

August 2016

**HIGH SPEED RAIL (LONDON - WEST
MIDLANDS) BILL**

**HOUSE OF LORDS
SELECT COMMITTEE**

**Petition No. 382:
Camden Cutting Group**

Promoter's Response Document

INTRODUCTION

This Promoter's Response Document (PRD) forms the Promoter's response to Petition No. 382, from the Camden Cutting Group.

In this PRD, 'the Promoter' means the Secretary of State and HS2 Ltd acting on his behalf.

The purpose of the PRD is to advise you and the Select Committee of the Promoter's position in relation to the petitioning points raised. It is intended that the PRD will alleviate many of the concerns raised in the petition.

The Table of Contents overleaf lists the page number, petitioning points in the order they appear in the petition, and a summary statement of the issue(s) contained in the petition for quick reference. Other supporting material (e.g. reports, drawings and photographs) referred to in the response points are attached where applicable.

Copies of the HS2 Information Papers referred to in the response points can be found at <https://www.gov.uk/government/collections/high-speed-rail-london-west-midlands-bill>.

Department for Transport
High Speed Two (HS2) Limited

BACKGROUND

The Camden Cutting Group speaks for those residents in the area bounded in the south by Granby Terrace, in the north by Parkway, in the west by Park Village East and West (including the Peabody Estate), and in the east by Arlington Road. About 3,000 people live in this area.

The Petitioner submitted Petition No. 858 against the Bill and Petition No. AP3: 91 against Additional Provision 3 to the Bill in the House of Commons. The Petitioner was issued PRDs in response to these Petitions in November 2015 and appeared before the House of Commons Select Committee on 8 December 2015.

The amendments contained in AP3 were incorporated into the Bill following consideration by the House of Commons Select Committee and these amendments now form part of the Bill as introduced into the House of Lords. The Proposed Scheme therefore now includes those amendments made by AP3 in the House of Commons.

PETITION NO. 382

CAMDEN CUTTING GROUP

TABLE OF CONTENTS

Page No.	Petition Paragraph No.	Issue
4	36-42	Development of Euston station
9	43 - 47	Old Oak Common
10	48 - 46 & 82 - 85	Noise insulation and temporary rehousing thresholds
13	57- 59	Use of LAmax
15	60 - 65	Noise modelling
17	66 - 81 & 93 - 99	Noise mitigation
22	86 - 92	Vibration
24	100 - 107	Working hours
26	108 - 117	Construction noise reviews
28	118 - 125	Independent advisory service
30	126 - 136	Air quality
33	137 - 148 & 153-156	Compensation
38	149 - 152	Need to Sell scheme
41	158- 163	Materials by rail
43	164 - 181	Construction traffic
46	182 - 186	Construction compounds
48	187 – 188 & 206 - 209	Design of the cutting
50	189 - 198	Hampstead Road Bridge
53	199 - 200	Temporary Mornington Street bridge
54	201- 203	Granby Terrace bridge
55	204 - 205	Park Village East retaining wall
56	210	Line X wheel squeal
57	211 - 213	Landscape and trees
58	214 - 216	Code of Construction Practice
59	217 - 220	Local Environmental Management Plans
60	221 - 230	Engagement and management of local issues
65	231	Clause 48
66	232 - 242	Independent adjudicator

ATTACHMENTS

Title	
Annex A	Promoter's Response Document for House of Commons Petition No. 858 dated November 2015
Annex B	Promoter's Response Document for House of Commons Petition No. AP3: 91 dated November 2015

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 36 - 42

ISSUE RAISED: Development of Euston station

PETITION PARAGRAPH: 36. The current Bill is seeking outline permission for re-development of both sides of Euston station. However the Supplementary Environmental Statement for AP3 only covered the impacts of development of the HS2 side (West) of the station.

37. Any changes to platform or track layout in Euston Station has knock on impacts on the Hampstead road bridge and the track layout in the cutting. In particular, any design decision to have a "level deck" at Euston and reducing the height of the conventional tracks and platforms will increase the incline out of Euston station and possibly require further significant engineering works in the Camden Cutting area. With the Promoter's and Network Rail's desire to keep the rail network running, your Petitioner is extremely concerned that any further work will be immediately after the HS2 works in the Cutting area thereby extending the devastating construction impacts well beyond 2026 for the Cutting area as well as Euston Station.

38. There are currently no clear plans for re-development of the classic (East) side of the station, yet the report of the Select Committee of the House of Commons called for an integrated approach. Current proposals for Crossrail 2 do not provide a high quality intergrated design. Until there is a plan for a comprehensive, integrated station, incorporating all phases of HS2, classic station redevelopment and Crossrail 2, the full extent of the appropriate demolition and construction work cannot be determined.

39. We believe that a further Environmental Statement is required in order to understand the total impact on the local community of developing both sides of the station, not only in the area in the immediate vicinity of Euston Station but also in the approaches. This requirement stands, whether HS2 and others accept the need for an integrated design, or whether HS2 and Railtrack proceed with the current A/B 1 and 82 approach with separate developments of the classic and HS2 (West) sides of the station.

40. We ask that the relevant authorities (e.g. Department for Transport, TfL, Railtrack and HS2) be required to develop a plan for an integrated design (including all phases of HS2, classic station redevelopment, and Crossrail 2), including the final approach to

the station. This plan must have HS2 Design panel members' input embedded from the start in a meaningful way.

