



Phase 2b Western Leg Information Paper

D8: Maintenance of public utilities

This paper outlines what will be done to mitigate any risks of disruption to public utilities during construction of the Proposed Scheme.

It will be of particular interest to those potentially affected by the Government's proposals for high speed rail.

This paper was prepared in relation to the promotion of the High Speed Rail (Crewe - Manchester) Bill. Content will be maintained and updated as considered appropriate during the passage of the Bill.

If you have any queries about this paper or about how it might apply to you, please contact the HS2 Helpdesk in the first instance.

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1 Introduction

- 1.1 High Speed Two (HS2) is the Government's scheme for a new, high speed north-south railway, which is being taken forward in a number of phases. Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route from the West Midlands to Crewe. The Phase 2b Western Leg will connect Crewe to Manchester. As set out in the Integrated Rail Plan, published in November 2021, HS2 East is proposed to deliver a new high speed line from the West Midlands to East Midlands Parkway.
- 1.2 HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works under the terms of a Development Agreement entered into with the Secretary of State for Transport.
- 1.3 The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act 2017 and Phase 2a by the High Speed Rail (West Midlands – Crewe) Act 2021.
- 1.4 In January 2022, the Government introduced a hybrid Bill to Parliament (hereafter referred to as 'the Bill'), to seek powers for the construction and operation of the Phase 2b Western Leg (the Proposed Scheme), which is called the High Speed Rail (Crewe – Manchester) Bill. The Proposed Scheme comprises the Phase 2b Western Leg from Crewe to Manchester and several off-route works. It also facilitates the delivery of Northern Powerhouse Rail by providing the Crewe Northern Connection and junctions and other infrastructure to be used in future schemes.
- 1.5 The work to produce the Bill includes an Equalities Impact Assessment and an Environmental Impact Assessment (EIA), the results of which are reported in an Environmental Statement (ES) submitted alongside the Bill. The Secretary of State has also published draft Environmental Minimum Requirements (EMRs), which set out the environmental and sustainability commitments that will be observed in the construction of the Proposed

Scheme. For more information on the EMRs please see Information Paper E1: Control of environmental impacts.

- 1.6 The Secretary of State for Transport is the Promoter of the Bill through Parliament. The Promoter will also appoint a body responsible for delivering the Proposed Scheme under the powers granted by the Bill. This body is known as the 'nominated undertaker'. There may be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Bill, the policies established in the EMRs and any commitments provided in the information papers.
- 1.7 These information papers have been produced to explain the commitments made in the Bill and the EMRs and how they will be applied to the design and construction of the Proposed Scheme. They also provide information about the Proposed Scheme itself, the powers contained in the Bill and how particular decisions about the Proposed Scheme have been reached.

2 Overview

- 2.1 This information paper outlines what the nominated undertaker will do to mitigate any risks of disruption to public utilities during construction of the Proposed Scheme.
- 2.2 The route intersects utility company networks throughout its length. There are approximately 950 individual utilities assets (including water, sewerage, electricity, gas and telecommunications) contained within the area affected by the Proposed Scheme.
- 2.3 HS2 Ltd has worked with utility owners and operators during the development of the Proposed Scheme. HS2 Ltd will continue to develop design and construction arrangements that will limit and avoid disruption to utility operators and their customers as far as reasonably practicable.

3 Assessment of impact on utilities

- 3.1 In developing the Proposed Scheme, HS2 Ltd has taken account of the extent of the utility equipment affected. HS2 Ltd has worked with utility companies since 2017 to assess the impact on their assets. HS2 Ltd has done so by:
- developing an understanding of the infrastructure and services above and below ground in the area around the planned route;
 - overlaying the planned HS2 construction works to understand which utilities would be affected and the likely extent of the impact;
 - investigating whether, by changing the design or the construction methods of the railway, it would be likely to avoid the impact on the utilities; and
 - where impacts could not be reasonably avoided, developing designs, in partnership with the utility companies, to strengthen the affected utilities or divert them to an alternative route.

- 3.2 Within the area of the Proposed Scheme there are approximately 300 instances where no additional work is required to the existing utility infrastructure. Where work is required, approximately 50 utility mains and services can be protected or strengthened and approximately 350 are required to be diverted.

