

## Phase 2a Planning Forum – Environmental Health Subgroup Minutes #8 – 30 June 2022

<b>Date, time &amp; Venue:</b>	<b>Thursday 30 June 2022</b> <b>11:00 – 12:30</b> <b>Microsoft Teams</b>	
<b>Promoter Attendees:</b>	[REDACTED]	HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd
<b>Attendees:</b>	[REDACTED]	Cheshire East Council (CEC) Cheshire East Council (CEC) Staffordshire County Council (SCC) Stafford Borough Council (SBC) Stafford Borough Council (SBC) Newcastle-under-Lyme District Council (NUL) Shropshire Council (SC) Cheshire East Council (CEC) Department for Transport (DfT) Newcastle-under-Lyme District Council (NUL)
<b>Also invited/apologies:</b>	[REDACTED]	Cheshire East Council (CEC) East Staffordshire Borough Council (ESBC) East Staffordshire Borough Council (ESBC) East Staffordshire Borough Council (ESBC) Lichfield District Council (LDC) Lichfield District Council (LDC) Shropshire Council (SC) Stafford Borough Council (SBC) Stafford Borough Council (SBC) Staffordshire County Council (SCC)
<b>Copies:</b>		

<b>Item</b>	<b>Topic</b>	<b>Action owner</b>
1.	<b><u>Welcome and Introductions</u></b> All attendees introduced themselves and which organisation they represent. The chair confirmed the meeting agenda.	
2.	<b><u>Review of Minutes from Previous Meeting</u></b> <b>Action:</b> HS2 Ltd to confirm how electricity will be generated for the operation of the railway. <i>Action closed: As noted in the HS2 Net Zero Carbon Action Plan, HS2 trains will be powered by zero carbon energy from Day One of operation. The government is currently</i>	

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	<p><i>developing plans for zero carbon energy supply by 2035. HS2's commitment will aid in accelerating the UK's move towards zero carbon electricity generation.</i></p> <p><b>Action:</b> HS2 Ltd to confirm if electric vehicle (EV) charging points installed for construction will be temporary or permanent. <i>Action closed: To be confirmed through the designs (main works contractor not yet appointed).</i></p>	
3.	<p><b><u>HS2 Phase 2a Update</u></b></p> <p>HS2 Ltd gave an update on the delivery of Phase 2a early works and main works contracts.</p> <p>HS2 Ltd provided an indicative summary programme for the next 12 months of Phase 2a delivery across its contracts. An update was provided on the Early Environmental Works (EEW) contract and on the Enabling Civils Works 1 (ECW1) contract. An overview was also provided of the progress of ACW (Advanced Civil Works) and DDP (Design and Delivery Partner) procurement.</p> <p>HS2 Ltd gave an indicative six month forward look of Section 61 consents (S61) and Statement of Intents (Sol) that will be submitted to the Local Authorities. These included the ECW1 and ECW2 contracts, as well as for utilities works for the next 3-6 months. It was noted that some locations may be combined within Sols, with agreement from the relevant EH lead. The relevant contracts will follow up to discuss their applications in further detail.</p> <p>A question was raised as to whether the proposed ECW1 &amp; ECW2 S61 and Sols will include any that are cross-boundary.</p> <p><b>Action: HS2 Ltd to confirm if ECW1 &amp; 2 S61 and Sol forecast numbers include cross-boundary applications.</b></p> <p><i>Post Meeting Note: The current proposal is to submit separate Sol and Section 61 consent applications for the M6 Junction 15 works to SBC and NULBC. However, as the two Local Authorities intercept the same work site, it is likely that the documents submitted will be the same or very similar for practical reasons and such that each Local Authority can best understand the works in the wider context. Pre-application meetings will be undertaken with SBC and NUL to agree how the Sol and Section 61 consents will be submitted.</i></p> <p>A question was also raised as to whether HS2 Ltd can share the ground investigation (GI) reports with the relevant local authorities.</p> <p><b>Action: HS2 Ltd to confirm if GI reports can be shared with the relevant local authorities.</b></p> <p>NuL raised the potential of works being carried out in proximity to private aquifers (in particular in the Madeley area) and what work is being done to consider this – the potential impact, likely mitigation and any associated monitoring. HS2 Ltd confirmed that risk assessments are undertaken by the relevant contracts but could follow up in further detail.</p> <p><b>Action: HS2 Ltd to confirm any work that has been carried out on/near private aquifers with the ACD team and relevant contracts.</b></p> <p><b>Action: HS2 Ltd to share ACD noise monitoring reports with EH attendees.</b></p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
4.	<p><b><u>Schedule 17 Request for Approvals and Conditions</u></b></p> <p>HS2 Ltd provided an overview of Planning Forum Notes (PFNs) and of the key principles that should be applied when considering Schedule 17s and associated conditions. These were:</p> <ul style="list-style-type: none"> <li>A. Conditions must be relevant to the development or matter subject to the consent.</li> <li>B. Conditions must be relevant to the grounds relevant to the consideration of the consent.</li> </ul>	

