

HS2

Phase 2b (Western Leg) Planning Forum

30 June 2021

Agenda and Introductions



Introductions

- Phase 2b Planning Forum Interim Chair
- HS2
- Local Planning Authorities
- Department for Transport

Meeting Etiquette

- Mute your microphone
- Raise your hand if you have a question



Agenda

| Item | | Lead | Time |
|------|--|----------------------|-------|
| | Introductions | All | 10:00 |
| 1 | <ul style="list-style-type: none">Purpose of meetingDraft Terms of ReferenceProcess for selecting a permanent chairLA costs | HS2 Ltd | 10:20 |
| 2 | Status of Project – update | HS2 Ltd | 11:00 |
| 3 | Introduction to hybrid bills | HS2 Ltd | 11:05 |
| 4 | Overview of hybrid bill planning regimes | HS2 Ltd | 11:15 |
| 5 | Overview of Environmental Minimum Requirements | HS2 Ltd | 11:45 |
| 6 | Planning authority feedback and matters | Planning authorities | 12:00 |
| 7 | AOB | All | 12:15 |
| | End | | |

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Purpose of Meeting, Terms of Reference, appointment of permanent chair, LA Costs

June 2021

Purpose of meeting

Phase 2a Planning Memorandum:

The Qualifying Authority shall join with other qualifying authorities and the nominated undertaker (together with representatives from the relevant Government departments) in establishing a Planning Forum (the Forum) to help co-ordinate and secure the expeditious implementation of the planning provisions in the Bill.



Changing role over time

Parliamentary process

- Guidance notes on principles and practice.
- Draft Environmental Minimum Requirements.
- Route wide undertaking proposals.
- Draft Statutory Guidance.

Implementation & Delivery

- Guidance on the exercise of powers.
- Notes on principles and practice e.g. Standard design item
- Statements and process policies.
- Reports on monitoring of implementation of practices.

Route-wide vs site specific

Route-wide

- Legislation
- Environmental controls
- Standards for the implementation of legislation
- Guidance
- Common designs

Local

- Scope of works at a location
- The design of an individual asset

Terms of reference

Membership:

- Town planning representatives from local authorities
- Department for Transport
- HS2 Ltd representatives

Function

The Planning Forum acts as the focus for liaison with HS2 2b line of route authorities on town planning, environment and related matters of cross boundary and routewide generic interest.



Terms of reference

Outputs

- Change over time as the scheme moves through Parliament to construction

Chair

- Independent Chair appointed by the Forum

Meetings

- The Forum will meet quarterly unless otherwise decided by its members
-

Terms of reference

Sub-groups

- Sub groups or liaison meetings will be established to focus on specific topic based cross boundary or route wide issues:
 - Environmental Health
 - Highways
 - Heritage



Terms of reference

Suggested approach to settling terms of reference:

- Members send comments to 2b Planning Forum email address by 22 July
- HS2 Ltd will circulate a revised draft/response to comments two week before next meeting
- Seek to agree at next meeting



Appointment of permanent chair

- Draft terms of reference state that Forum members will appoint the chair of the meeting
- Independent chair follows best practice on projects such as HS1, Crossrail, Northern Line Extension Thames Tideway Project
- Phase 1 Forum Chair – appointed after the role was advertised and interviews conducted
- Phase 2a Forum Chair – interim chair appointed to permanent role following a discussion at the Forum
- Phase 2b - ??



Member costs associated with the Forum

- HS2 Ltd has entered into Service Level Agreements with a number of Phase 2b line of route authorities
- Attendance at Planning Forum and reasonable preparation time is chargeable under the Service Level Agreements
- If you have any questions regarding Service Level Agreements contact hs2technicalengagement@hs2.org.uk



HS2

Project Status

June 2021

Project status

**Phase One
construction**



**Phase 2a
enabling works**



**Phase 2b West
consultation & powers**



**Phase 2b East
design & review**

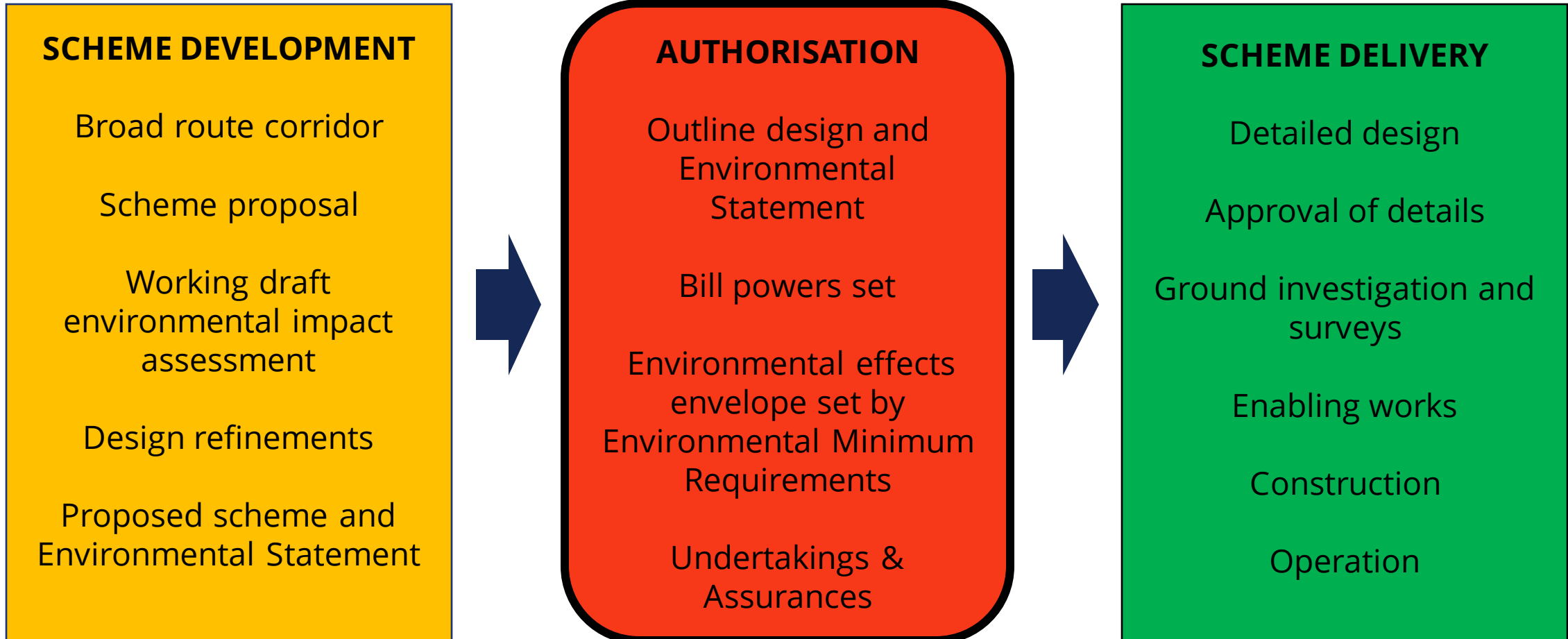


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Hybrid Bills, Select Committees and Additional Provisions

June 2021

Project stages



What is a hybrid Bill?

Hybrid Bills includes elements of **Public Bills**, which:

- are generally **introduced by Government** and considered by Parliament;
- **create or amend public legislation** that applies to all of us; and
- are **debated and voted on by MPs and Peers** without a direct right to be heard for individual members of the public.

Hybrid Bills also include elements of **Private Bills**:

- which are usually promoted by private interests such as **local authorities or companies**;
- affect only **certain individuals**; and
- directly affected parties have the **right to petition** against the Bill and to be heard by a Select Committee.

The Bill sets out the powers proposed to be granted by Parliament to:

- acquire, temporarily occupy and obtain rights over **land**;
- interfere with **highways**, including temporary and permanent stopping up, realignments and diversions;
- interfere with and divert **utilities**;
- carry out **surveys** and strengthen buildings;
- **amend or disapply** legislation;
- allow works to **Crown** land;
- amend existing railway Acts; and
- much else besides.

Crucially, when the Bill receives Royal Assent, it grants **deemed planning consent for the scheme**, similar to outline planning permission, and sets out a planning regime for ancillary works.

Why a hybrid Bill?

