 1 year maintenance period
- Clarification regarding reinstatements and period of guarantee to be discussed

Next steps

Seek approval for the amendments from Legislative Decisions Board

Issue to highway authorities along HS2 Phase 1 route, to consult on the proposed amendments. Proposed 4 weeks maximum.

Revise as appropriate and publish as version 2 “at Royal Assent”

Planning Forum Note – Lorry Routes

John Woodhouse

February 2017

Changes from December meeting

- Both HSG changes accepted and incorporated (define movement numbers better and who approves the route).
- Slight change regarding clarity of ROMIS (May not be needed for minor EWC submissions)
- Further small changes from Planning Forum too.
- Final version to be published at Royal Assurance.

Separately:

Legal response provided to question on Authorities approving whole route.

Highways Related Departures Permanent Highway Approvals

Richard Adam & Hudson Taivo

February 2017

Update

- Response to both documents comments sent with Dec minutes
- Time in agenda to allow for discussion
- Road Safety Audits update to follow for March meeting

Maintenance Agreement

John Woodhouse & Richard Adam

February 2017

Guidance Note – Bridge Maintenance Demarcation Lines

Chris Whitworth & Richard Adam

February 2017

Purpose

- To provide guidance about defining lines to demarcate future maintenance responsibilities for bridges where there is an interface between different maintaining organisations
- The majority of such structures are bridges carrying new or altered highways under or over HS2
- Also addresses various other situations where two parties will be responsible for the maintenance of bridges and adjacent linear transport infrastructure
- Where one maintaining organisation - no demarcation required
- Many will require clear identification of what features will be maintained by each party

Bridge crossing types: demarcation requirements

Crossing Type	HS2 Railway Over	Highway Over	Non-HS2 Railway Over	Private Access Over	Canal Over	Watercourse Over
HS2 Railway Under	No	Yes	Yes	Possibly	n/a	Yes
Highway Under	Yes	If different parties	Yes	Possibly	n/a	n/a
Non-HS2 Railway Under	Yes	Yes	n/a	n/a	n/a	n/a
Private Access Under	Possibly	Possibly	n/a	n/a	n/a	n/a
Canal Under	Yes	Yes	n/a	n/a	n/a	n/a
Watercourse Under	Yes	Yes	Yes	n/a	n/a	n/a

Future highway maintenance responsibilities (1)

- **HS2 under or over highways** (be they roads or public rights of way)
 - Subject to:
 - the provisions contained in Schedules 4 and 32 Part 1 of the High Speed Rail (London – West Midlands) Bill (as enacted)
 - HS2 Information Paper E29 'Future Highway Maintenance Responsibilities'
 - the standard form of highway maintenance agreement being developed under the auspices of the Highways Sub-group of the Planning Forum

Future highway maintenance responsibilities (2)

- **Highways under or over other (non HS2) railway**
 - Subject to:
 - the provisions contained in Schedules 4 and 32 Part 1 of the Act
 - the terms of any protective provisions agreement between the Secretary of State for Transport and the railway infrastructure owner
 - **Network Rail**
 - For HS2 Phase One, the agreement dated 28 February 2014 applies (with maintenance responsibilities similar to usual Network Rail bridge agreements)
 - **Transport for London**
 - For London Underground or London Overground bridges, the Transport for London protective provisions agreement dated 15 May 2014 applies

Future highway maintenance responsibilities (3)

- **Highways under or over another highway**

- responsibilities for new or modified bridges subject to:
 - the provisions contained in Schedules 4 and 32 Part 1 of the Act
 - Information Paper E29 'Future Highway Maintenance Responsibilities'
 - no agreement required if same authority
 - agreement between the parties if different

- **Accommodation access under or over highways**

- Subject to the terms of any undertakings or assurances, highway authorities would maintain the structure, apart from
 - surfacing above the structure;
 - lighting (including power supply)
 - private utilities passing on, through or under the structure
 - agreements (including defined demarcation lines) can be drawn up between highway authorities and individual landowners if required

Future highway maintenance responsibilities (4)

- **Highways over canals**
 - Subject to the provisions contained in Schedule 32 Part 4 of the Act and Canal & River Trust protective provisions agreement for Phase One
 - Highway authorities responsible for new bridges or culverts carrying roads or public rights of way over canals
- **Highways over watercourses**
 - Subject to the provisions contained in Schedule 32 Part 5 of the Act
 - Highway authorities responsible for new bridges or culverts carrying roads or public rights of way over watercourses
- **Temporary highway bridges**
 - Responsibility likely to rest with the nominated undertaker in most cases
 - There may be certain exceptions to this general rule (such as winter maintenance of any temporary highway bridges)

Guidance note examples (1)