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	<p>C. Conditions should not replicate other controls or commitments, including the High Speed Two Phase 2a Environmental Minimum Requirements (EMRs).</p> <p>D. Conditions should not pre-empt future requests for approvals or agreement.</p> <p>Each of the key principles was discussed in detail by HS2 Ltd's Phase 2a Town Planning Manager.</p> <p>A reminder was also provided of all documents relevant to this subject including the EMRs and Planning Forum Notes. Links below:</p> <ul style="list-style-type: none"> <li>• S.17 Statutory Guidance - <a href="https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/102222/high-speed-rail-west-midlands-crewe-act-2021-schedule-17-statutory-guidance">High Speed Rail (West Midlands -Crewe) Act 2021: Schedule 17 Statutory Guidance (publishing.service.gov.uk)</a></li> <li>• Planning Forum Notes - <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/102222/hs2-phase-2a-planning-forum-notes-for-local-authorities">HS2 Phase 2a Planning Forum notes for local authorities - GOV.UK (www.gov.uk)</a></li> <li>• EMRs - <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/102222/environmental-minimum-requirements-for-hs2-phase-2a">Environmental minimum requirements for HS2 Phase 2a - GOV.UK (www.gov.uk)</a></li> <li>• Environment Information Papers - <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/102222/environment-hs2-phase-2a-information-papers">Environment: HS2 Phase 2a information papers - GOV.UK (www.gov.uk)</a></li> </ul> <p>SBC enquired about who would enforce Schedule 17s in the case of public challenge or complaint – i.e. would it be with the council or would it default to other controls. An example was given of a breach of working hours. HS2 Ltd confirmed that for a breach of Schedule 17 (which is more related to the design) the enforcement would remain with the local planning authority. For a breach of working hours under a Section 61 any enforcement would also remain with the local authority under the terms of the Section 61 consent. Furthermore, in the event of a failure to comply with the Environmental Minimum Requirements, recourse will be through the Secretary of State rather than the courts, and the Secretary of State is answerable to Parliament for securing compliance. However, it is envisaged that engagement during design development between HS2, its contractors, and consenting or regulatory bodies will mitigate risk of non-compliance.</p>	
5.	<p><b>Air Quality Update</b></p> <p>HS2 Ltd provided an Air Quality (AQ) update for January – May 2022. Monthly AQ monitoring reports are published on gov.uk. It was noted that the HS2 and AQ webpage holds information on AQ requirements, and case study findings.</p> <p>Link to webpage: <a href="https://www.hs2.org.uk/building-hs2/hs2-environment-facts/hs2-and-air-quality/">https://www.hs2.org.uk/building-hs2/hs2-environment-facts/hs2-and-air-quality/</a></p> <p>AQ monitoring locations were presented, along with AQ monitoring results at 10 sites from 2019-2021 and the running average for 2022. HS2 Ltd outlined AQ emission requirements for on and off-road machinery. Data was presented of construction vehicle compliance. The Phase One Non-Road Mobile Machinery (NRMM) emission requirement compliance figures were also presented to the EH Subgroup given the early stage of Phase 2a.</p> <p>NuL enquired about how to consult HS2 on the revocation of an AQMA and also whether they could access HS2 data for inclusion in their report. NuL also highlighted that they would be interested in any off-route effects through any diversions implemented and how that might influence emissions and asked to be kept aware of any. SCC identified that they would also discuss this in further detail with NuL. HS2 confirmed that air quality monitoring was reported on gov.uk (link above).</p> <p><b>Action: NuL to email with details on the AQMA to be revoked and to provide any further details of locations of concern in relation to diversions.</b></p> <p><i>Post Meeting Note: NuL has confirmed that the Little Madeley AQMA will be revoked later this year as NO2 levels are below the annual mean objective. NO2 levels are largely influenced by the M6 in this area</i></p> <p>NuL enquired if any data is available on particulate matter monitoring. HS2 Ltd confirmed that PM10 monitoring is based on the output of dust risk assessments carried out for the works (i.e. where a site is identified as medium or high risk). Currently no need for particulate matter monitoring in Phase 2a has been identified to date, however HS2 will be</p>	NuL



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9..	<b><u>AOB</u></b> As questions were raised in the relevant sections of the agenda there were no further queries raised.	
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