



# HS2 Heritage Sub-Group

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Helen J Glass

10<sup>th</sup> September 2013



# Agenda

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- Introduction
- Phase 1 update
- Hybrid bill overview
- HS2 planning regime and EMRs
- Draft heritage memorandum
  - Discussion
- Summary of key points
- Next steps and actions
- AOB

# Phase 1 update

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- Finalising the environmental statement
- Preparing bill documents & schedules
- Preparing the EMRs
- Community Forums; September
- Re-consultation on Land and property compensation; soon to be announced



# Hybrid Bill Overview

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## Public Bills

- Change the law as it applies to everyone
- Generally introduced by Government and debated in Parliament
- Individuals can make representations to MPs but have no right to be heard

## Private Bills

- Promoted by organisations to give themselves powers beyond or in conflict with the law
- Affects only certain individuals
- Individuals affected have the right to petition and be heard

# Typical powers in a hybrid Bill

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- Based on Crossrail / CTRL
- Deemed planning permission
- Undertake works
- Compulsorily purchase land
- Railway regulation
- Modifications / disapplication's of protections (e.g. listed buildings, ancient monuments, trees)
- Stop up highways



# Key hybrid Bill documents

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- Bill clauses
- Bill schedules
- Environmental Statement (ES)
- Plans and Sections
- Book of Reference



**Questions?**

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# HS2 Planning Regime and EMRs– Heritage Sub-Group

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Paul Gilfedder

# Planning in railway hybrid bills

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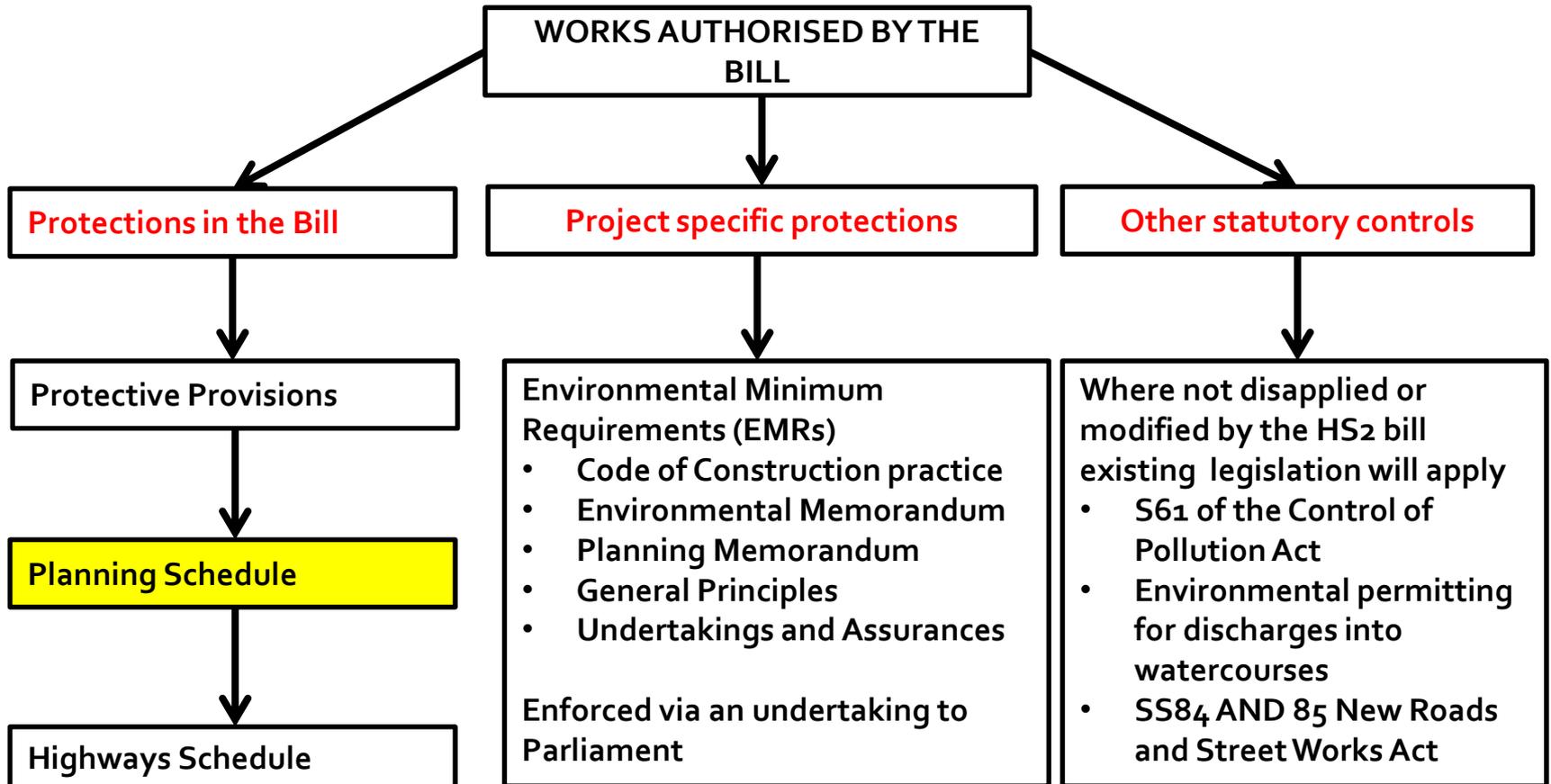
- Under the HS2 Bill planning will be one of the principal controls local authorities will have
- The Nominated Undertakers building HS2 will have to obtain a range of approvals from local authorities
- This is different to 'normal' planning local authorities are used to
- Needs to be seen in the context of controls imposed through the hybrid bill process

