

Meeting minutes

Phase 2b Planning Forum – Environmental Health Subgroup

Minutes #1 – March 2022

Meeting date Wednesday, 09 March 2022

Meeting location Microsoft Teams

Meeting time 15:30 pm – 17:00 pm

Presenters
Coordinator & Chair: Technical Engagement Advisor (HS2), Head of Environmental Sciences (HS2)
General Questions: Town Planning Lead (HS2)
Air Quality: Air Quality Manager (HS2)
Contaminated Land: Lead Contamination Engineer (HS2)
Sound Noise and Vibration: Noise Assessment Specialist (HS2) Head of Noise Assessment (HS2)
Meeting minutes: Technical Engagement Advisor (HS2)
Attendees
Attendee
Cheshire West and Chester Council
Manchester City Council
Trafford Council
Warrington Borough Council
Wigan Council

1 Agenda item – Introduction

- 1.1 HS2 Ltd ran through the agenda and set out the reasoning for this specific extraordinary EHO subgroup meeting.

2 Agenda item – General Questions

- 2.1 Three questions were raised under the ‘general questions’ topic, questions being:

- 2.2 Question 1. HS2 Ltd have used 'committed development' data as of November 2020, which is now considerably out of date. Local Authorities (LA) understand that a cut-off point is necessary for the purposes of the Environmental Statement (ES). However, this brings up the questions as to how HS2 Ltd would seek to consider any subsequent 'significant developments' that have, or may, come forward since November 2020. As such:
- 2.3 Question 1a. Can HS2 confirm at what point in the HS2 programme would HS2 Ltd stop considering any third parties' developments potential cumulative environmental effects in conjunction with the HS2 'Proposed Scheme' i.e., is the 'cut-off' at Bill deposit, Royal Assent, or a later stage?
- 2.4 Question 1b. Subject to the above, how specifically would HS2 Ltd take into account subsequent developments (developments that could cause additional/different cumulative environmental effects) in the future, for example regarding Air Quality & Sound, Noise & Vibration effects? What is the process for HS2 Ltd and if/how are LA involved?
- 2.5 Regarding question 1a, HS2 Ltd explained how there will be no further refresh of the assessment against new developments, and where committed developments emerge after the submission of the hybrid Bill, they may be brought into subsequent Additional Provisions (APs) and Supplementary Environment Statements (SEs), it was also advised that the risk of a major development coming forward without HS2 prior knowledge after a cut-off date is low. Regarding question 1b, HS2 Ltd explained, it would be for subsequent developments to take account of the proposed HS2 scheme in their application and Environmental Impact Assessment (EIA).

Questions and Discussion

Manchester City Council: question 1 should be brought up in the Planning Forum as HS2 should be taking everything into account up until Royal Assent

HS2 reply: HS2 will bring question 1 to the next Planning Forum to be discussed

Action 1: question 1 to be brought to the next Planning Forum

- 2.6 Question 2. If the scheme changes at detailed design stage within the 'Limits of Deviation' (LOD), can HS2 Ltd explain, in detail, how they would consider and assess environmental effects (such as air quality or noise and vibration) and decide appropriate mitigation for sensitive receptors. Furthermore:
- 2.7 Question 2a. Does the ES set out the worst case and thereby any LOD changes shouldn't result in additional significant effects which may require additional mitigation?; or
- 2.8 Question 2b. Is it correct to assume HS2 would fully re-assess all relevant environmental impacts (for example, air quality or noise impacts) for any 'significant' design changes – during detailed design - within the LOD e.g., moving the railway alignment or a vent shaft closer or away from sensitive receptors;

- 2.9 Question 2c. HS2 reference that 'sensitivity testing' was undertaken regarding this issue, but the sensitivity testing does not appear to be in the ES or supporting documents. Can this be provided?
- 2.10 Regarding question 2, HS2 Ltd explained that any changes not included within the ES will need to be assessed to determine if they create any significant impacts. For question 2a and 2b, HS2 Ltd advised that the ES does set out the reasonably foreseeable worst-case scenario and for question 2c, HS2 Ltd advised LA that HS2 will come back to them with an answer.

Action 2: provide LA with an answer to question 2c

- 2.11 Question 3. LA would like to better understand how HS2 Ltd would seek to coordinate construction activities and scheduling to absolutely minimise any and all adverse environmental effects on local communities. Further information is requested regarding how this issue would be managed in reality by HS2 Ltd and its contractors and how LA would be involved e.g., what information on programme would be shared and when with LA
- 2.12 Regarding question 3, HS2 Ltd provided LA with examples on how the construction activities work on phases 1 and 2a and what information HS2 share with LA.