4.1. We ask for an undertaking that no demolition works in the Camden Cutting area and south to Euston Station take place until after (1) a full Environmental Impact Assessment of an integrated design has been carried out with the associated publications and consultation on an Environmental Statement has been carried out including calculating the cumulative impact of all aspects of the redevelopment of Euston station and its approaches, and (2) detailed designs for an integrated Euston Station have been prepared and passed the appropriate planning scrutiny.

4.2. We ask that the Committee direct the government to provide a funding package and an appropriate legislative framework for the redevelopment of the whole of Euston station if any work is to begin on demolition and construction work on the West side of the Station.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of the Euston scheme in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

Upgrading and development of the classic side of the station

2. The Proposed Scheme has been designed to dovetail with potential design concepts for the B2 stage of the design when the conventional side of Euston station will be redeveloped by Network Rail. In particular, the Promoter has enabled future East-West permeability across the whole station. It is the Promoter's expectation that Network Rail would, in this context, develop its own proposals to ensure a joined up vision across the whole station and support the objectives for the surrounding area. Network Rail is committed to preparing a planning brief appropriate to this end and is working closely with DfT, HS2 Ltd and TfL to prepare proposals for the conventional station which are co-ordinated with the new high speed station and support the wider vision. These would be promoted, funded and implemented through Network Rail's normal Control Period infrastructure investment programmes.

3. Local planning objectives such as a comprehensive and integrated design approach to the whole station, permeability, active frontages, high quality architecture, legibility and de-cluttering can be addressed at detailed design stage and in the Network Rail proposals for Stage B2 to the extent that it is appropriate to do so. The design of the Proposed Scheme will allow for a range of design concepts to be considered by Network Rail at the B2 stage, including allowing for future east-west permeability across the whole station.

4. The HS2 Bill will establish a special planning regime for the approval of certain details including the design and external appearance of the station in accordance with Schedule 17 to the Bill. At Euston, the London Borough of Camden will be the determining authority for these approvals (subject to appeal) and the Euston Area Plan will be material to their determination insofar as it is relevant to the matters for approval and the grounds specified in the Bill. Any over site development above and around the station and tracks will be determined outside of Bill

processes, under normal planning processes, for which the London Borough of Camden would be the local planning authority.

Flexibility of the Euston Area Plan regarding station design

5. The Promoter remains committed to ensuring that the station scheme will facilitate the delivery of the wider vision for Euston. In particular, the Proposed Scheme and the staged approach to implementation provides flexibility for improved permeability and regeneration. This is a major undertaking which will have a transformational effect both on travel into London and on regeneration in the surrounding area. The issues and solutions will not be determined at the outset, but will evolve over the next 10-20 years.

6. As so much of the success of the EAP in delivering proposed economic growth and development depends on development on the station and the railway land, the Promoter notes that the EAP is drafted flexibly to encompass three options to cover the possible arrangements of tracks and platforms. The EAP is therefore flexible and its objectives can be achieved with a number of various options. It is for Parliament, the Promoter and Network Rail to decide what station option proposals to pursue, taking into account a range of considerations which will include the Strategic Case, the wider national interest and in order to fulfil the transport and other requirements of the project. The EAP provides the local planning policy framework for deciding submissions for approval of relevant details in accordance with the planning regime established under Schedule 17 to the Bill, as stated above, and for approval of OSD and any other development outside the Bill powers.

7. It is proposed to complete the Euston Stage A works by 2026 and Stage B1 by 2033 and this programme includes sufficient time to design and refine the details of the scheme. If there are any delays in implementation, the measures to ensure commencement of HS2 services would be considered at the appropriate time.

Assurances on phased redevelopment

8. The Promoter nevertheless accepts that there will be concern that there is no certainty in relation to the content and timing of the Phase B2 works and the extent to which it will result in a comprehensive scheme. In a letter dated 23 February 2016, to the London Borough of Camden, the Promoter provided assurances on delivering the Euston vision and working collaboratively. The Promoter's general approach is set out in the letter as follows:

'HS2 Ltd recognise and support the LB of Camden's aspiration for a coherent, integrated redevelopment of the Euston area, and we believe that HS2 can make a significant contribution to that process. As a major step towards this the government has confirmed in the 2015 Spending Review that enabling works for the oversite development at the HS2 station are fully funded. This is a significant step towards delivering jobs and homes at Euston. Designing the HS2 Scheme so that it will support local economic, environmental and regeneration plans and integrate with other local initiatives, has been central to the approach to developing the design for the HS2 Euston station. We want to work with relevant local public bodies to determine how the potential afforded by the HS2 development could be used to deliver regeneration across the Euston area in accordance with the objectives of the Euston Area Plan (EAP) and the vision of the Euston Growth Strategy.'

9. To deliver on that intention, the Promoter offered the following assurances. Please see assurances reference 1080-1082 in the draft Register of Undertakings and Assurances:

'The Secretary of State will require the Nominated Undertaker to continue to participate in the Euston Strategic Board and any future appropriate governance arrangements established by the London Borough of Camden, the Greater London Authority or Transport for London, to manage shared objectives for the local area in Euston including the integration of the HS2 Euston Station with other committed or proposed projects and the wider regeneration plans for the area, until the completion of the HS2 works in the area. The Terms of Reference for this group will (amongst other things) continue to include the delivery and implementation of the Euston Area Plan (EAP).'