# Learning from previous projects

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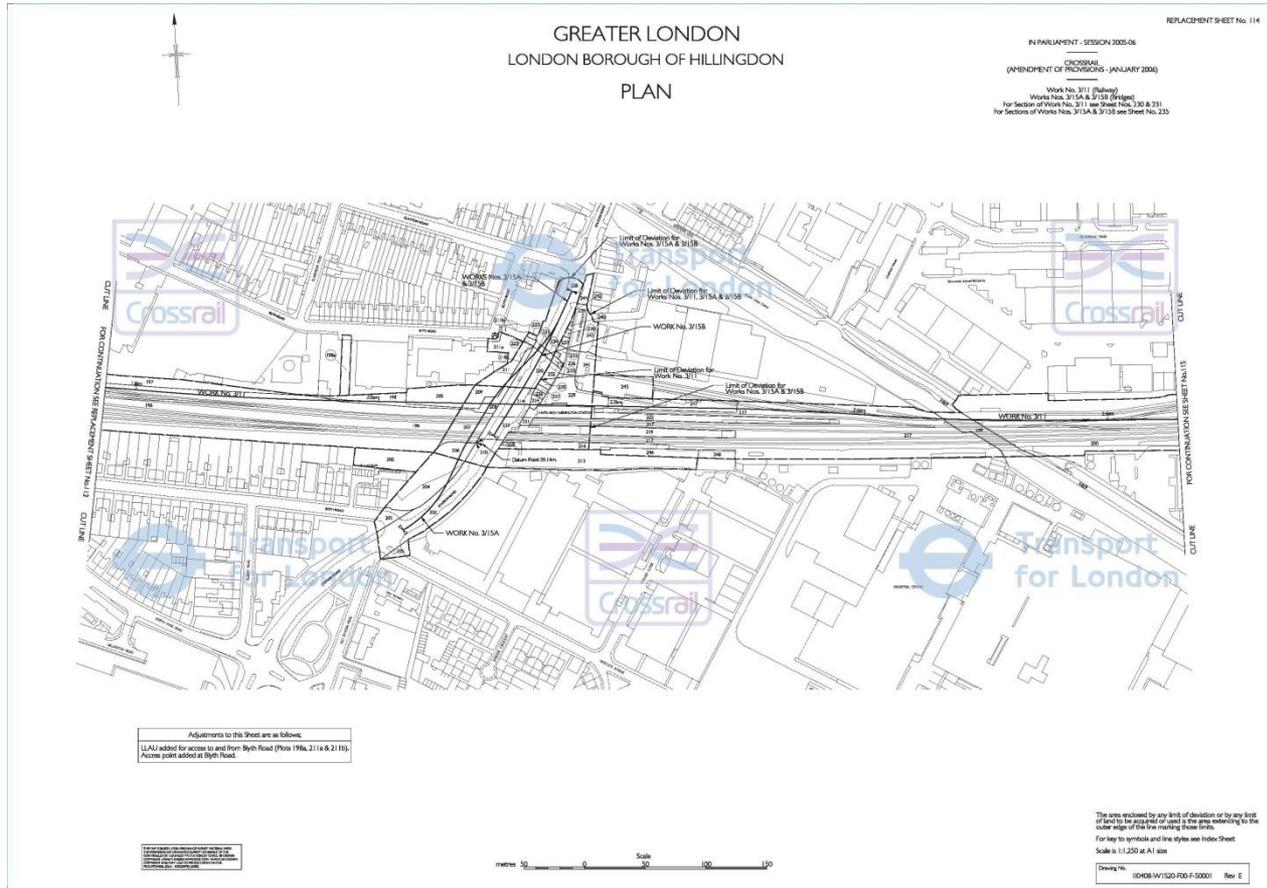
# Controls in place on the HS2



