

Phase 2a Planning Forum – Environmental Health Subgroup Minutes #3 – 22 July 2020

Date, time & Venue:	Wednesday 22 July 2020 13:00-15:00 Microsoft Teams	
Promoter Attendees:	[REDACTED]	[REDACTED]
Attendees:	[REDACTED]	[REDACTED]
Also invited/ apologies:	[REDACTED]	[REDACTED]
Copies:	[REDACTED]	[REDACTED]

Item	Topic	Action owner
1.	<p><u>Welcome and Introductions</u></p> <p>All attendees introduced themselves and which organisation they represent. The chair confirmed the agenda and advised on meeting etiquette given the virtual nature of the meeting.</p>	
2.	<p><u>Review of Minutes from Previous Meeting</u></p> <p>Action: HS2 Ltd to circulate the Section 61 guidance with the minutes. The Section 61 guidance note was circulated to the EH Subgroup in an email dated 17-Mar-2020. <i>Action Closed.</i></p> <p>Action: HS2 Ltd to share the draft Guidance on the determination of appeals in relation to noise from construction sites. The draft guidance note was circulated to the EH Subgroup in an email dated 17-Mar-2020. <i>Action Closed.</i></p> <p>Action: HS2 to share Information Paper E13 on the 'Control of construction noise and vibration'. <i>Action closed.</i></p>	

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	<p>Action: HS2 to share contact details for the Chiltern District Council Environmental Health Officer. Contact details have been shared with the EH Subgroup in an email dated 17-Mar-2020. <i>Action Closed.</i></p> <p>Action: HS2 Ltd to share Information Paper E14 on Air Quality. <i>Action closed.</i></p> <p>Action: HS2 Ltd to share the link on carbon reduction. <i>Action closed.</i></p> <p>Action: NuL to advise on contact details regarding Keele university. <i>Action closed.</i></p> <p>Action: HS2 Ltd to send each Local Authority a copy of the draft Local Environmental Management Plan (LEMP) for their area for comment. The LEMPs have been circulated to the majority of the relevant Local Authorities for comment. However, HS2 Ltd has been unable to send the draft LEMPs to Shropshire Council and East Staffordshire Borough Council whilst the relevant Environmental Health Officer contacts are sought. <i>Open</i></p>	
3.	<p><u>HS2 Phase 2a Update</u></p> <p>HS2 Ltd gave an update on the progress of the hybrid Bill, explaining that the House of Lords Select Committee hearings resumed on the week commencing 20 July following its temporary suspension due to the Covid-19 pandemic. The hearings are being undertaken virtually and the remaining Petitioners are due to be heard in September after Summer recess.</p> <p>HS2 Ltd gave an update on the delivery of Phase 2a, including the programme for the Ground Investigation Work Package 4 (GI WP04), which is due to commence ground investigation works in late 2020. SCC asked if the GI WP04 will be undertaken in accordance with the draft Code of Construction Practice (CoCP) as the works will be commencing outside of Royal Assent. HS2 Ltd confirmed that the measures within the draft CoCP will be implemented by the contractor.</p> <p>HS2 Ltd has updated the draft LEMPs based on the comments received from the respective Local Authorities. The LEMPs will be finalised in advance of Royal Assent.</p>	
4.	<p><u>Noise update – Statement of Intent & Risk Assessments</u></p> <p>HS2 Ltd confirmed that the Section 61 Guidance Note had been issued to the EH Subgroup following the previous meeting and no comments were received. (Refer to February 2020 meeting minutes for details on the Guidance Note).</p> <p>As described in the Section 61 Guidance Note, the Contractors will undertake a risk assessment to determine, with agreement from the Local Authority, if a Section 61 of the Control of Pollution Act 1974 (CoPA) is required. The risk assessment considers locality / site information and works information. Within the Note, HS2 has provided examples of risk assessments following the London Good Practice Guide: Noise & Vibration Control for Demolition and Construction (LANF) and a reference to a Guidance Note on risk assessments for rural areas.</p> <p>The rural risk assessment approach is based on the LANS principles but amended to more readily identify the overall noise and vibration risk associated with the site and the proposed works in rural areas. A worked example of a rural risk assessment was presented to the EH Subgroup.</p> <p>Action: HS2 Ltd to circulate the rural risk assessment Guidance Note to the EH Subgroup. <i>Action Closed: The Guidance Note was circulated to the EH Subgroup in an email dated 17-Sept-2020.</i></p> <p>For sites identified in the risk assessment as low risk, a Section 61 application is not necessary; however, the Contractor shall submit details of the work to the Local Authority via a Statement of Intent (Sol). In submitting an Sol, the Contractor is not seeking consent from the Local Authority, and therefore powers in the CoPA, to serve a Section 60 notice, apply. SBC enquired about the timescale for the Local Authority to respond to Sol – HS2 Ltd responded that there is no determination period or a requirement for the Local Authority to respond. However, HS2 advises the Contractors to submit the Sol two weeks before works commence to allow time for engagement. SBC enquired if the cost of progressing the Sol was reimbursable. <i>Post meeting note: Local Authorities will be able to claim for time spent reviewing Sols and Section 61</i></p>	HS2