'As expeditiously as possible following the confirmation that the London Borough of Camden will not be pursuing opposition to the Bill on issues of the design and implementation of HS2 Euston Station and comprehensive redevelopment, the Promoter will set up the Euston Station Strategic Redevelopment Board (ESSRB) which will include, as members, the above organisations and Network Rail. The Promoter will commence engagement with the organisations named above with a view to agreeing full Terms of Reference for this group by the end of March 2016 including a forward work programme for the following year. The Terms of Reference will include, as a minimum, providing advice to the Secretary of State, working with and sharing reports and data with the Euston Strategic Board on issues relating to strategic regeneration, deliberating and publishing reports, advice and other documents as the ESSRB sees fit and overseeing:

- the integration of the delivery of the following projects (subject to future funding decisions and approvals):
 - a) the HS2 Euston Station;
 - b) the rebuild of the Euston Mainline Station (as and when such rebuild may be funded and authorised) , and supporting the timely consideration of this to reflect the London Borough of Camden's ambitions to limit disruption;
 - c) the Crossrail 2 proposals at Euston; and
 - d) Over site development and related development opportunities above the Euston Station and tracks in line with the Euston Area Plan
- the strategic vision for the Euston station and tracks and the proposed Euston Schemes, taking into account the need for permeability in the design and a comprehensive and integrated development;
- the integration of the proposed Euston Schemes, including details of phasing of the various works for the proposed Euston Schemes;
- the appointment of a master development partner for over site development and related non-transport works;
- the identification of any additional powers necessary for the integration of the proposed Euston Schemes and the process and responsibility for obtaining such powers;
- proposals for mitigating disruption to the station and local community during construction of the proposed Euston Schemes;
- strategic issues and risks;
- the application of Lessons Learnt from other major infrastructure projects, such as Crossrail and Thames Tideway, as well as from the projects themselves;
- Consideration of the establishment of joint working teams where required;

- the delivery of a planning brief and master plan for the Euston Station, reported to the Euston Strategic Board.
- Proposals for mitigating disruption to the station and local community during construction.'

10. The Promoter has set up both the ESSRB (to oversee a comprehensive approach for the station development and the Euston Integrated Programme Board (to manage and co-ordinate the integrated plan for the HS2 works) as set out in the assurance. Both Boards have already met several times with the London Borough of Camden participation. The Promoter continues to participate in the Euston Strategic Board whose remit includes the wider regeneration of the Euston area and is led by the London Borough of Camden and the Greater London Authority.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 43 - 47

ISSUE RAISED: Old Oak Common

PETITION PARAGRAPH: 43. If HS2 stopped at Old Oak Common the negative impacts on densely populated parts of London would be avoided (much as has been done in France and Germany for example) and the necessary mitigation and compensation asked for in this petition would not be required.

44. It is already proposed that there be a station on the HS2 line at Old Oak Common (OOC).

45. We note also that the original siting of the terminus at Euston assumed that HS2 needed to link to HS1, and this made Euston a logical terminus. The idea for a link has since been dropped. However since this significant change of scope, no significant work has been conducted on the optimal siting of the HS2 terminus (or indeed whether a terminus of the size proposed in Euston is needed at all).

46. At a minimum we ask that Old Oak Common is developed as a temporary London terminus for the high speed section of the line to allow time for alternative proposals for the resolution of delivering HS2 services into central London to be properly assessed, and ultimately resulting in a well considered design for Euston Station and its approach to be developed within the existing station.

47. We ask that a cost benefit analysis is conducted that estimates the overall reduction of cost to HS2 of terminating the line at Old Oak Common (in the London Borough of Hammersmith and Fulham), including any necessary redesign of the station at Old Oak Common to make this possible, and calculate the effect on the cost benefit analysis. This could include any other alternatives identified now the HS1-HS2 link has been removed as impractical with Euston as the Terminus.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of Old Oak Common in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 48 - 46 and 82 - 85

ISSUE RAISED: Noise insulation and temporary rehousing thresholds

**PETITION
PARAGRAPH:**

48. We ask that the noise thresholds for noise insulation should be lower than the limits in the CoCP. These limits are based on BS5228 and are used for typical construction projects where disturbance is temporary, not ten years. Normal life cannot go on during ten years of excessive noise. Normal life includes sleeping, doing homework or revision, socialising, working or just being at home or in one's garden.

49. Noise levels that exceed the 'significance criteria' for periods of up to 36 months or three years spread over a significantly longer period and with typical highest monthly noise levels of 70 to 90 dB are tabulated in Table 19 of the SES2 and ES Vol 2. Note that this means that the highest individual noise events will likely be significantly louder than these figures. We have asked for further noise graphs for additional locations in addition to the one we received after our House of Commons Select Committee appearance. This one location showed worryingly high noise levels both day and night for most of the ten year period. To date these additional graphs have not been provided.

50. Noise limits for obtaining residential Planning Permission are lower than those proposed by HS2, even if high levels of noise are not present for the entire time.

51. Right now the streets in the Camden Cutting are quiet with only local traffic and limited intermittent train noise principally during the daytime; years of potential round the clock heavy civil engineering will alter the external environment radically for the worse.

52. We ask that given the exceptional nature and duration of the HS2 construction project (10 to 18 years or more) that acceptable noise limits follow standards for permanent conditions, not those for typical construction works.

53. For these reasons, we ask that the noise thresholds for noise insulation should be lower than the limits in the CoCP and HS2 Information Paper E23. We ask that the limits should be:

- 65 dB during the day 0800-1800 on weekdays (instead of 75 dB)
- 60 dB during the day 0700-2200 Sunday (instead of 65 dB)
- 55 dB at night 2200 -0700 dB (same as proposed by HS2)

- 65 dB at other times (instead of 65-70 dB)

54. Further, the CoCP and HS2 Information Paper E23, Control of Construction Noise and Vibration, requires that the trigger levels are applied when the noise levels predicted or measured by the contractor exceeds the limit in for ten days in any fifteen consecutive days or for 40 days in any six month period. This is a potential 800 days over the ten year length of the construction.