Questions and Discussion

Manchester City Council: LA want to understand what HS2 controls are regarding the contractors and how we all work to minimise environmental effects on local communities

HS2: HS2 currently work with all our contractors, who collaborate to minimise impact on local communities

Manchester City Council: Can HS2 provide LA with more detail on how construction activities would work on a local level, LA want to understand to the best of our abilities

HS2: HS2 will speak with phase 1 colleagues and provide LA with more examples

Action 3: Provide LA with more examples on how construction activities work on a local level

3 Agenda item – Air Quality Specific Questions

- 3.1 Three questions were raised under the 'air quality specific' topic, questions being:
- 3.2 Question 1. Regarding Air Quality effects can HS2 Ltd explain, in sufficient detail, exactly what workstreams Local Authorities would be expected, or required, to be involved in during the construction programme including any approval processes under the Act/Environmental Minimum Requirements (EMRs) or other Legislation during the implementation of the 'Proposed Scheme'. We note that 'consultation' is suggested on various environmental issues in the draft Code of Construction Practice, but further detail on the practical reality and full scope of this is required.

- 3.3 Question 2. Can HS2 Ltd provide further detail on any rolling assessment of Air Quality impacts during the construction phase, how they would be managed, who would be consulted, how would be involved etc.
- 3.4 Question 3. LA understand that the ES and EMRs (including the draft CoCP) set out high level expected effects, mitigation principles and implementation mechanisms, but when in the programme and how will LA receive the final modelling/reports of air quality effects, mitigations, and verifications i.e., will schedule 17 applications contain air quality report on site/area specific basis and would HS2 Ltd provide post-construction verification reports to LA?
- 3.5 HS2 Ltd provided examples to question 1 from phases 1 and 2a, and explained how HS2 consult with LA, as well as showcasing examples of how HS2 have engaged with LAs. Regarding question 2, HS2 Ltd explained that the Local Air Quality Management (LAQM) process and provided links to the [Annual Monitoring Air Quality Reports](#) and the [Air Quality Action Plan](#). HS2 advised that more examples could be shared to LA on what HS2 do from an air quality perspective during the construction phase. Regarding question 3, HS2 directed LA to Volume 5 of the ES and explained that the links provided within the presentation will give LA all the information they need from an AQ perspective.

Questions and Discussion:

Manchester City Council: it would be good to understand exactly how HS2 are implementing the scheme and how HS2 would demonstrate what had been said in the ES report in comparison to 'reality'

HS2: HS2 sets out in the annual monitoring air quality report what HS2 had predicted in early works in comparison to current works

Action 4: HS2 to share examples from phase 1 in the next subgroup meeting on how HS2 are implementing the scheme from an air quality perspective

4 Agenda item – Land Quality Specific Questions

- 4.1 Three questions were raised under the 'land quality specific' topic, questions being:
- 4.2 Question 1. Can HS2 Ltd confirm how land quality (i.e., contamination) effects, mitigations and final reports (i.e., validation) will be provided to LA - will this information be submitted through Schedule 17's for LPA's approval? If not, how would these issues be managed by HS2 Ltd.
- 4.3 Question 2. No supporting information has been provided to justify the omission of identified potential sources of contamination from progressing to stages C and D of the assessments. LA would like to understand the justification/reasoning for this approach.
- 4.4 Question 3. The 'Proposed Scheme', in some areas, has the potential to sterilise sites that have been prioritised for further inspection, under Part 2A of the Environmental Protection

Act 1990, if future restrictions are placed on excavations/works over/around the 'Proposed Scheme'. Further information on this aspect should be provided to LA's which would help guide land contamination issues.

- 4.5 Regarding question 1, HS2 Ltd shared an example with LA on how phase 1 managed land contamination issues, and the engagement HS2 had with LA throughout. For question 2, LA were directed to Volume 5: Appendix CT-001-00001. Regarding question 3, HS2 Ltd explained, during the preparation of the ES, LA were contacted and asked to provide information on potential and/or determined Part 2A contaminated land sites, and these sites have been included in the ES.