Until the 1990s, the use of Private Bills was the norm for railways. There are now several authorisation routes:

- schemes where no powers are needed, or small scale schemes – normal planning legislation;
- medium sized schemes – **Transport & Works Act Order (TWAO)** under the Transport & Works Act 1992; and
- nationally significant schemes – **Development Consent Order (DCO)** under the Planning Act 2008 (as amended).

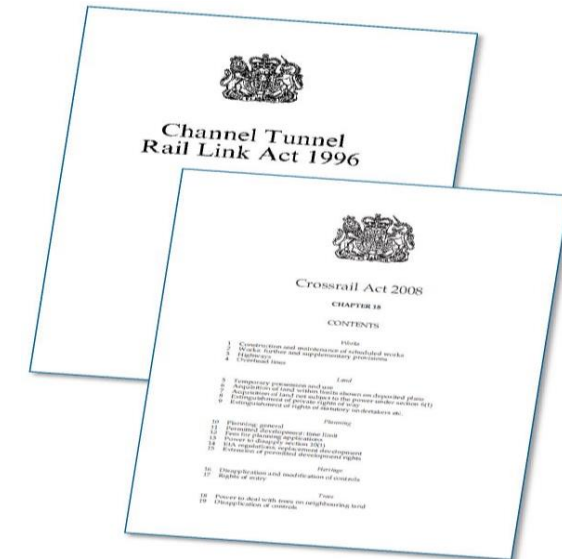
But for **exceptional schemes**, a hybrid Bill enables Parliament to act as decision maker.

Shows **Government support** for scheme and the **principle of the Bill and scheme is established early**, at Second Reading of the Bill in the House of Commons.

Bill can also amend existing primary legislation to create a **bespoke legislative regime for the scheme**, and **changes can be accommodated** during the approvals process.

Outline or concept design used to inform Bill and Environmental Statement.

| | |
|--------------------------------|------|
| Channel Tunnel | 1987 |
| Dartford-Thurrock Crossing | 1988 |
| Severn Bridge | 1992 |
| Channel Tunnel Rail Link (HS1) | 1996 |
| Crossrail | 2008 |
| HS2 Phase 1 | 2017 |
| HS2 Phase 2a | 2021 |



What will the Bill consist of?

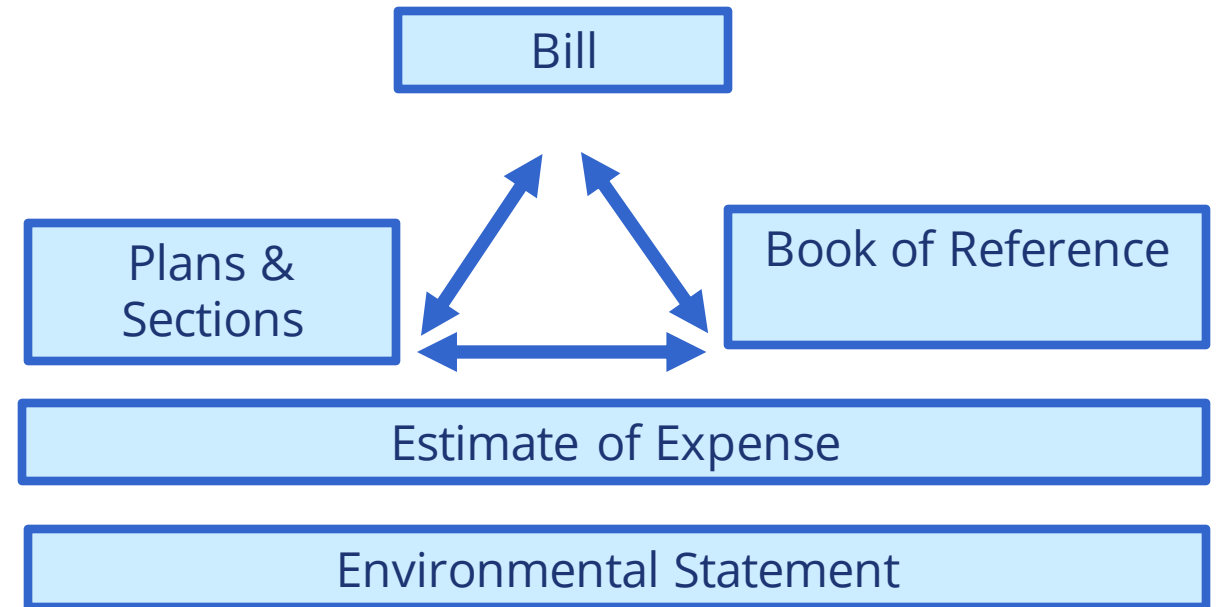
Parliamentary Standing Orders in both Houses set requirements for railway Bills.

In order to satisfy these requirements, the deposit of the Bill will consist of:

- the **Bill itself**, in two parts:
 - the **Bill clauses**, setting out the powers;
 - the **Schedules**, specifying permanent and temporary powers over land, highways, utilities, listed buildings, monuments, burial grounds and much more;
- the **Parliamentary Plans and Sections**, showing scheduled works, the limits of deviation (LoD) for those works and the limits of the land to be acquired or used (LLAU); and
- a **Book of Reference**, setting out land interests in specific parcels shown on the plans.

Also required, but not part of the Bill, will be:

- the **Environmental Statement**, which sets out the expected significant environmental effects of the scheme; and
- an **Estimate of Expense**, summarising the cost of the proposals.



Bill limits

The Parliamentary Plans will show:

- the **limits of deviation** (LoD) for scheduled works such as highways, bridges, some utilities and the railway itself; and
- the **limits of land to be acquired or used** (LLAU) in connection with the scheme.

These are collectively known as “**Bill limits**”.

Horizontal deviation is allowed:

- for **scheduled works, within its LoD**; and
- for **ancillary works, within LLAU subject to restrictions** set out in the Schedules.

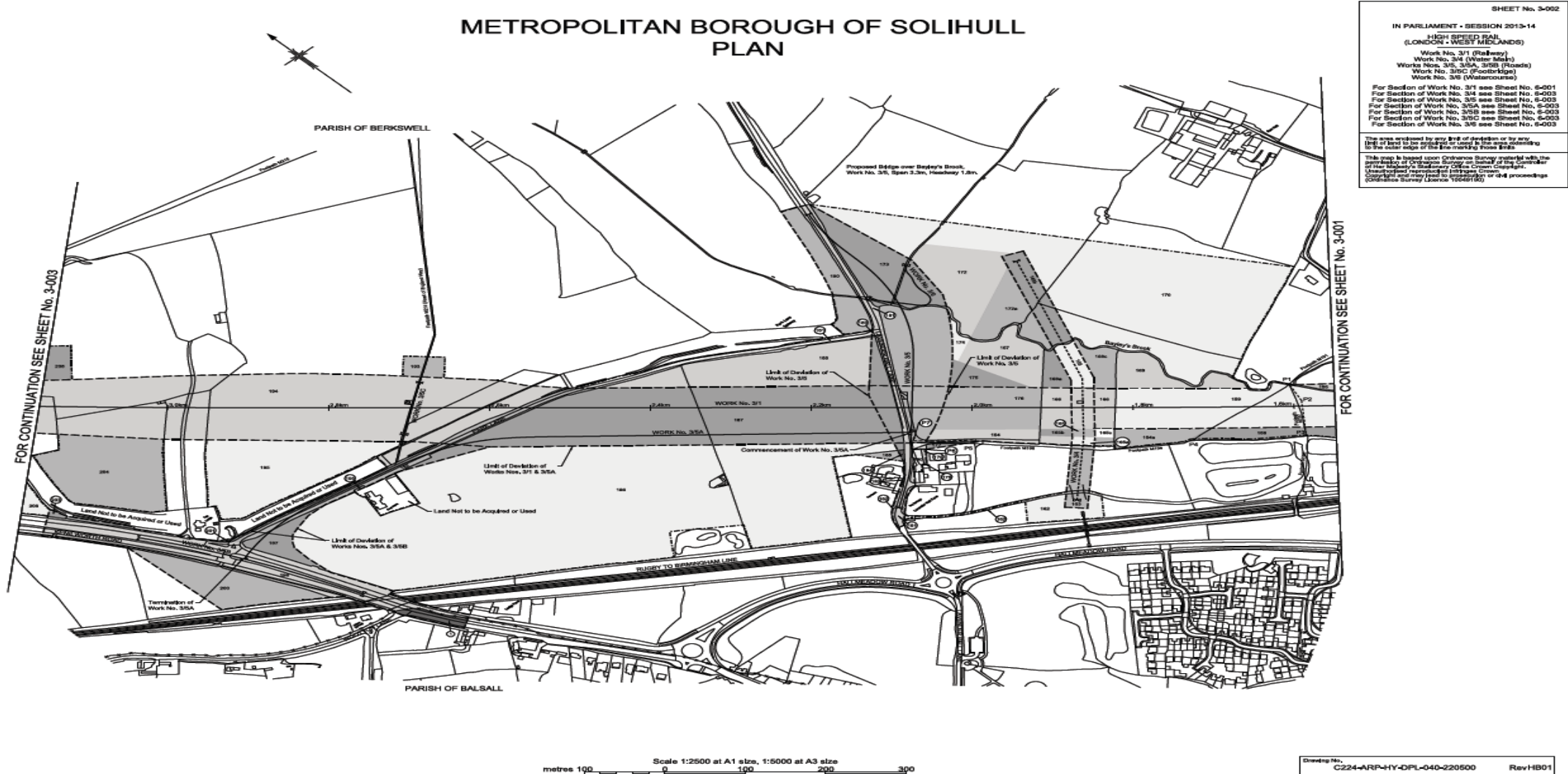
Vertical deviation is allowed:

- **3m above or any distance below** the upper limit of the work shown on the Parliamentary Sections.

However, by virtue of the **Environmental Minimum Requirements** the scheme is constrained by the envelope of effects set out in the **Environmental Statement**. See Phase 2b factsheet: Control of environmental impacts [here](#)



Typical plan



SHEET No. 3-002

IN PARLIAMENT • SESSION 2013-14
**HIGH SPEED RAIL
(LONDON • WEST MIDLANDS)**

Work No. 3/1 (Railway)
Work No. 3/4 (Water Main)
Works Nos. 3/5, 3/5A, 3/5B (Roads)
Work No. 3/5C (Footbridge)
Work No. 3/6 (Watercourse)

For Section of Work No. 3/1 see Sheet No. 6-001
For Section of Work No. 3/4 see Sheet No. 6-003
For Section of Work No. 3/5 see Sheet No. 6-003
For Section of Work No. 3/5A see Sheet No. 6-003
For Section of Work No. 3/5B see Sheet No. 6-003
For Section of Work No. 3/5C see Sheet No. 6-003
For Section of Work No. 3/6 see Sheet No. 6-003

The area enclosed by any line of deviation or by any line of land to be acquired or used is the area extending to the outer edge of the line marking those limits

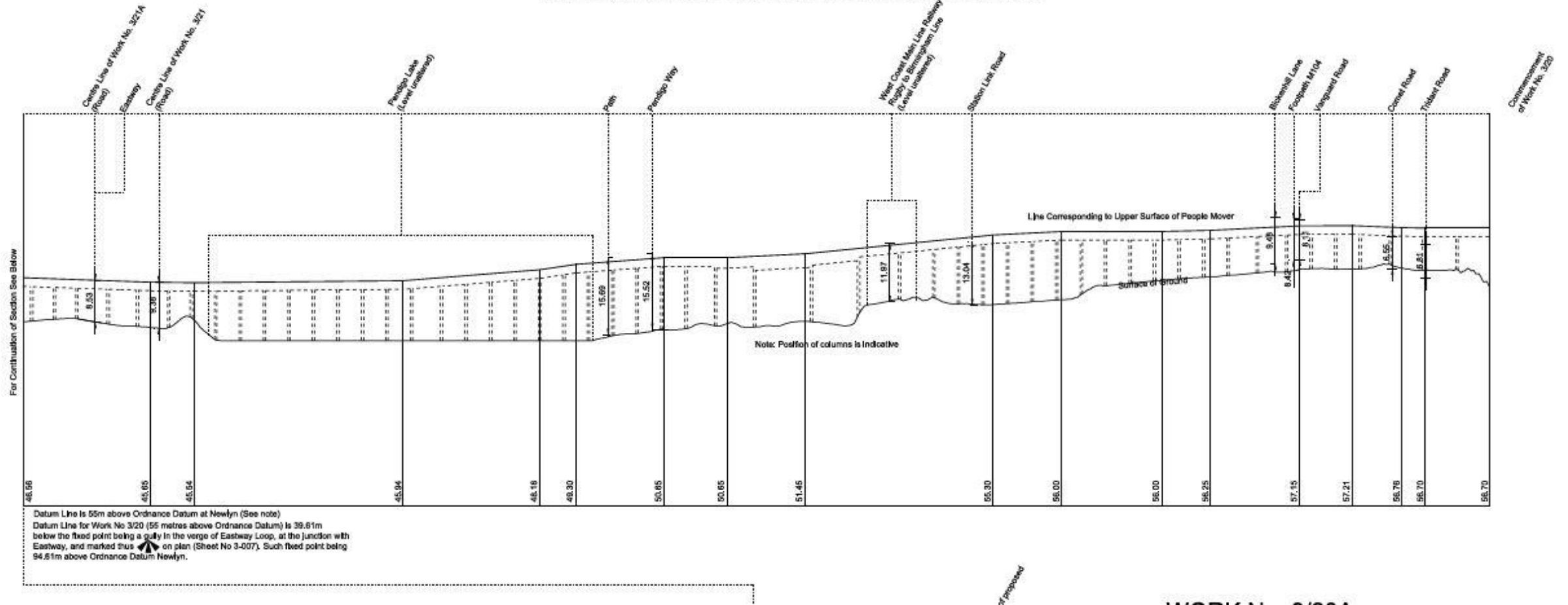
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FOR CONTINUATION SEE SHEET No. 3-003