# Environmental Minimum Requirements

Title	Engagement	1 <sup>st</sup> Draft	Final
<b>Environmental Minimum Requirements</b>			
General principles	Statutory Agencies – EA, NE and EH; LPAs	Autumn 2013	Prior to Royal Assent
Environmental Memorandum	Statutory Agencies – EA, NE and EH; LPAs	Autumn 2013	Prior to Royal Assent
Planning Memorandum	Local authorities	September 2013	End House of Lords Select Committee
Heritage Memorandum	EH and local authorities	August 2013	Prior to Royal Assent
CoCP	Local authorities, statutory agencies	Autumn 2012	Prior to Royal Assent

# Purpose of the Planning Regime



# Purpose of the Planning Regime

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- Detailed design is not approved by hybrid bill
- For the hybrid bill the level of design detail is that necessary for the bill and of the EIA
- Detailed design necessary for construction will not commence in time for Bill deposit
- Hence a need for an approvals process
- This is the purpose of planning conditions schedule
- A stream-lined process

# Main features of the Planning Regime

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- Balance between local controls and the delivery of a scheme of national strategic importance
- Qualifying and non-qualifying authorities
- The Planning Forum and the Planning Memorandum
- Unitary, district and county councils
- 8 week determination for submissions
- Fees

# Approvals: Plans and Specifications

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- Plans and specifications are approvals of design
- Plans are submitted to the relevant authority for approval
- Drawings similar to those submitted for planning applications
- Grounds for consideration and conditioning limiting
- 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

# Approvals: Plans and Specifications

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# Plans and specifications grounds

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That the design or external appearance of the works ought to be modified—

(a) to preserve the local environment or local amenity,

(b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or

(c) **to preserve a site of archaeological or historic interest** or nature conservation value,

and is reasonably capable of being so modified.

That the development ought to, and could reasonably, be carried out elsewhere within the limits of the land on which the works of which it forms part may be carried out under this Act.

# Approvals: Construction arrangements

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- These are approvals of how certain matters are controlled during construction. These are:
  - road transport
  - handling of re-useable excavated material and top soil
  - storage sites
  - construction camps
  - screening
  - artificial lighting
  - suppression of dust
  - mud on a highway.
- They are not approvals of how the works are undertaken
- Class approval



# Approvals: Site restoration

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- The Nominated Undertaker will have to restore all sites that are temporally occupied
- The restoration scheme will have to be agreed with the relevant local authority



# Approvals: Bringing into use

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- BIU approvals are required from QAs for certain scheduled works prior to them being brought into use
- A way of making sure all appropriate mitigation is delivered



# Questions?

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# Draft Heritage Memorandum

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- Introduction
- Aim of memorandum
- Principles
- Consultation
- Disapplication of heritage legislation
- Mitigation
- Unexpected discoveries of national significance
- Disapplication of human remains and monuments legislation
- Setting of heritage assets
- Sustainability

# Summary of key points

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## Next steps and actions

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- Further comment to HS2 Ltd
  - Friday 27<sup>th</sup> September 2013
- Revised *draft* prepared for submission as part of the EMRS with the hybrid Bill



# Questions?

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