4 Planning and design

- 4.1 Work on utility apparatus within streets will be carried out under the New Roads and Street Works Act 1991, which establishes a nationwide regime governing street works and providing protection for the maintenance of utilities apparatus.
- 4.2 In line with similar schemes, the Bill makes specific provision for maintenance and protection of public utilities in private land (Schedule 32, Part 2). The general principle is set out (at paragraph 19 of that Schedule) that apparatus is not to be moved under the powers of the Bill

until replacement apparatus has been provided and is in operation. Similar protection is included for electronic communications code operators in Part 3 of Schedule 32 which applies the code in Schedule 3A to the Communications Act 2003.

- 4.3 Where diversion of existing utility infrastructure is planned, the nominated undertaker is required to agree its plans with the utility statutory undertaker. Once agreement is reached the utility undertaker is required to relocate and bring into operation the new apparatus in land which the nominated undertaker or the Secretary of State makes available. That may be land which has been acquired by the Secretary of State or which the nominated undertaker is occupying under the temporary occupation powers of the Bill. In either case permanent rights to construct, maintain and operate the apparatus will be granted or acquired following completion of the work. Where apparatus is to be relocated in land which falls outside the Bill powers the utility undertaker will be required (if necessary) to exercise its own statutory powers of compulsory acquisition to acquire the necessary rights. The utility works will be carried out by contractors working on behalf of the utility company or on behalf of the nominated undertaker.
- 4.4 Where the apparatus will remain in place then the nominated undertaker is required to incorporate the reasonable requirements of the statutory undertaker for the alteration or protection of its apparatus. In some instances, the existing apparatus may become surplus to requirements, and can be decommissioned and either made safe or removed.
- 4.5 Working with the utility companies, the nominated undertaker will carry out further work to identify and protect all utility plant and equipment affected by the Proposed Scheme. On a site-specific basis, this work will also include preliminary site investigations: these will confirm the accuracy of existing records in identifying the location of underground infrastructure. Even with these precautions, there remains a risk that unrecorded infrastructure may be encountered, especially in locations of old apparatus or in densely developed urban locations. In advance of

commencing any construction work, specific contingency plans will be prepared to manage this risk.

5 Implementation

- 5.1 The works to strengthen or divert the utility infrastructure will be undertaken by contractors working for the utility companies or for the nominated undertaker. Where the works are carried out for the nominated undertaker, the utility company may watch and inspect the works.
- 5.2 Whoever carries them out, works to utility infrastructure for the purposes of the Proposed Scheme will be subject to the relevant controls in the EMRs - including the Code of Construction Practice.
- 5.3 Wherever possible, when the work is carried out, the new equipment will be installed and commissioned before the existing infrastructure is disconnected. However, in some circumstances a period of disconnection may be essential to allow safe completion of the work. Where this is the case, the nominated undertaker will agree appropriate arrangements (such as planned night-time or weekend closures) with the relevant utility operator. Significant planned service outages or road closures will be notified to residents in advance.
- 5.4 Before starting construction, the nominated undertaker will establish procedures with the utility operators for the management and mitigation of unforeseen events.

6 Community liaison

- 6.1 Local Environmental Management Plans (LEMPs) will be developed for Local Authority areas along the line of route. The LEMPs will build on the requirements of the CoCP and set out how the Proposed Scheme will adapt and deliver the required environmental and community protection measures within each relevant local authority area.
- 6.2 The nominated undertaker and/or its contractors will engage with the local communities in order to develop the LEMPs, once the detailed

design and construction planning is underway, and the Proposed Scheme is nearer the start of construction.

- 6.3 Contractors that undertake utility diversions for the nominated undertaker will be required to establish and maintain community liaison arrangements with the owners and occupiers of property affected by their work. The contractors will be required to produce advance information sheets that will be circulated at least two weeks before the construction works are due to start, where it is reasonably possible to do so.
- 6.4 Further details can be obtained from Information Paper G2: Community relations.

7 More information

- 7.1 More detail on the Bill and related documents can be found at www.gov.uk/hs2-phase2b-crewe-manchester.