55. We ask that these trigger levels are applied when the noise level predicted by. the contractors exceeds the limit for five days in any fifteen consecutive days or 20 days in any six month period or 30 days in any 12 month period or 40 days in any two year period.

56. We are aware of assurances given to Camden Council that confirm that the Local Authority retains its powers and obligations under section 60 and 61 of the Control of Pollution Act 1974. In theory this allows Camden Council to determine lower noise thresholds for noise insulation and re-housing. In practice this is not adequate as it provides no clarity to residents on whether or how this power will be used over the extensive period of works. Instead it makes residents reliant on Camden Council, a body with conflicting interests. Your petitioner believes that it is appropriate that Parliament makes a clear determination on this as part of the legislative process.

82. We ask that the limits for rehousing are lower in each category listed in Table 1 of the ES Vol 5 Draft Code of Construction Practice CT-003-000 and Information Paper E23. We ask that the limits for temporary rehousing are:

- 75 dB during the day 0800-1800 on weekdays (instead of 85 dB)
- 70 dB during the day 0700-2200 Sunday (instead of 75 dB)
- 65 dB at night 2200-0700 (same as proposed by HS2)
- 70 dB at other times (instead of 75-80 dB)

83. For reference: HS2 propose that the daytime limit for rehousing is 85 dB; this is like a very busy road with heavy lorries one metre from your house. The Health and Safety Executive requires ear defenders to be worn in a place of work which has this level of noise. This is 1m from the facade. Any resident then leaving their property and walking along the street would be exposed to levels in excess of 85dB.

84. Similarly, we ask that LAmax is used as a threshold measure for determining whether re-housing is the appropriate mitigation, just as we ask that LAmax is an appropriate threshold measure for noise insulation.

85. We ask that temporary rehousing is within the locality, of an equal standard to resident's current housing, is agreed with individual households, that residents are given the choice to make their own

arrangements, and that HS2 are to pay all costs associated with rehousing and with the vacant property.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issues of noise and noise insulation in their Petition against the Bill in the House of Commons. Please refer to the original Promoter's Response Document, attached as Annex A.
2. Further to this, eligibility and the procedure for noise insulation and temporary rehousing are set out in Appendix B to HS2 Information Paper E23, Control of Construction Noise and Vibration and also HS2's guide to the noise insulation scheme, which was provided to eligible properties in May 2016 and is also available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/515518/Noise-insulation-leaflet-final_draft.pdf.
3. The 'noise insulation package' that has been offered is summarised in paragraphs 8-14 of Appendix B of HS2 Information Paper E23, Control of Construction Noise and Vibration and will consist of:
 - 'secondary glazing or thermal double glazing for living room and bedroom windows on eligible facades, plus supplementary ventilation if required;
 - blinds, for south, east or west facing windows; and
 - insulation treatment for eligible doors on eligible facades.'
4. It is noted in paragraph 13 that there may be circumstances 'in which it is not possible to fit secondary glazing or alternative ventilation. Such cases will be considered on a case by case basis. Where eligibility is confirmed, appropriate alternative mitigation measures will be considered - e.g. local screening. Alternatively, temporary re-housing may be offered even if the temporary re-housing thresholds are not exceeded'.
5. The nominated undertaker will conduct an initial survey and agree the details of the insulation that the owner or occupier is eligible for. The nominated undertaker will offer to undertake the work or the owner or occupier can accept a grant to carry out the work themselves.
6. The procedures, including those applicable if a grant is accepted are summarised in paragraphs 14-18 of HS2 Information Paper E23, Control of Construction Noise and Vibration and within 'Noise insulation – A guide to the HS2 noise insulation scheme'.
7. It will be the responsibility of the nominated undertaker to secure any permissions or consents that may be required, for example, listed building consent. HS2 Ltd is engaging with the London Borough of Camden's conservation officer to agree an approach for eligible properties that are listed buildings.
8. The Promoter has provided noise level graphs (daytime and night-time at five locations) to Camden Cutting Group member, Mr David Auger, at his home address on 26 May 2016. These represent example locations assessed in the SES2 and AP3ES on Mornington Terrace, Mornington Crescent and Park Village East. These graphs demonstrate that construction noise will be intermittent, which is quite unlike noise from a permanent facility, and not for the duration that the Petitioner claims.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 57- 59

ISSUE RAISED: Use of LAmax

PETITION PARAGRAPH: 57. We ask that in addition to the LpAeq dB limits given in the CoCP and Information Paper E23, LAmax limits are given for the construction phase. LAmax refers to individual noise events (as opposed to averaged noise levels over a period of time) and are relevant as it is individual noise events that are a key determinant of sleepfulness of an environment at night, not just average noise.

58. We have been told by HS2 staff that the current noise model does not support prediction of LAmax. If this is the case then we contend that the current noise model is not fit for purpose as a tool for measuring and managing the impact of construction noise of this scale, duration and intensity in a densely populated residential area. We ask that HS2 Ltd is directed to create an appropriate noise model and noise policy that accounts for LAmax events at night and the impact on sleepfulness, and that no nighttime construction noise is created until this is in place. This policy needs to be drafted on the realistic basis that many homes cannot be easily protected from unacceptably high levels of LAmax noise.