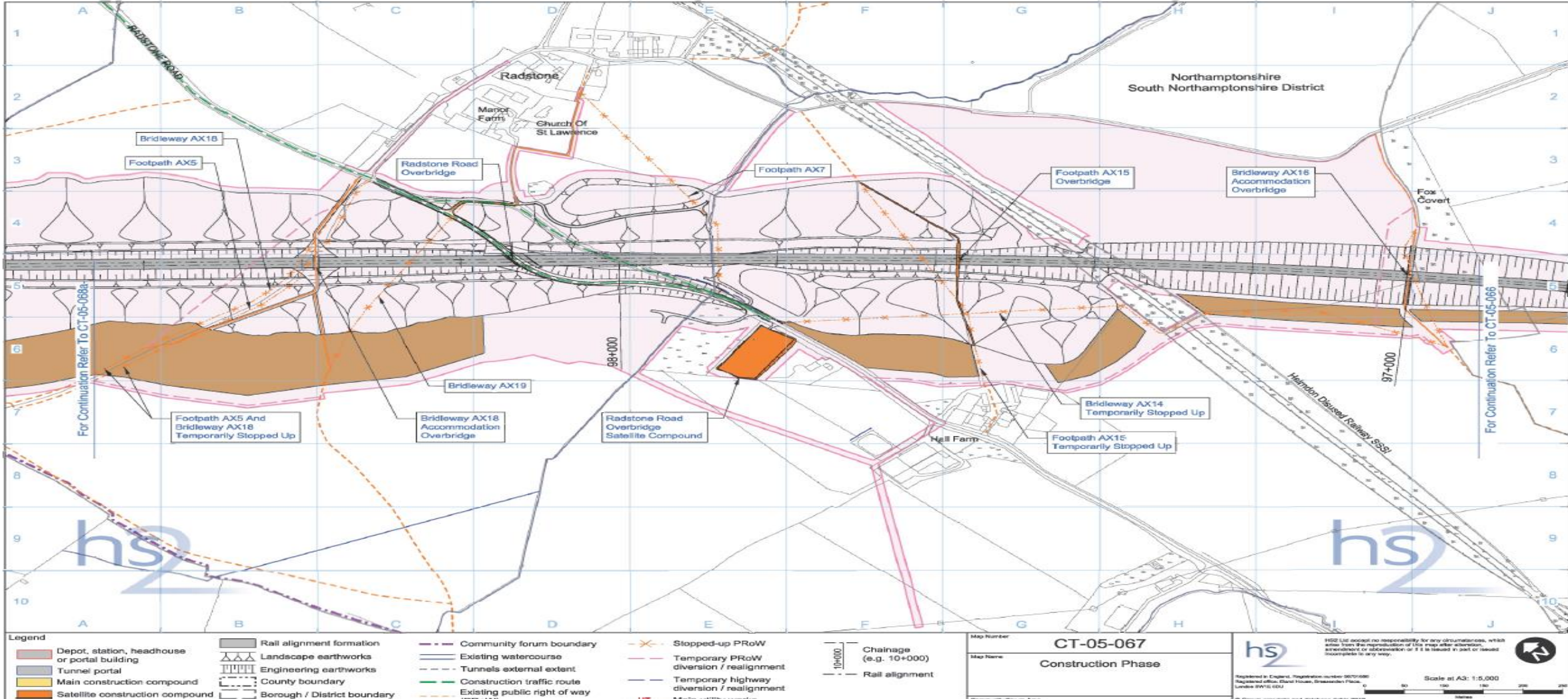
FOR CONTINUATION SEE SHEET No. 3-001

Typical section

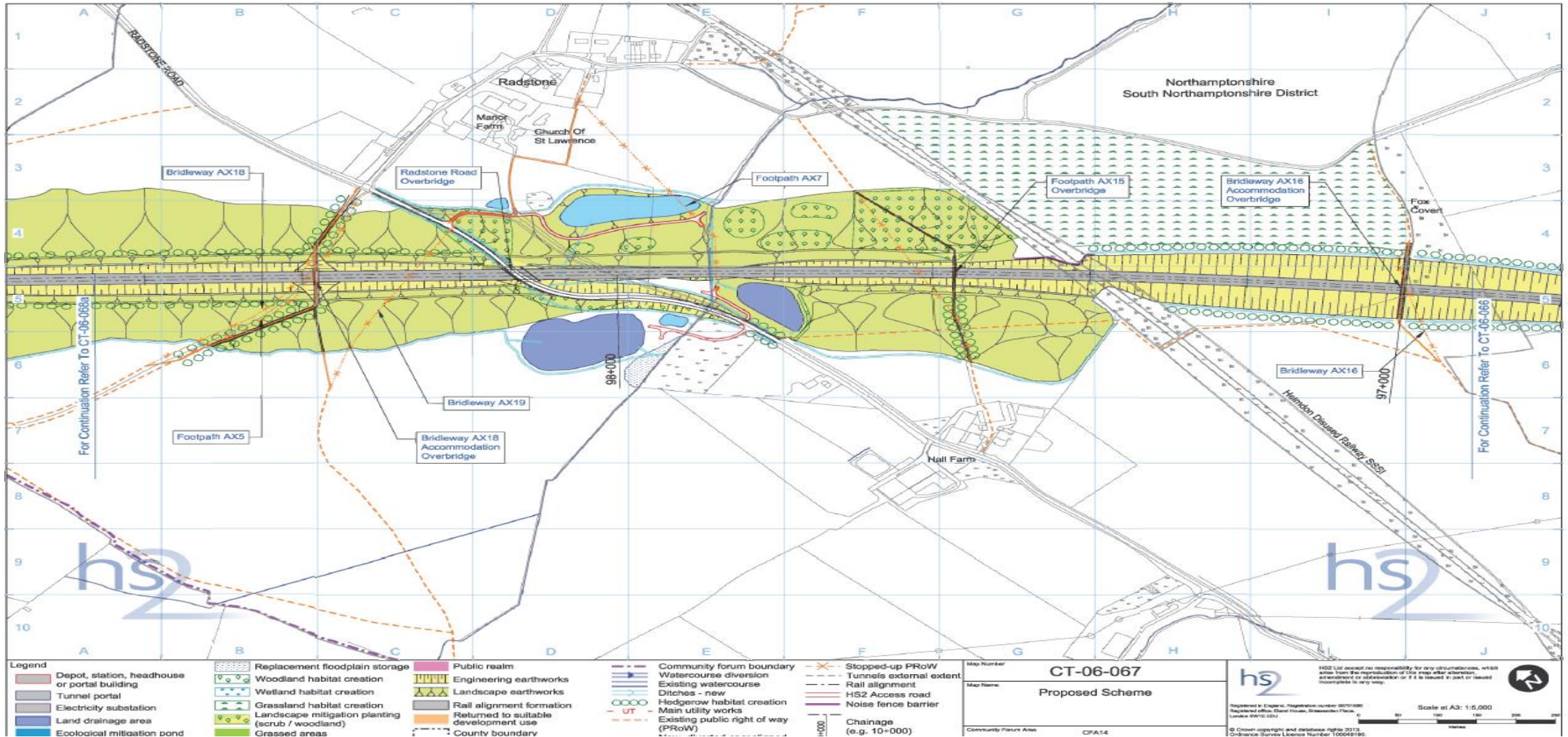
FOR PLAN OF WORK SEE SHEET No. 3-006 and REPLACEMENT SHEETS 3-007 and 3-008



Environmental Statement - construction



Environmental Statement - operation



Hybrid Bill stages

Bill deposit

First Reading

ES consultation

Second Reading

Petitioning period

Select Committee

Public Bill Committee

Report/Third Reading

Procedural stage (no debate)

Parliament's public consultation on the Environmental Statement. Analysis of the responses are published by Parliament to inform the debate at Second Reading

Major debate on the floor of the House. The principle of the Bill and scheme is established. Petitioning period set and Select Committee appointed

Petitions deposited against the Bill heard by a Select Committee

Clause by clause consideration of the Bill and possible amendments made by MPs

The whole House considers the Bill, with further amendments possible

The Bill then follows a similar process through the House of Lords as it did through the House of Commons

First Reading

Petitioning period

Second Reading

Select Committee

Grand Committee/Committee of the Whole House

Report

Third Reading

Commons Consideration of Lords Amendments

Royal Assent

- The principle of the Bill and scheme is debated in Parliament and established at Second Reading in the House of Commons.
- Individuals whose property or interests are directly or specially affected have a right to petition against the Bill.
- Petitions against the Bill are considered by a Select Committee in both Houses.
- The Bill also goes through all the normal public Bill stages just like other Government legislation.
- See Phase 2b factsheet: Hybrid Bill process [here](#)

Any amendments to the Bill made by the House of Lords are now debated and approved by the House of Commons, prior to Royal Assent



Who can petition and how?

The petitioning process is **determined by Parliament**, not by the Government or HS2 Ltd.

Anyone whose **property or interests are directly and specially affected** by the proposals in the Bill can deposit a petition against it (ie submit an objection to it).

The Government can challenge the **right to be heard** of petitioners if it considers that they are not affected, with the final decision made by the Select Committee.

The petitioning period is set at and follows Second Reading; Parliamentary Standing Orders require it to be **at least 25 days**.

Petitions have to be **deposited in writing, following a prescribed format**, and can be submitted electronically or in person. The fee is currently £20.

A petition will not be considered by the Select Committee unless the petitioner or their representative appears to present it.

Full petitioning guidance and a template will be made available by Parliament nearer the time.

People who feel strongly about the Bill or project in principle, and those whose property or interests are not specially and directly affected, have the same opportunity to object to the Bill as they would on any other Government Bill, by contacting their MP or a member of the House of Lords to seek to influence their consideration of the Bill during one of the public Bill stages that the Bill goes through, such as Second Reading.

P2A-000187

Hybrid Bill Petition

House of Commons
Session 2017-19
High Speed Rail (West Midlands – Crewe) Bill

Do not include any images or graphics in your petition. There will be an opportunity to present these later if you give evidence to the committee.

Your bill petition does not need to be signed.
Expand the size of the text boxes as you need.

1. Petitioner information

In the box below, give the name and address of each individual, business or organisation(s) submitting the petition.

Sir William Cash MP
House of Commons
SW1A 0AA

In the box below, give a description of the petitioners. For example, "we are the owners/tenants of the addresses above"; "my company has offices at the address above"; "our organisation represents the interests of..."; "we are the parish council of...".

Member of Parliament for Stone.

2. Objections to the Bill

In the box below, write your objections to the Bill and why your property or other interests are specially and directly affected. Please number each paragraph.

Only objections outlined in this petition can be presented when giving evidence to the committee. You will not be entitled to be heard on new matters.

Introduction



Undertakings & Assurances

Commitments given –

- during passage of the Bill;
- by or on behalf of Promoter of Bill, the Secretary of State;
- to petitioners or potential petitioners; and
- **recorded on the Register of Undertakings and Assurances.**

Classified into two categories –

- **Undertakings:** commitments in legal agreements or contracts (or commitments given to Parliament); and
- **Assurances:** unilateral written commitments (may be included in letters or in Information Papers etc).