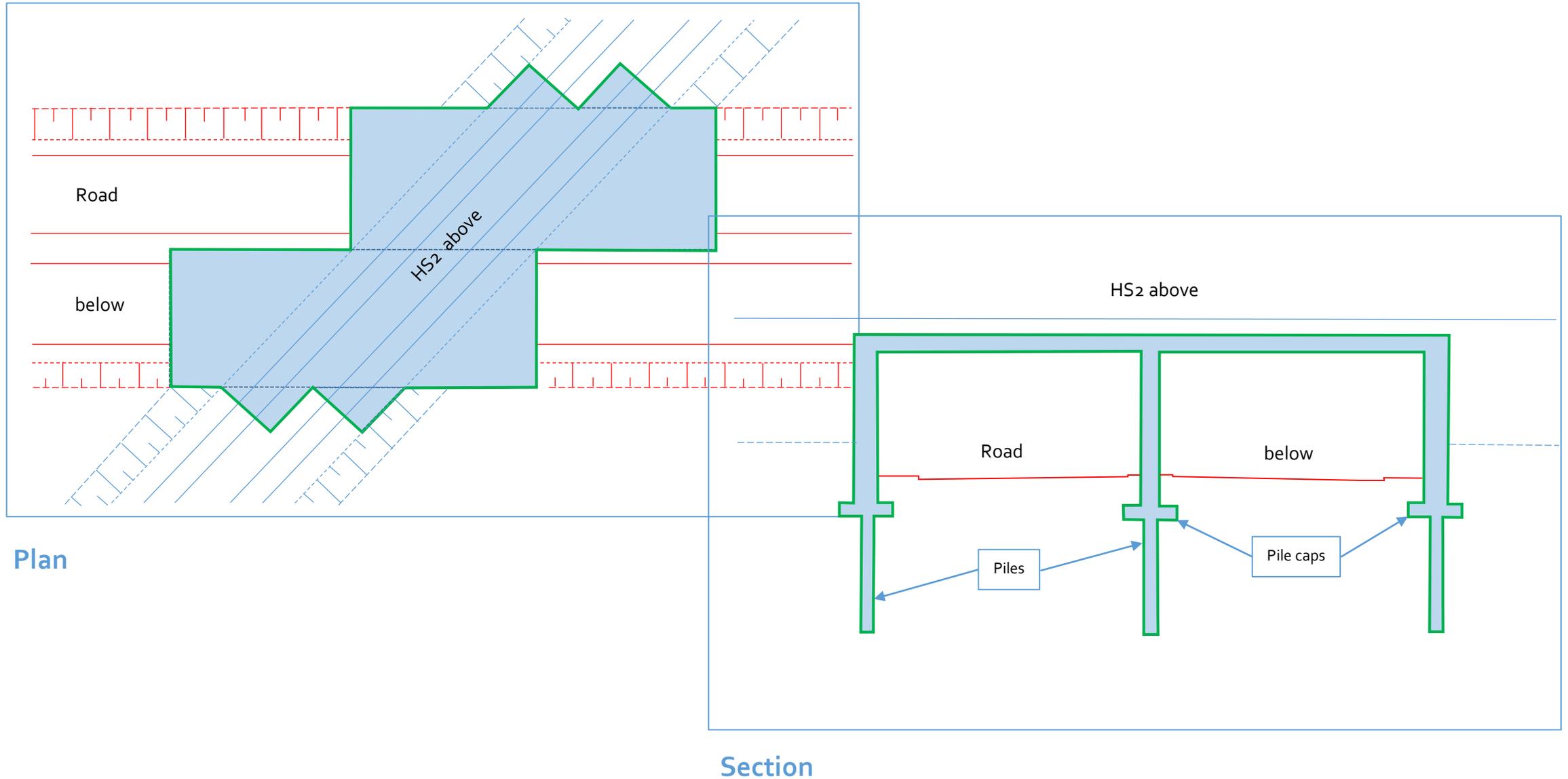
- For each type of bridge crossing involving more than one party, it is necessary to demarcate between those items of infrastructure which are to be maintained by each organisations
- Examples may include:
 - **Overbridges**
 - Single-span overbridges carrying roads
 - Multiple-span overbridges carrying roads
 - Single-span overbridges carrying non-HS2 railways
 - Multiple-span overbridges carrying non-HS2 railways
 - Overbridges carrying public rights of way
 - Overbridges carrying private accesses
 - Aqueducts

Guidance note examples (2)

- **Underbridges, viaducts and culverts**
 - Single-span underbridges crossing over roads
 - Multiple-span underbridges and viaducts crossing over roads
 - Single-span underbridges crossing over non-HS2 railways or canals
 - Multiple-span underbridges and viaducts crossing over non-HS2 railways or canals
 - Underpasses carrying public rights of way
 - Viaducts crossing over public rights of way
 - Underpasses carrying private accesses
 - Culverts