59. HS2 have contended that such an approach is not possible, which risks leaving residents open to significant harm. If this is the case, we ask that a highly precautionary approach is taken to estimating and mitigating the impacts in the Cutting area. This approach must consist of lower LAeq noise threshold levels, for both noise insulation and re-housing, noise insulation above minimum requirements, an extended re-housing policy and compensation.

PROMOTER'S RESPONSE:

1. The British Standard method of modelling and assessing construction noise uses logarithmic mean (LAeq) noise levels because these account for peak noise events (unlike an arithmetic average), that can be a feature of construction noise, and they can be related to annoyance thresholds. The assessment method was consulted upon widely and adopts best practice. The model has been reviewed by the London Borough of Camden noise experts.

2. The predicted noise levels represent a reasonable worst case scenario for reasons previously explained to the Camden Cutting Group. The Promoter expects the appointed contractors to provide better mitigation on site than that included in the ES model, so that noise levels and

impacts will be lower, as noted in paragraph 2.5.2 of the SES2 and AP3 ES Volume 5 annex SV-003-001:

'2.5.2 The construction works in Euston are complex and spatially constrained. At this stage of the design the contractors who will do the construction work have not been appointed. The level of detail on likely construction methods available at this time is adequate to predict likely noise levels, and as discussed below, a standard extent of mitigation known to be deliverable throughout the works has been included. It is, however, likely that under the requirements of the CoCP the contractors will, by applying the Best Practicable Means (BPM) specific to each site, find additional ways to reduce noise levels so that the extent of noise insulation and residual impacts will be less and of shorter duration than those reported at this stage.'

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 60 - 65

ISSUE RAISED: Noise modelling

PETITION PARAGRAPH: 60. The determination of which homes qualify for noise insulation packages (or re-housing) is based on noise modelling conducted by HS2. In a variety of instances we believe this modelling fails to take account of the specific local environment and is insufficiently precise. In other cases the modelling is based on inaccurate or inadequate baseline noise data. We ask that HS2 commit to reviewing all such cases and re-model as necessary.

61. We ask that the noise modelling be subject to a calibration regime. Testing should be conducted to determine how closely the noise model accurately represents real noise effects from the Cutting on various receptors including those beyond the current predicted range of significant impact. Mitigation should be re-considered as necessary in the light of this calibration. This is an appropriate and proportionate step given this scale, duration and intensity of noise has never been created previously in a densely populated residential area.

62. In order to accurately predict if insulation or rehousing will be necessary we ask that HS2 undertake an open review of construction noise modelling and reporting of data (as we have spotted a number of errors) by a third party, with all results made public. The review should consider the specific nature of the Camden Cutting environment (large open cutting with hard sound reflective retaining walls and no mitigating features), the actual designs and construction techniques, equipment and programme, and also construction traffic. The review should also consider the accuracy of baseline modelling and whether it is sufficiently detailed.

63. We ask that this noise modelling and mitigation specifically addresses impacts at the rear of buildings (e.g. rear facing windows in Mornington Terrace and Delancey Street for example), buildings exposed behind gaps between other buildings, and buildings that have direct line of sight of the works even if they are further away (such as Mornington Street for example) not just those facing the works. Recent works in the cutting have clearly identified this is a problem with residents on Albert Street kept awake by noise passing either over or through gaps on Mornington Terrace.

64. Noise modelling should also incorporate an assessment of the impact of increased numbers of construction vehicles on all designated construction routes using the LOAEL assessment for Construction noise so that residences can be provided with suitable mitigation (if they have to keep windows closed to make the noise environment acceptable) based on actual monitored baseline data to record the existing noise levels, and not modelled baseline data.

65. We ask that in addition to external noise monitoring, HS2 monitor noise levels both inside properties that have had secondary glazing installed, and others adjacent that have not, to ensure that noise levels do not exceed responsible standards.

PROMOTER'S RESPONSE:

1. The London Borough of Camden has reviewed the noise modelling presented in the SES2 and AP3 ES and a great deal of effort has been made by HS2 Ltd to ensure that it offers as accurate a picture as possible of likely noise levels for every month of the construction programme.
2. The London Borough of Camden raised concern with HS2 Ltd that the gap between Nos. 52-54 Mornington Terrace could increase noise levels at the rear of properties. The noise model has been adjusted to include this gap. The resulting noise level increase was very small and would create no new noise impacts requiring noise insulation. Noise levels were also modelled at the rear facades of Mornington Terrace and noise levels below LAOEL were found in all cases. This is because Mornington Terrace acts as a very effective noise barrier to areas behind including Albert Street. Whilst residents may have reported audible noise from recent works in the cutting, modelling of the proposed HS2 works indicates that there will not be significant noise effects in Albert Street.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 66 - 81 and 93 - 99

ISSUE RAISED: Noise mitigation

PETITION PARAGRAPH: 66. Many buildings in the Cutting area are also exposed to significant heat build up on sunny days, with large south or west facing facades. Occupiers of buildings currently purge heat from buildings by opening the windows on hot days, although even then on hot days some rooms can become significantly over-heated. After secondary glazing is installed, this ventilation becomes impossible. HS2 have proposed small mechanical ventilators are used to create airflow to replace this ventilation, but the units proposed will be inadequate to the task in many cases. Air conditioning will be required in some houses to maintain a habitable temperature range.

67. Further problems arise from the installation of secondary glazing include condensation and moisture build up, and increased levels of carbon dioxide / indoor pollution. Recent research shows that indoor pollution is a factor in ill-health and early death that is currently not adequately understood.