Undertakings and assurances can be varied by agreement with the beneficiary (this does not apply to undertakings given to Parliament).

Undertakings in legal agreements or contracts are **directly enforceable through the Courts.**

The Secretary of State is directly answerable to Parliament for any undertakings given to Parliament.

Assurances are enforceable **through the Secretary of State** under the Environmental Minimum Requirements (EMRs).

The EMRs include a requirement to comply with the undertakings and assurances recorded on the Register.

The Secretary of State gives an undertaking to Parliament to enforce the EMRs in so far as they are not directly enforceable through the Courts (ie in a legal agreement or contract).



House of Commons Select Committee

Similar but different to Departmental Select Committees (eg the Transport Select Committee).

Established after Second Reading. No route MPs or MPs linked to the construction or railway industries.

Membership drawn from proportional make-up of the House (ie ordinarily a Government Chair and majority), but usually operates in a non-partisan way.

Sits in a quasi-judicial capacity; operates more like a court than a traditional Select Committee.

Not a planning inquiry (no proofs of evidence, statements of common ground, written representations etc).

Often given an instruction (a motion passed at Second Reading) seeking to clarify the principle of the Bill.

The **role of the Select Committee is to hear the petitions against the Bill that are presented to it.**

Can amend but cannot reject the Bill.

Recommendations of the Select Committee are published in Special Report(s). The **Government then responds to the Select Committee report(s)**. The convention is that the Government accepts Select Committee recommendations.

The Select Committee is **not there to go through the Bill clause by clause** (that is the role of the Public Bill Committee which is the next Public Bill stage), or to look at the wider policy behind the proposals, or to question the need for the scheme.

The **longest single stage in the Bill passage by far**; the Bill is likely to be in the House of Commons Select Committee for 12-18 months.

Parliament TV recordings of hearings of the Phase 2a House of Commons Select Committee can be found [here](#)



House of Commons Select Committee



House of Lords Select Committee

Similar but different to Departmental Select Committees (eg the Transport Select Committee).

Established after First Reading. Peers must not have any conflicts.

Traditionally chaired by a Crossbencher, with membership drawn from proportional make-up of the House (ie no Government majority), but usually operates in a non-partisan way.

Sits in a quasi-judicial capacity; operates more like a court than a traditional Select Committee.

Not a planning inquiry (no proofs of evidence, statements of common ground, written representations etc).

By convention, Additional Provisions **cannot** be promoted in the House of Lords, where that is the second House.

Petitioners don't have to have petitioned in the House of Commons to petition in the House of Lords.

The **role of the Select Committee is to hear the petitions against the Bill that are presented to it.**

Can amend but cannot reject the Bill.

Recommendations of the Select Committee are published in Special Report(s). The **Government then responds to the Select Committee report(s)**. The convention is that the Government accepts Select Committee recommendations.

The Select Committee is **not there to go through the Bill clause by clause** (that is the role of Grand Committee/Committee of the Whole House, which is the next Public Bill stage), or to look at the wider policy behind the proposals, or to question the need for the scheme.

The House of Lords Select Committee is typically **around a third the duration of the House of Commons Select Committee**.

Parliament TV recordings of hearings of the Phase 1 House of Lords Select Committee can be found [here](#)



House of Lords Select Committee



Accommodating changes

The Bill is a **flexible instrument** and many changes will be able to be accommodated within the limits and powers sought.

The Government may offer **commitments** to stakeholders and petitioners to provide comfort that agreed changes will be progressed within Bill powers.

When considering a change to the scheme, the critical questions are:

- does the change propose to create a new highway, bridge, viaduct, high-pressure gas diversion or other **scheduled work**?
- does the change require powers over **additional land**, including temporary powers?
- does the change require a **higher power** over land already included in the Bill (eg the power to acquire permanently rather than to occupy temporarily)?

If so, an **Additional Provision** will be required to promote the change as an amendment to the Bill. Additional Provisions can:

- create further **scheduled works**;
- acquire powers over **additional land**; and
- acquire **higher powers** over land already included in the Bill.

If no additional powers are required to accommodate a change but a **new or different significant environmental effect** is created, then a Supplementary Environmental Statement (SES) is usually required.

SES documents are often published alongside the Environmental Statements accompanying Additional Provisions.

SES changes cannot be petitioned against, as they do not seek to amend the Bill.



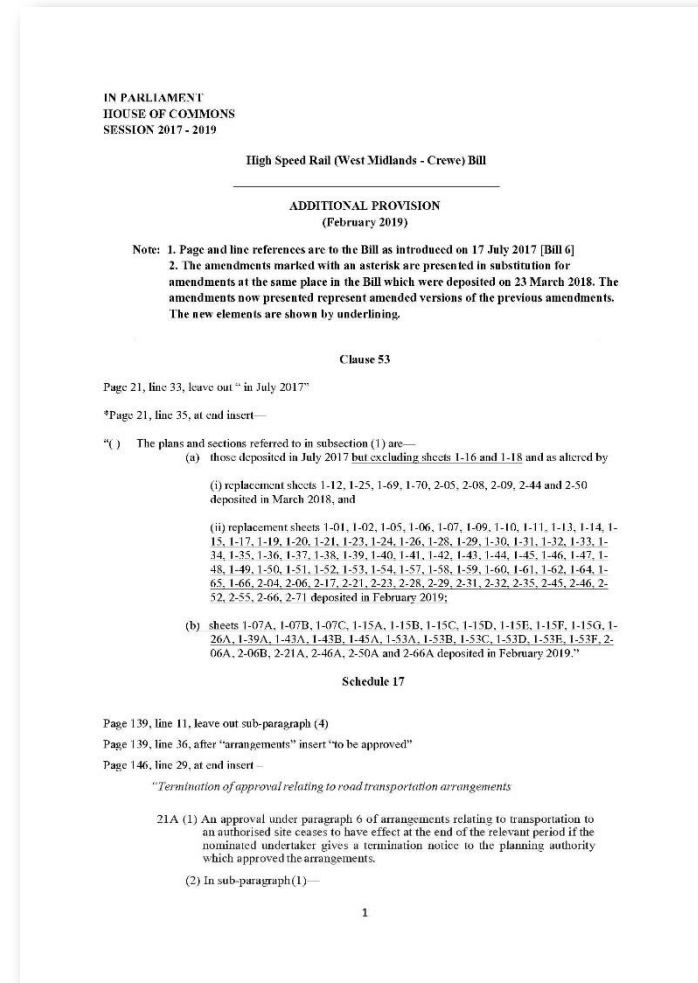
What is an Additional Provision?

An Additional Provision is a package of rehybridising **amendments** to the Bill.

These amendments are usually scheme design changes that have resulted from one of the following:

- the ongoing **developing design** of the scheme;
- **discussions and agreements** with stakeholders and petitioners; or
- **directions** from the House of Commons Select Committee.

There are few scheme changes that **cannot** be incorporated by means of an Additional Provision, but the **principle of the Bill and scheme will have been established at Second Reading** in the House of Commons and changes which go against that principle cannot be promoted. In practice this rules out significant route alignment changes and wholly alternative schemes, but the arguments for other changes are heard at the discretion of the Select Committee.



Contents of an Additional Provision

An Additional Provision follows an almost identical process as the Bill – in effect an Additional Provision is a “**mini-Bill**”.