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	<p><i>consent applications under the terms of their SLA arrangements. LAs should keep records of the time they spend.</i></p> <p>NUL asked if there was a programme available for when Section 61 and Sol will be submitted to Local Authorities. HS2 advised that GI works for utilities and for GI WP04 would be taking place next and that timescales would be advised, as they become available. It will be the responsibility of the contractors to provide this lookahead for their works.</p> <p>Action: Local Authorities to provide HS2 Ltd with details on how they would like Sol to be submitted, i.e. directly to the EH Officer or via an overarching mailbox. <i>Open.</i></p>	LA
5.	<p><u>Air Quality Update</u></p> <p>HS2 Ltd presented the results to date from the M6 baseline air quality monitoring programme. It was noted that due to Covid-19 restrictions, there was a pause in monitoring in 2020. HS2 Ltd will continue the M6 baseline air quality baseline monitoring but recognise that 2020 may not be a representative year.</p> <p>The Annual Air Quality Report for Phase One and Phase 2a will be issued in Summer 2020. The report will document air monitoring data and vehicle and non-road mobile machinery (NRMM) emission requirement compliance. <i>Post Meeting Note: The Annual Air Quality Report has been published and a link is provided below.</i></p> <p>https://www.gov.uk/government/publications/hs2-air-quality-annual-report-2019</p> <p>Once Phase 2a receives Royal Assent, the vehicle and NRMM emission requirements will become applicable. Compliance with the emission requirements will be captured by HS2 Ltd monthly, and the compliance figures will be issued to the Local Authorities. Additionally, the air quality monitoring monthly figures will be issued to the Local Authorities. It was agreed during the meeting that the air quality figures for all Authority areas will be combined into one monthly report, which can be altered to individual reports as more monitoring sites come online.</p> <p>The Phase One year-to-date vehicle and NRMM emission requirement compliance figures were shown to the EH Subgroup. HS2 continues to deploy low / zero emission construction equipment across the work sites, including fully electric equipment, solar / hydrogen fuel-cell technology and hybrid plant.</p> <p>HS2 Ltd shared the innovation projects that are currently ongoing to promote air quality improvements, including:</p> <ul style="list-style-type: none"> • Working with Kings College London testing the performance of retrofitting devices on NRMM engine/ exhaust systems to reduce air emissions to an EU Stage V equivalent classification. • Working with OakTec (Kings College London) on the Clean Air Gas Engine (CAGE) project to develop Stage V emission certified bio-LPG generators that will be trialled on HS2 construction sites. • Adopting CESAR's NRMM Emissions Compliance Verification Scheme that enables the emission standards of the plant to be easily and safely verified. 	
6.	<p><u>Private Water Supplies</u></p> <p>There are two types of private water supplies: licensed (>20m³/day) or unlicensed (<20m³/day). Licenses for the private water abstraction are granted by the Environment Agency (EA); unlicensed private water abstraction does not need to be registered with the EA but it is recommended that the abstraction is registered with the Local Authority.</p> <p>For the Environmental Statement (ES), the locations of private water supplies were identified through EA and Local Authority information requests and through reviewing British Geological Survey's records. The risk of the construction and/or operation of HS2 to each identified abstraction assets was assessed in the ES. Where risks of deterioration of the quantity or quality of water available at the point of abstraction was identified, mitigation measures are developed in consultation with the asset owner. Mitigation measures include: deepening the well or upgrading existing infrastructure; moving the abstraction to a suitable location;</p>	