68. We are aware of the assurance given to Camden to survey a representative sample of properties to consider these issues, and we believe this is a step in the right direction. We believe the 'representative sample' approach will be inadequate in practice and lead to significant and unacceptable variability in the quality of noise protection or ventilation measures provided, and to unacceptable 'knock-on' issues from insulation packages making homes uninhabitable in practice.

69. We note that appearing before the Select Committee of the House of Commons HS2 agreed it would be 'eminently sensible' for HS2 Ltd to engage directly with residents such as those on Mornington Terrace to discuss the details of noise insulation and the practical difficulties arising. Residents were cautioned by HS2 that they should not engage in foot-dragging or be un-constructive. In practice, residents have been willing and eager to engage for several years and it is HS2 staff that has been unwilling to engage. HS2 are pursuing a 'one size fits all' approach without listening to the community and engaging on the practical issues.

70. We ask that all homes are individually assessed for noise insulation packages. We ask that assessments should be performed by an

independent body or company, who has expertise in assessing both glazing and ventilation, and the resulting impacts on a property (for example the Buildings Research Establishment), and working within Listed Buildings regime where necessary. The scope of the assessment should include what insulation is needed to bring noise levels (including night time LAmax noise) within acceptable parameters; assessing heat build up on hot summer days/nights and how this will be maintained with appropriate thresholds (max 24C at night); assessing how properties can have adequate ventilation to manage moisture build up; assessing how properties can have adequate ventilation to manage CO2 build up; assessing how properties can adequately meet any other appropriate habitability considerations. We note that HS2's current proposals are for an individual 'measure up' of the fitting of noise insulation, but do not review the package as a whole for a particular property.

71. There are significant issues posed by the construction, layout and heritage features of particular properties. For example properties with box shutters cannot accommodate the standard secondary glazing internally as proposed by HS2.

72. We believe that retro-fitting appropriate noise insulation and ventilation to period properties is going to be difficult in many cases and has been under-estimated by HS2 Ltd. In some cases it may not be possible to provide a reasonable solution in a period property that ensures the property is reasonably habitable. HS2 have repeatedly failed to engage seriously in discussion on this point, and therefore the opportunity to design appropriate schemes and undertake them prior to construction work commencing have been lost.

73. We ask that this detailed assessment and any necessary building works are carried out prior to any construction work commencing. We ask that HS2 Ltd be prohibited from commencing construction until this has occurred.

74. We ask that if a noise mitigation proposal cannot be found that meets the reasonable needs of residents then HS2 Ltd will offer rehousing or suitable alternative mitigation.

75. We ask that an independent adjudicator be appointed who can consider cases where agreement cannot be reached. The adjudicator needs to be adequately resourced and experienced in assessing the multiple needs of particular homes.

76. We ask that the independent adjudicator should have the remit to review any cases where noise insulation does not work, or causes unacceptable 'knock-on' issues. In such circumstances, we ask that the adjudicator have the power to direct HS2 to conduct remedial work, or to direct HS2 to provide appropriate mitigation such as re-housing. This power to direct HS2 is required in our view given the poor approach of HS2 staff and the experience of residents impacted by

other projects such as Crossrail where some complaints took a considerable period of time to resolve.

77. We ask that all noise insulation packages be designed and installed to suit the requirements of each individual property and its inhabitants. This could include alternatives to secondary glazing, such as fitting sash windows with laminated acoustic glass and brush seals, if they are appropriate for the building and if their performance is acceptable to residents.

78. We ask that, owing to the long timescales of the project, residents are eligible for both noise mitigation packages and temporary rehousing at different times during the ten years of construction. For example, if a resident is faced with a 10 year period of significant noise for which they would be offered an insulation package, with a particular peak for 30 month where they would qualify for re-housing, it should be open to the resident to take advantage of the re-housing policy for 30 months, and to take advantage of the noise insulation installation for the remaining period. As currently drafted, the policy would force a resident to choose between the two options.

79. We are obliged to make clear that HS2 have been very poor at engaging with Camden Cutting Group and others on this issue. HS2 have been resistant to meeting to discuss these issues and are only prepared to discuss them with London Borough of Camden, regarding LBC as the 'valid representative' of the community.

80. Even when HS2 are prepared to 'engage' representatives of the community this is generally a one way exercise. To quote a senior HS2 engagement manager when recently asked to define engagement: "we will meet you when we have something to tell you". The senior manager was unaware of the recent report made by PACAC that was highly critical of HS2's approach to engagement and broken culture, which, we suggest, indicates why so little progress has been made in fixing it.

81. We ask that on all these points HS2 be required to engage directly, regularly and substantively with the local community.

Noise mitigation techniques and screening

93. We ask that given that the works are in a densely populated environment and go on over many years that HS2 commit to using very quiet plant and construction techniques and that HS2 go beyond 'Best Practicable Means' in order to minimise impact on residents. Here, 'practicable' means techniques that do not cause extra inconvenience, time or cost to HS2 and this will not be sufficient.

94. We ask that local acoustic screens are built as close as possible to the works within the Cutting (which is up to about 100m wide) in order to limit breakout of noise at source. These screens will need to be

specially designed and will influence how the work is undertaken and we ask that they are made an essential part of the construction requirements and budget.

95. The SES & AP3 ES states that perimeter screening 2.4m high will generally be used at the perimeter of construction sites and 3.6m high in some cases. The design or performance of this screening is not specified. Screens were erected by Railtrack on Mornington Terrace in 1998/99 during track renewal work but had only a marginal benefit on sound reduction.