An Additional Provision requires:

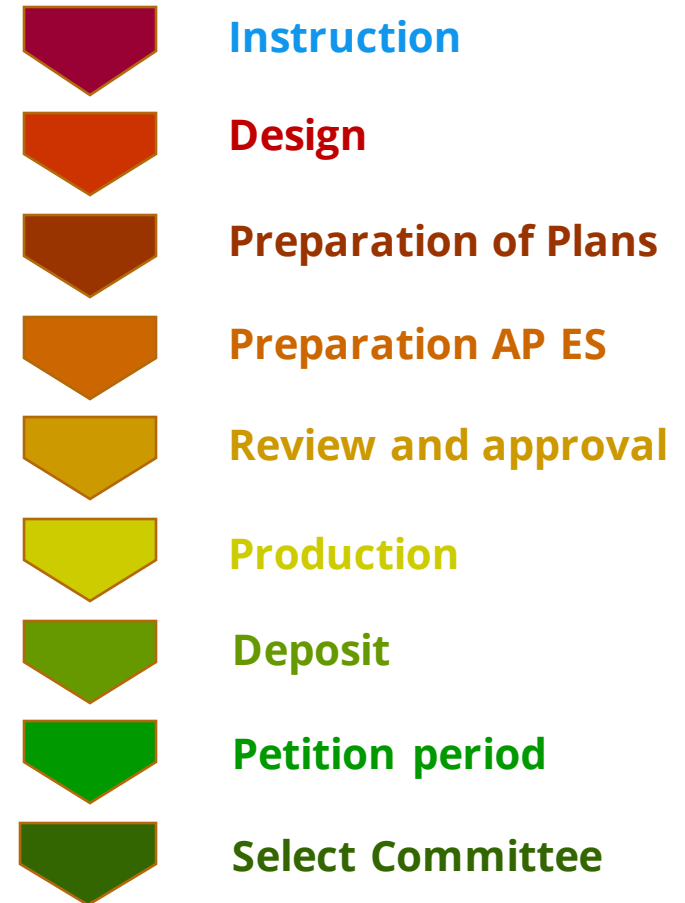
- a formal **Paper of Amendments** to the Bill;
- any replacement **Parliamentary Plans and Sections**;
- a **Book of Reference**;
- an **Environmental Statement**;
- an **Estimate of Expense**.

The preparation period is lengthy, to allow for traffic assessments and surveys to be undertaken.

On the **Phase 1 Bill**, **five Additional Provisions** were deposited during its passage through the House of Commons.

On the **Phase 2a Bill**, **two Additional Provisions** were deposited.

By convention, Additional Provisions **cannot** be promoted in the House of Lords, where that is the second House.



Additional Provisions in Parliament


The Parliamentary process is the same as that for the main Bill:

- the Paper of Amendments, Parliamentary Plans and Sections, the Book of Reference, the Environmental Statement and the Estimate of Expense are **deposited in Parliament and at deposit locations along the line of route**;
- the Additional Provision is **examined** by the Standing Orders Committees of both Houses for compliance;
- a **petitioning period** is agreed with House authorities and petitions - formal objections to the changes - are submitted; and
- the Environmental Statement is subject to **formal consultation**.

As proposals for changes to the scheme, the **Select Committee decides** whether to approve the amendments.

All approved Additional Provisions are **consolidated into the amended Bill**.

In Parliament – Session 2017 - 2019



High Speed Rail (West Midlands - Crewe) Additional Provision Plans and Sections

| | | | |
|---|--|--|--|
| Secretary of State for Transport Department for Transport Great Minster House 33 Horseferry Road London SW1P 4DR | Winckworth Sherwood LLP Minerva House 5 Montague Close London SE1 9BB <i>(Parliamentary Agents)</i> | Eversheds Sutherland (International) LLP 1 Wood Street London EC2V 7WS <i>(Parliamentary Agents)</i> | High Speed Two (HS2) Ltd Two Snowhill Snow Hill Queensway Birmingham B4 6GA |
|---|--|--|--|

March 2018

G3 (A1)



Bill passage



HS2

Introduced

November 2013

July 2017

Second Reading

April 2014

January 2018

Start of Commons Select Committee

July 2014

March 2018

Petitions

2,586

302

Sitting days

159

51

End of Commons Select Committee

February 2016

May 2019

Lords Second Reading

April 2016

September 2019

Start of Lords Select Committee

May 2016

March 2020

Petitions

822

35

Sitting days

64

14

End of Lords Select Committee

December 2016

October 2020

Royal Assent

February 2017

February 2021



HS2

Questions?



Overview of hybrid Bill planning regimes



Controls on HS2

Controls within the Bill

- Scope of works (Sch 1 & 2)
- Planning Conditions (Sch 17)
- Bringing into use scheduled works (Sch 17)
- Restoration of construction sites (Sch 17)
- Restoration of land following temporary possession and use (Sch 15)
- Construction of replacement buildings (Clause 55)
- Protective provisions (Sch 32)
- Highways approvals (Sch 4)

Controls outside the Bill

Environmental Minimum Requirements

- General Principles
- Code of Construction Practice (Information paper D3)
- Planning Memorandum
- Heritage Memorandum
- Environmental Memorandum
- Undertakings and Assurances

Existing Legislation

Unless expressly or impliedly disapplied or modified by the Bill, existing legislation will apply

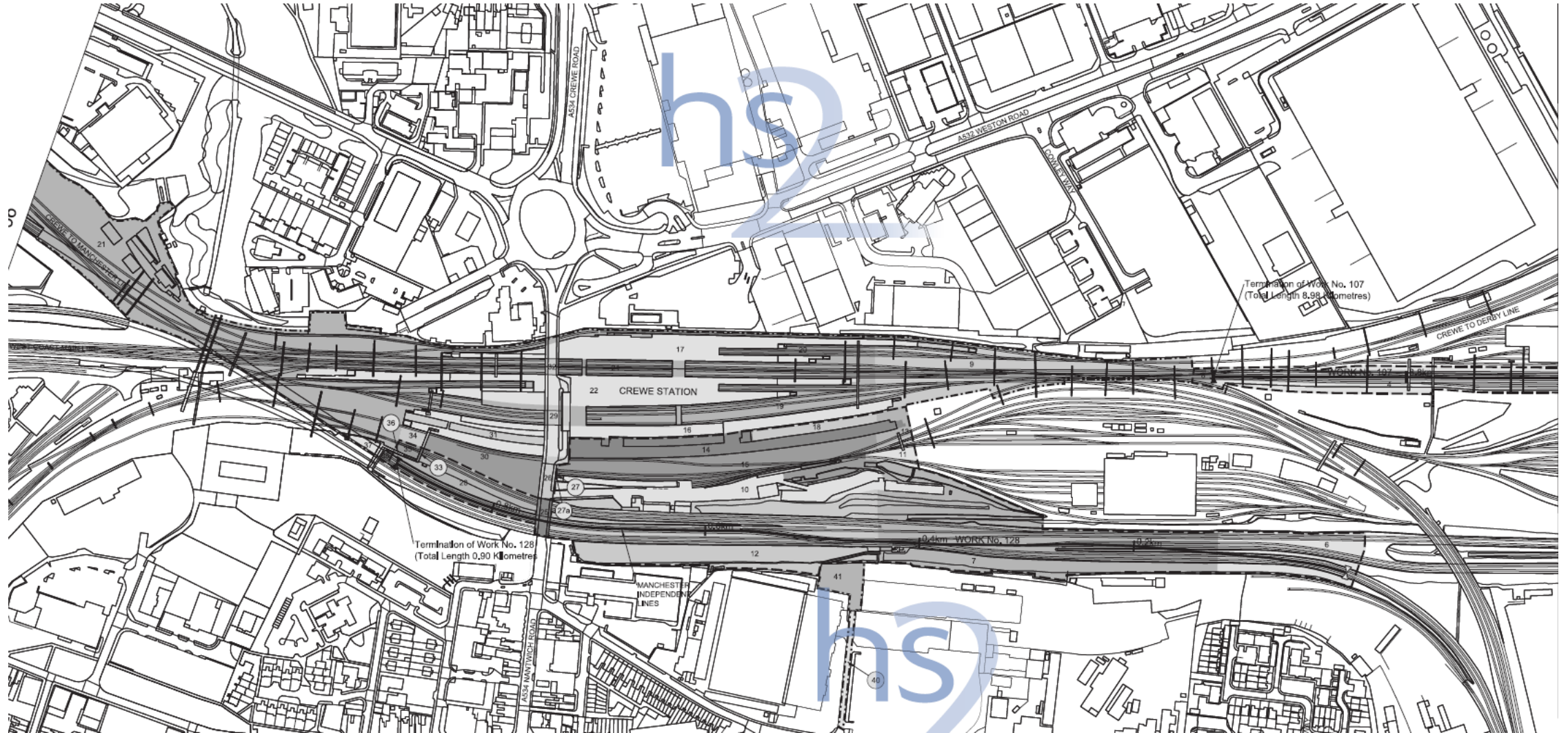
- e.g. Section 61 of the Control of Pollution Act (noise)
- e.g. Licences for affected species
- e.g. Environmental permitting for waste

Summary of Planning Approach

- Planning authority for Hybrid Bills is Parliament. Upon Royal Assent, deemed planning consent will be granted for construction of the railway.
- Hybrid Bills have included a special planning regime for the approval of certain details from the relevant LPA (different to the Town and Country Planning Acts).
- Deemed planning permission linked to:
 - Description of works in the Bill
 - Bill limits
 - Effects reported in the ES



Why have a planning regime?