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	<p>installing or upgrading water treatment infrastructure; or, providing an alternative water supply. Mitigation can either be temporary or permanent depending upon the site.</p> <p>The high-level strategies for mitigating risks to private water supplies are detailed in the Draft Code of Construction Practice. Further details on individual private supplies may be included in the relevant LEMP.</p> <p>SBC enquired as to how unknown unlicensed private water supplies in shallow aquifers are being managed. HS2 responded that if any previously unknown private water supplies are being affected by HS2's works, the Local Authority should notify HS2 Ltd via the HS2 Helpdesk; HS2 Ltd, and their Contractors, will then undertake an investigation as a priority.</p> <p>There are three Undertaking and Assurances (U&A) on private water supplies in Phase 2a.</p> <p>Action: HS2 Ltd to provide link to the draft U&A register. <i>Action Closed.</i></p> <p>https://www.gov.uk/government/publications/hs2-phase-2a-register-of-undertakings-and-assurances</p> <p>Action: HS2 Ltd to supply the Local Authorities with details of the known unlicensed private water supplies. <i>Action Closed: list of the known unlicensed private water supplies was issued to the EH Subgroup in an email dated 17-Sept-2020.</i></p>	<p>HS2</p> <p>HS2</p>
<p>7.</p>	<p><u>Planning Forum Feedback</u></p> <p>The HS2 Town Planning Manager provided feedback on the Phase 2a Planning Forum held on 08 July 2020 and those meetings held since the last time the EH Subgroup met:</p> <ul style="list-style-type: none"> • An overview of Planning Forum Note (PFN) 10 on indicative mitigation measures was provided to Local Authorities to raise awareness of the mitigation proposed as part of the Early Environmental Works package and invite comment in accordance with PFN10 following submission of schedule 17 applications next year. • HS2 Ltd is drafting PFN 15 on the waste and spoil disposal and excavation from borrow pits. <i>Post-Meeting Note: This is due to be discussed at the next Planning Forum and an update will be provided at the next EH Subgroup meeting.</i> • The PFN 11 for land restoration has been drafted. <i>Post Meeting Note: This is due to be discussed at the next Planning Forum and an update will be provided at the next EH Subgroup meeting.</i> <p>The EH Officers should liaise with their planning colleagues should they wish to provide input on these.</p>	
<p>8.</p>	<p><u>Local Authority Experience and Feedback</u></p> <p>No feedback was received from the EH Subgroup, during this agenda item Questions were posed during the other agenda items and are captured accordingly in the minutes.</p>	
<p>9.</p>	<p><u>Forward Planning</u></p> <p>SBC asked if there was a potential for HS2 Ltd to utilise surplus land for tree planting and carbon sequestering. HS2 Ltd discussed that land take is limited to what it required for the construction and operation of HS2, as set out in the ES.</p> <p>Action: HS2 Ltd. to consider an agenda item on the environmental mitigation sites and the green corridor for the next EH Subgroup meeting. <i>Open.</i></p> <p>NUL suggested an agenda item on Best Practicable Means (BPM) on the control of dust and noise during tunnelling. HS2 Ltd discussed that the tunnelling methodology for Phase 2a is unknown, but the tunnelling contractor, as part of the engagement process, should be detailing the methodology to the Local Authority and justifying why the methodology constitutes BPM.</p>	<p>HS2</p>