96. We ask that acoustic screening is designed by acousticians and built specifically for the Camden Cutting. In order that the streets do not feel as if they are in a construction site we ask that the screens are either glazed or planted green walls.

97. We ask that no percussive piling takes place in the Cutting, in particular in the removal and re-construction of Mornington Street bridge as there are other techniques available, albeit at potentially higher cost, that will allow this removal at an acceptable noise level.

98. We ask that the CoCP is modified to include a commitment to brief the work force about local issues including noise, as has been done in the Thames Tideway Tunnel CoCP. Without this commitment it is possible that community relations are a 'box ticking exercise' that never influences what actually happens on site.

99. We ask that all residents on impacted streets be issued with protective ear defenders to protect their hearing when walking to and from their homes.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of noise mitigation in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.
2. The independent assessor will assess the need for additional ventilation, and will be qualified to do so. A sample of properties will be surveyed, to be agreed with the London Borough of Camden. In each area the chosen properties will be taken as representative, in terms of building materials, room sizes, window design and size, orientation etc. so that the consideration of ventilation requirements can be taken as appropriate for that group of properties. The noise insulation contractor will then survey each property in order to procure and install the package specified by the Independent Assessor tailored for that property. The resident will be consulted to agree the details of the installation and if there are particular details of a property that requires a particular solution the Independent Assessor will be available to agree that solution. HS2 Ltd will not be providing air conditioning.
3. Where eligibility is confirmed, it will be possible for a resident to have noise insulation fitted for the duration of the works and, if they qualify, to also be temporarily rehoused for part of the

works. This is likely to be the case for some houses on Park Village East for which temporary rehousing due to the duration and extent of lack of vehicular access has been offered.

4. The Promoter expects that contractors will use mobile noise barriers wherever necessary to pass the best practicable means test required in order to obtain a Section 61 consent to do the works. The full benefit of the measures will be shown by the contractors' noise predictions which will be included in the Section 61 applications.

5. The Promoter does not consider that it will be necessary for residents to wear hearing protectors when walking to and from their homes because the dose of noise received will not be dangerous to hearing.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 86 - 92

ISSUE RAISED: Vibration

PETITION PARAGRAPH: 86. We ask that HS2 adopt the vibration standards proposed in the Draft Camden Local Plan 2015 Appendix 2 which give a lower limit at night time.

87. The CoCP offers no commitment to survey or protect all properties in the Camden Cutting from vibration.

88. Most of the properties adjacent to the Cutting do not have proper foundations and are of uncertain robustness. We ask that all properties within 50m of the existing retaining walls that enclose all sides of the Camden Cutting between Parkway and Granby Terrace Bridge are given structural surveys before construction commences to assess their vulnerability for damage from the proposed works and that they are actively monitored during the construction works.

89. We understand that the disturbed clay adjacent to railway cuttings can disintegrate over a long period of time and ask that geotechnical monitoring of the ground adjacent to the Cutting is undertaken and that core drilled samples are taken prior to works starting for evaluation.

90. We ask that HS2 coordinate pre-construction defect surveys and maintain a dialogue with the relevant property owners throughout the duration of the works.

91. There is a need for speed controls on HGVs and other traffic on construction routes, but there is also a need to reduce vibration that could be exacerbated by speed humps and table junctions (eg. Mornington Street/Arlington Road junction and all of the interventions proposed for Delancey Street relating to the new cycle lanes). We ask that HS2 bring forward an appropriate solution that meets both these requirements and for this solution to be in place before use by any construction traffic.

92. We ask that when vibration is predicted to be above SOAEL thresholds at night and is unmitigated that residents will not be expected to remain in their homes and will be re-housed.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of vibration effects on buildings in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 100 - 107

ISSUE RAISED: Working hours

PETITION PARAGRAPH: 100. As described in the ES Vol 5 Draft Code of Construction Practice CT-003-000 5.2.6 to 5.2.10, most of the construction activities taking place in the Camden Cutting will be allowed 24 hours a day, 7 days a week. The work will be noisy, disruptive and go on over 10 years. This is unacceptable in a densely populated neighbourhood.

101. We ask that these exceptions to the Core Working hours are removed from the CoCP and that all exceptions are justified on a case by case basis with LBC following Section 61 procedures.

102. We ask that all work is done during Core Hours except when required for technical, not cost or programme, reasons.

103. We ask that HS2 justify as part of the LEMP process, on a case by case basis, all work outside of the normal working hours. Where a justification cannot be made to the satisfaction of all parties engaged in the LEMP process, the work must take place during normal working hours.

104. We ask that more rail services are diverted to other stations than currently planned by HS2 during the construction of HS2 in order to allow more construction during normal working hours in the approach to Euston. This would also better allow use of rail for transport of spoil and construction materials, and more room for acoustic screening immediately adjacent to the works.

105. We note that the government response to the House of Commons Select Committee report suggested that working hours and respite periods could be negotiated via the LEMPs and Community Liaison plans with community input. In practice we believe that once the Bill is approved and contracts signed there will be no ability for working hours to be amended. We therefore seek an assurance that working hours will be reduced with full respite periods of three days at least once a month, and at least one non-working day / night per week.

106. We ask that night time work be suspended during school exam periods and that consideration be given to the needs of young children in setting working hours.