5 Agenda item – Sound Noise and Vibration Specific Questions

- 5.1 Four questions were raised under the 'sound, noise and vibration specific' topic, questions being:
- 5.2 Question 1. LA's have some concerns about a Section 60 & 61 approach. Have other HS2 phases produced a single set of instruction/procedures/standards on this issue?
- 5.3 Question 2. Repeating question 4 but in regard to sound, noise & vibration effects, can HS2 Ltd explain, in sufficient detail, exactly what workstreams Local Authorities would be expected, or required, to be involved in during the construction programme including any approval processes under the Act/Environmental Minimum Requirements (EMRs) or other Legislation during the implementation of the 'Proposed Scheme'. We note that 'consultation' is suggested on various environmental issues in the draft Code of Construction Practice, but further detail on the practical reality and full scope of this is required
- 5.4 Question 3. Repeating question 3 under the 'air quality specific' questions, LA's understand that the ES and EMRs (including the CoCP) set out high level expected effects, mitigation principles and implementation mechanisms, but when in the programme and how will LA's receive the final modelling/reports regarding sound, noise and vibration effects, mitigations and verifications i.e. will schedule 17 applications contain sound, noise and vibration reports on site/area specific basis and would provide post-construction verification reports to LA's?
- 5.5 Question 4. Can HS2 Ltd confirm when background (LA90) data would be provided to LA's and through what procedure/approval process.
- 5.6 HS2 Noise Assessment Specialist provided a presentation covering answers to all the questions.
- 5.7 Regarding question 1, HS2 Ltd explained that the Draft Code of Construction Practice (CoCP) sets out the approach to concerns regarding S60 and S61, HS2 Ltd also advised that a procedure has been jointly developed with LA through the Phase 1 EHO subgroup and presented snapshots of the procedure document within the presentation. Regarding question 2, HS2 Ltd informed LA that during the construction programme HS2 will be

assuring the work of its contractors and directed LA to Section 61 applications. Regarding question 3, HS2 Ltd explained to LA where the details regarding operational noise impacts associated with the design is located, and provided links to Planning Forum Notes [10](#) and [14](#), and gave an overview of Schedule 17 Applications including the type of design activities that will be undertaken by our contractors and the type of noise information that will be shared in the future. For question 4, HS2 Ltd directed LA to [HS2 Phase 2b Information Paper E11](#).

Questions and Discussion

Manchester City Council: HS2 should be presenting these processes and procedures, it is vital that LA understand how HS2 are going to implement the scheme

HS2: what is being presented now is only showing LA how what is set out in the hybrid Bill is being done in practice on phase 1 and 2a

Warrington Borough Council: how will complaints from the public work during construction stage

HS2: HS2 have a 24-hour helpdesk and will ask LA to forward any complaints they receive to HS2 who will then action those complaints and report back to LA on how we have actioned them. HS2 also have a construction commissioner who action complaints.

Cheshire West and Chester: LA want to understand how HS2 deal with their constructors when noise complaints come through

HS2: When a noise complaint comes through, it is flagged on our HS2 system. On other phases, HS2 have managed to resolve the majority of complaints which have come through (Post meeting note – The complaints process for Phase One has recently changed. 1. complaints that go to HS2 helpdesk are triaged according to urgency. 2. Help desk has a main point of contact for each HS2 contractor. 3. Help desk will pass complaint to appropriate contact. 4. The contract will identify if the complaint is a result of HS2 works and, if so, investigate what can be done to resolve complaint. 5. Contractors have 2 days to close out to urgent complaints or 20 days for non-urgent complaints. 6. To close out a complaint the contractor must have contacted the complainant, explained actions that have been taken or explained why it was not possible to take action. 7. If a complaint relates something that is a potential risk to safety action is expected within 2 hours).

Wigan Council: In terms of further engagement, what will HS2 do regarding noise insulation

HS2: HS2 set out anticipated locations where noise insulation might be required in the ES. For noise insulation relating to the construction phase, prior to starting construction, noise insulation eligibility will be reassessed by our contractors in accordance with [HS2 Phase 2b Information Paper E13](#). In accordance with the CoCP our contractors will undertake assessments of eligibility for noise insulation at least 6 months prior to the works and (post meeting note) at least 9 months for listed buildings. For noise insulation associated with the operational phase, our contractors will reassess noise insulation eligibility as they design noise barriers, earth works and other mitigation measures and present this information in accordance with Schedule

17 of the Act in a noise demonstration report. Offers for noise insulation for the operational phase will be made later in the design process once the design is finalised and before the railway comes into operation.

Action 5: HS2 to circulate section 61 Procedure document to LA

Action 6: HS2 to circulate presentation to LA

6 Agenda item – Next steps

- 6.1 HS2 Ltd advised the presentation will be circulated, and that a reminder on the last EHO meeting minutes and ToR will be reissued towards the end of March. No further questions were raised.