Planning approvals under Hybrid Bills

- Deemed planning permission subject to approvals by the planning authority (Sch 17):
 - Plans and specifications
 - Matters ancillary to development
 - Road transport
 - Waste and spoil disposal and excavation
 - Site restoration
 - Bringing into use
- Further approvals post-Royal Assent are akin to discharging conditions rather than planning applications
- Range of planning approvals required depends on whether the authority is a qualifying authority

| | | | |
|---------------------|--|---------------|----|
| | SCHEDULE 17 | Section 20(3) | 35 |
| | CONDITIONS OF DEEMED PLANNING PERMISSION | | |
| | PART 1 | | |
| | CONDITIONS | | |
| <i>Introductory</i> | | | |
| 1 | The requirements in paragraphs 2 to 12 are conditions of deemed planning permission under section 20(1). | | 40 |

LPA Decision Making

- Bills define the grounds which LPAs can grant / refuse
- Variation between different approvals but broadly:
 - *The design and external appearance of the building works ought to be modified*
 - *To preserve the local environment or local amenity,*
 - *To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area,*
 - *To preserve a site of archaeological / historic interest or nature conservation value,*
 - *and is reasonably capable of being so modified, or*
 - *The development ought to, and could reasonable, be carried out elsewhere within the development's permitted limits.*



Plans and Specifications

- Plans and specifications are approvals of design
 - Plans are submitted to the relevant authority
 - Drawings similar to those submitted for planning applications
 - Grounds for consideration and conditioning limited
 - Approvals needed for:
 - buildings
 - road vehicle parks
 - terracing
 - cuttings
 - embankments and other earthworks
 - fences
 - walls or other barriers
 - transformers
 - telecommunication masts
 - pedestrian access to the railway line
 - artificial lighting
 - waste and spoil disposal
 - borrow pits
-

Wendover Dean Viaduct



Parliamentary Design



Schedule 17 Design



Curzon Street Station



Schedule 17 Scheme



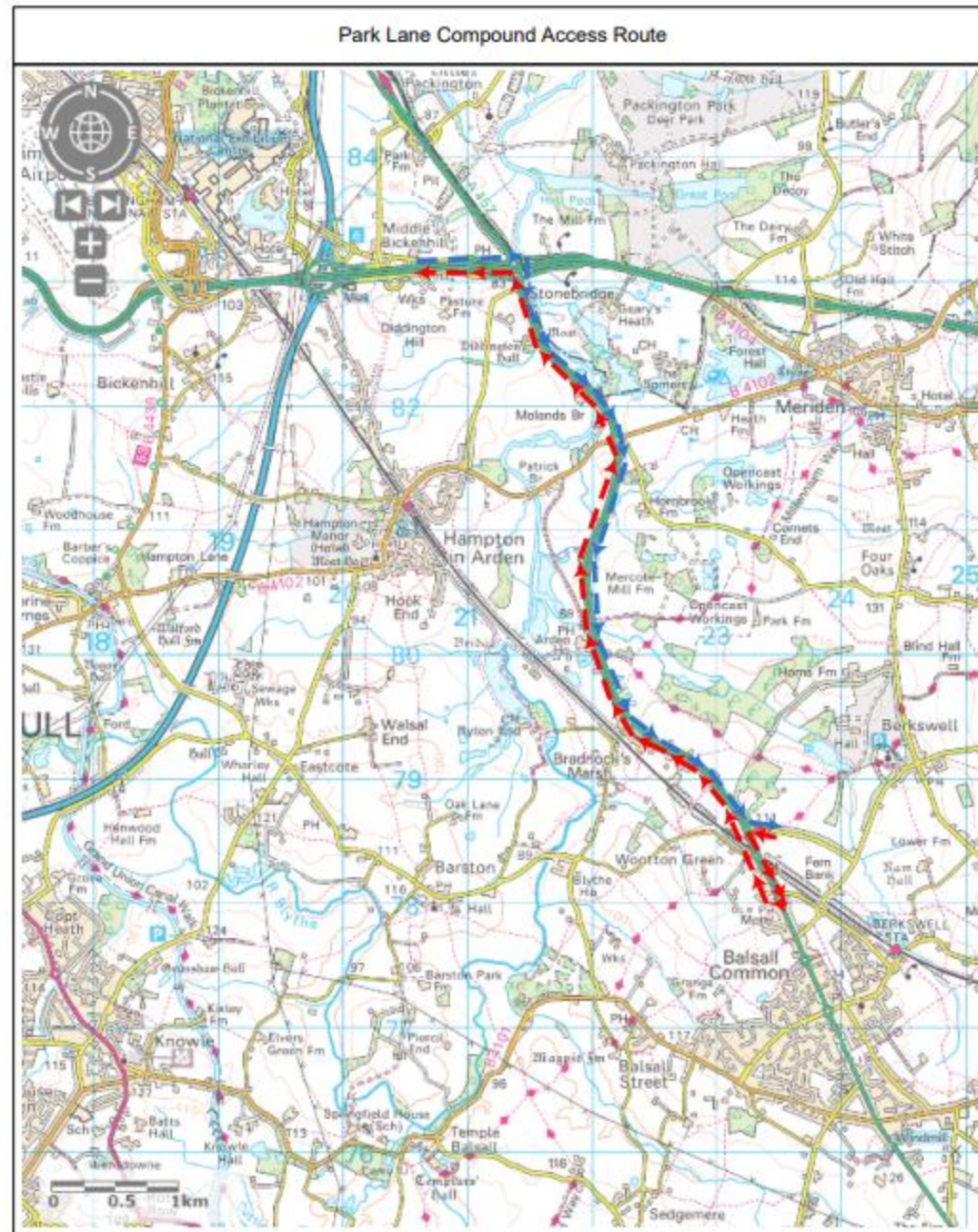
Matters ancillary to development

- Generally referred to as construction arrangements
 - Handling of re-useable spoil and topsoil
 - Storage sites
 - Site Screening
 - Artificial lighting
 - Suppression of dust
 - Mud on the highway
 - Construction camps
- Class Approval



Road transport

- Generally referred to lorry routes
- Required for sites with more than 24 lorry movements per day (movement is a one way trip)
- Routes to and from the site must be approved between the site and the special/trunk road network



Site restoration and bringing into use

Site Restoration

- Required for all sites temporarily occupied for works
- Sites must be restored to a scheme agreed with the either:
 - the LPA
 - the LPA and the landowner

Bringing into Use

- Scheduled works (ie the major works listed in Sch 1 to the Bill) cannot be used until bringing into use approval is granted.
 - Approval ensures that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation on the local environment or local amenity
-

Site restoration example

- Chalfont St Peter Vent Headhouse
- Restoration scheme for land temporarily occupied for construction
- Integrates site into local landscape
- Influenced by planning authority and HS2 Independent Design Panel



minerals and waste

Waste and spoil disposal and excavation

- Must be carried out in accordance with approved plans and specifications
- Method of working
- Restoration scheme



Other Requirements

- HS2 to provide a forward programme of requests for approval for 6 month period
- Consultations:
 - Pre-submission discussions with Nominated Undertaker / Contractors
 - LPA required to consult with Natural England, Environment Agency, Historic England and CRT
 - Other consultation at the LPAs discretion
 - Eight week approvals (unless otherwise agreed with LPA)
- Statutory Guidance
- Appeals Process