NB – Not all examples will necessarily apply to highway structures

Typical demarcation line location at abutments of conventional multiple-span underbridges and viaducts crossing over roads



AOB

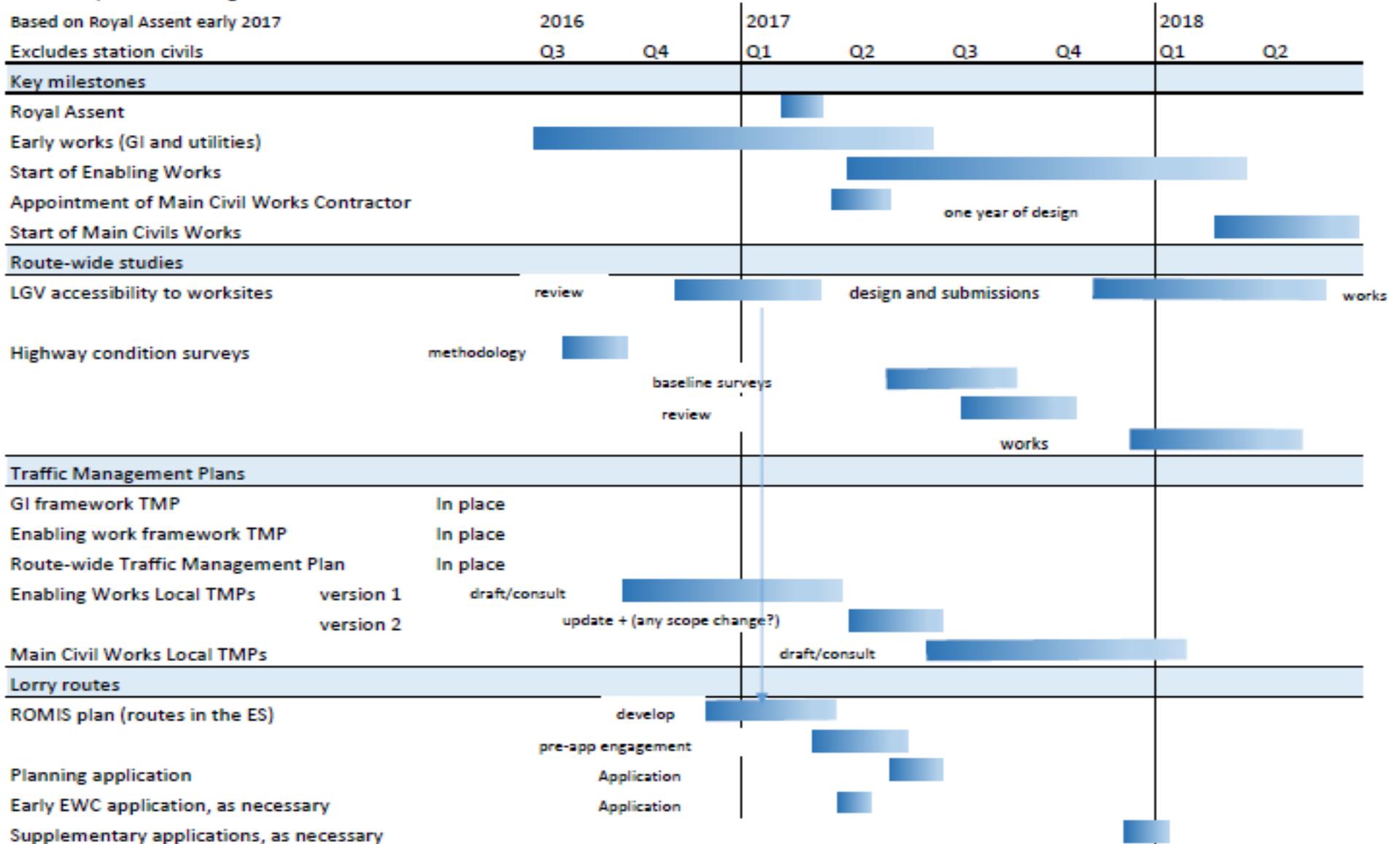
Forward Plan

All

Temporary traffic management

Indicative/Generic timings

Based on Royal Assent early 2017



Forward Programme – December 2016

2016	Subgroup: Environmental Health	Subgroup: Highways	Subgroup: Heritage	Subgroup: Flood Risk and Drainage
Jan		<p>Warwick</p> <ul style="list-style-type: none"> • TRO presentation and detail • Demarcation Lines and Land Ownership • Highways Maintenance Agreement final feedback 		
Mar/Apr		<p>Euston</p> <ul style="list-style-type: none"> • Demarcation: Lines Feedback • Bridges and Viaducts - Designs • RSA guidance note - discussion • Initial Feedback on TLG • HSG role going forward 		
May		<p>Warwick</p> <ul style="list-style-type: none"> • Permanent Highway Approvals comments 		