Department
for Transport

High Speed Rail (London-West
Midlands) Act 2017

Schedule 17 Statutory Guidance

Moving Britain Ahead

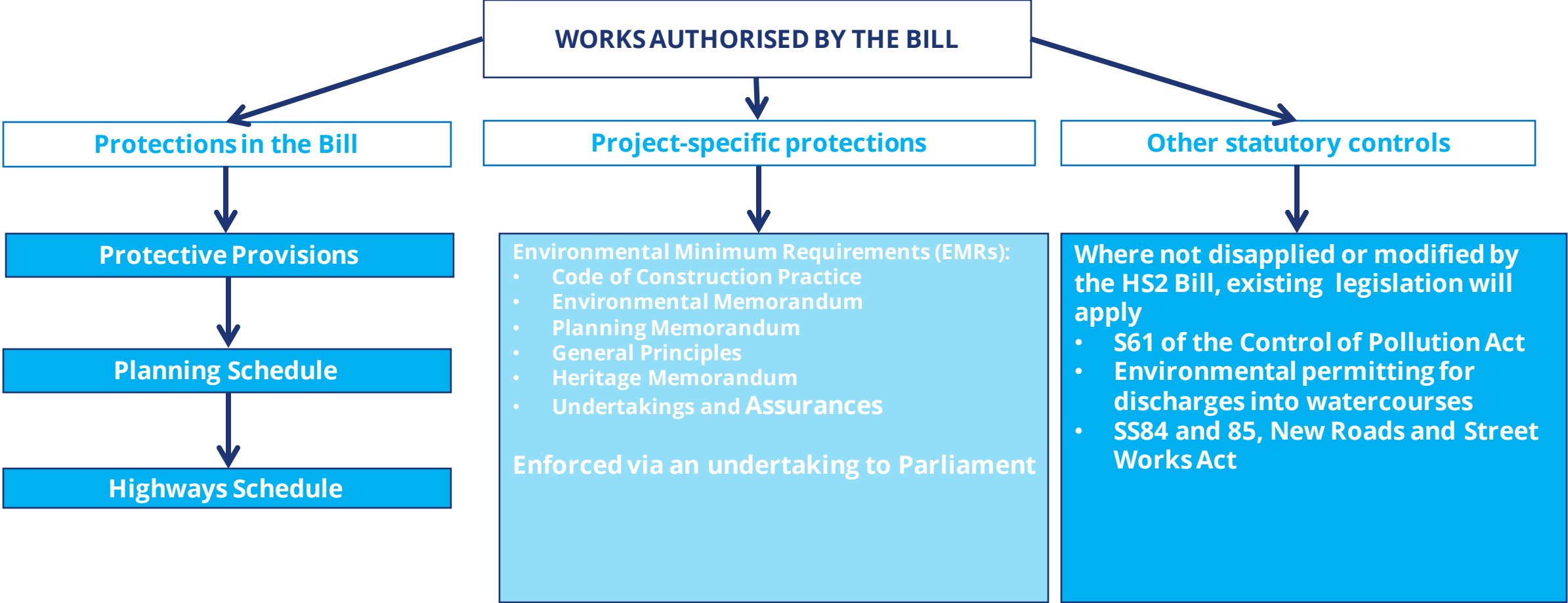
February 2017

HS2

Environmental Minimum Requirements

June 2021

Environmental controls imposed on HS2



Environmental Minimum Requirements (EMRs)

General Principles

Planning
Memorandum

Heritage
Memorandum

Environmental
Memorandum

Undertakings and
Assurances

Code of
Construction
Practice



General Principles

- Ensures the scheme is built within reported impacts
- NU will use reasonable endeavours to adopt mitigation measures that will further reduce adverse environmental effects
- NU is contractually bound to comply with the EMR
- Statutory Undertakers carrying out development in connection with HS2 will be required to comply with the controls set out in the EMRs



Planning Memorandum

- Arrangements for processing of submissions
- Obligations and responsibilities of HS2 and LPAs:
- Membership of Planning Forum
- Expeditious handling of planning matters



Heritage Memorandum

- Obligations in relation to heritage - designated and undesignated
- Archaeology and built heritage
- Listed building / Scheduled monuments
- Investigation, recording and mitigation



Heritage Memorandum

Example from Phase 1

- Investigation and recording of heritage assets (section 4.6)



Environmental Memorandum

- Relates to the environmental aspects of the design and construction
- Role of the National Environment Forum
- Sets overall environmental aims and principles for the project
- Topic based

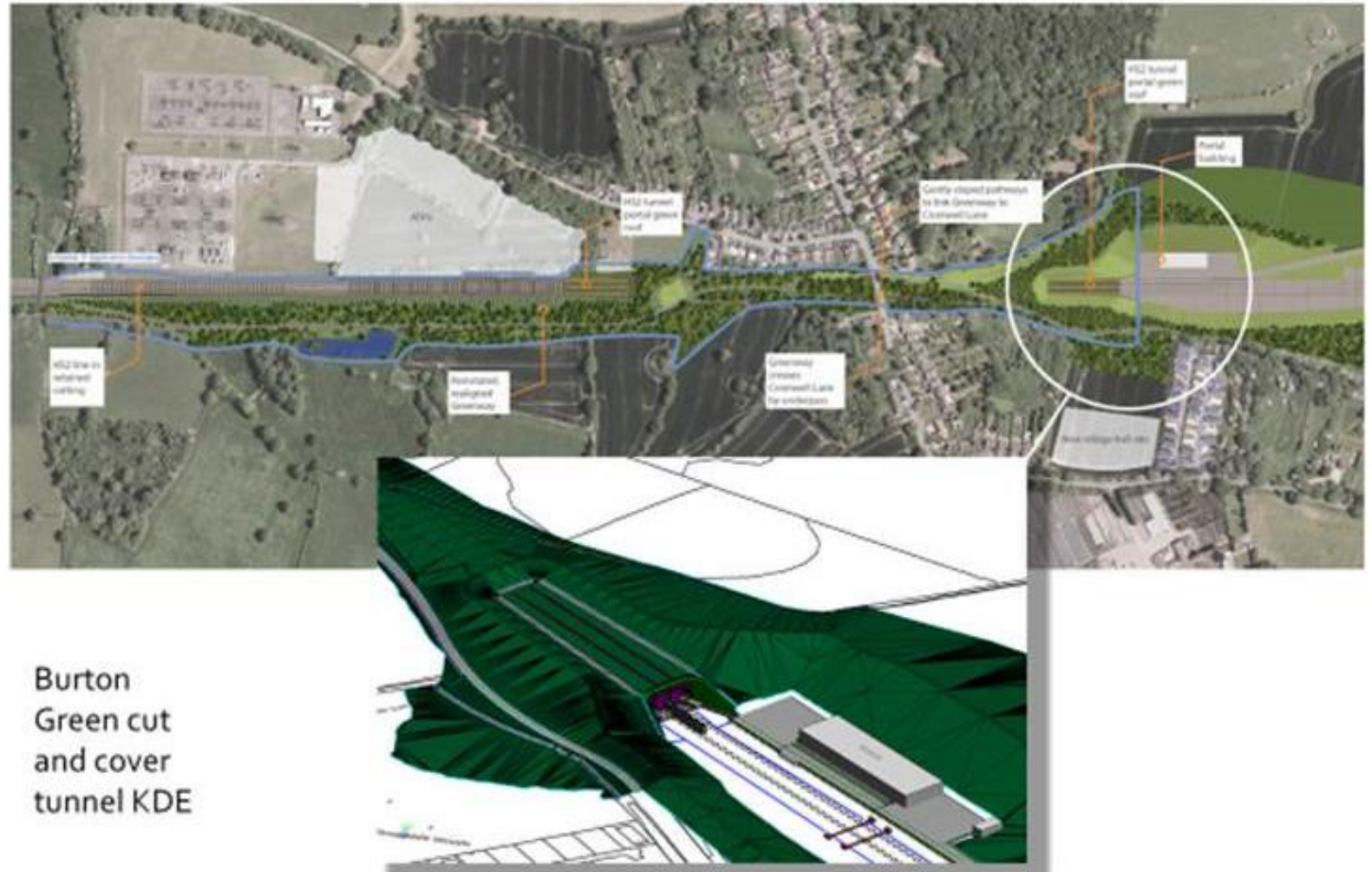


Environmental Memorandum

Example from Phase 1

- Landscape and visual (section 4.6)

Landscape infrastructure



Code of Construction Practice

- Relates to the route-wide principles governing construction
- Contains strategic control measures and the standards that will be implemented as a minimum throughout the project
- Sets out specific working practices
- Local measures will be applied through Local Environmental Management Plans
- Based on best practice from previous major projects



EMRs

Undertakings and Assurances

- Commitments given by the Promoter (Secretary of State) during the passage of the Bill through Parliament.
- Thousands of Undertakings and Assurances were made to organisations and individuals along the HS2 routes (P1 & P2a)



EMR - Summary

- A very extensive set of controls on the project
- A proven method for controlling the environmental effects of major projects
- Created by a commitment to Parliament by the Secretary of State
- Contractually binding on the nominated undertaker
- Any disputes over the EMRs determined by the Secretary of State
- Ultimate recourse to Parliament



Planning Authority Feedback and general matters



AOB/Questions?