107. This package of 'asks' listed in paragraphs 48 to 106 above in relation to the management and mitigation of construction noise are vitally important to our community. We recognise that in some areas these go beyond the measures provided for other construction projects, but our contention is that the remedy should be appropriate to the problem. The construction work we face, particularly at night, is unprecedented in the UK in a densely populated residential area, and the current proposals from HS2 fall far short from creating habitable homes in the Cutting area. It is vital that an appropriate package is now instituted that manages the impact before construction work begins.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of working hours in their Petition against the Bill in the House of Commons Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 108 - 117

ISSUE RAISED: Construction noise reviews

**PETITION
PARAGRAPH:** Construction noise review

108. We note that the government accepted in its response to the House of Commons Select Committee report that there should be a review of compliance and noise thresholds within 6 months of start of the main construction works.

109. We ask for an assurance that this review will include direct engagement and input with the local community.

110. We ask that this review be conducted by a body or entity independent from HS2. For example the review should be commissioned by and report to the Construction Commissioner or the Independent Adjudicator.

Study on the effects of construction noise

113. We note that paragraph 333 of the final report from the House of Commons Select Committee states that:

"The Promoter has commissioned a study on the effects of construction noise which will report by mid-2016 and will recommend standards. It will be important to follow through on its observations. Depending on the outcome of the study it may be appropriate to revisit aspects of the trigger times and levels."

114. We have subsequently asked HS2 staff to provide further details on this study: its scope, methodology, authors etc, but we have not been provided any details so far. (We note in passing that this is yet another example of poor engagement with the community by HS2.) Clearly this study was intended to provide comfort to the House of Commons that these issues are being seriously considered, however with no details provided subsequently we are led to the conclusion that this 'study' is a smokescreen and is not of serious intent.

115. We ask that full details of the scope, methodology and authors of the study be provided by HS2.

116. We ask that the authors of the study be required to conduct some engagement with the community to understand points of concern, and to provide information on their work.

117. We reserve our position on the findings of this study, and may need to address the Select Committee if the findings are of concern

PROMOTER'S RESPONSE:

1. The Government's response to the House of Commons Select Committee report is an up to date summary of the position:

'78. The Promoter can confirm that it will conduct an assessment of compliance with noise thresholds six months after the start of main construction works.

Furthermore, the Promoter will commence a survey within six months of the start of the works to consider health impacts experienced by residents that are attributed to noise from the construction of HS2. The results of this latter survey may be used to review the criteria of noise mitigation, noise thresholds and construction hours.'

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 118 - 125

ISSUE RAISED: Independent advisory service

PETITION PARAGRAPH: 118. We also note that HS2 provided an assurance to LBC that on engagement with residents expected to be impacted by excess noise. Assurance 1938 from the register states that:

"The Promoter will actively engage with HS2 LANG on the provision of advice to the public in relation to eligibility and application of the construction noise and vibration mitigation package. Such considerations will include but not be limited to an independent advisory service. The Promoter will progress the engagement and will report back to the House of Commons Select Committee on progress, and in any event will aim to conclude considerations by the time the Bill reaches the House of Lords."

119. We note that the bill has now reached the House of Lords, but that there appears to be no progress on any items including an independent advisory service. Discussions between HS2 and LBC may be on-going, but in the meantime impacted residents are being formally advised by HS2 Ltd of their options (letter sent to impacted residents 8/4/16). The need is now, but the provision of advice is absent.

120. We note that this is an example of the type of issue we would expect an Independent Adjudicator to be able to hold HS2 to account on, in a timely manner.

121. There is a great need for such a service. The work that HS2 Ltd is going to conduct is of such scale, duration and complexity that residents need to understand their options and be suitably advised. Performed well, such a service will reduce the stress that individuals and families feel placed in such a situation.

122. We are aware of the HS2 'information centre' in Euston. This centre is inadequate to perform this task in any way. Critically it is not independent of HS2 therefore cannot perform a trusted advisory role for impacted residents.

123. Any such service needs to be well funded given the numbers of properties involved. Staff need to have suitable a suitable

understanding of the technical issues be able advise appropriately on noise insulation, ventilation etc.

124. We ask that HS2 be directed to put in place an independent advisory service.

125. We reserve our position on this issue on the understanding that HS2 may still be discussing this issue with LBC, however we may need to address the Select Committee when the outcome of these discussions is known.

PROMOTER'S RESPONSE:

1. The Promoter continues to engage with HS2 Local Authority Noise Consortium on the provision of advice to the public in relation to eligibility and application of the construction noise and vibration mitigation package.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 126 - 136

ISSUE RAISED: Air quality

PETITION PARAGRAPH: 126. Air pollution (NO₂, PM₁₀ and PM_{2.5}), predominantly generated by traffic, already has a significant impact on the lives of Camden residents, particularly those who live near main arterial roads such as Hampstead Road / Camden High Street (the A400), Delancey Street (A503) and Parkway (A4201).

127. Despite the fact that some local roads are noted in the ES as having raised pollution levels during or following construction (e.g. Arlington Road and Delancey Street), no mitigation has been proposed. The cumulative impacts of raised levels have not been taken into account and the fact that levels of Nitrogen Dioxide already exceed European guidelines by a large amount has not been factored in.

128. We note that the Cutting area falls outside of the Central Activity Zone, within which all Non-Road Mobile Machinery (NRMM) will be powered by latest class IV best practice standard engines. The Cutting area is classed as part of 'Rest of Greater London', where IIIb-class machinery may be used. The Cutting area should be treated as if it were part of the Central Activity Zone for these purposes as the duration and impact of the works is similar to those in Euston.

129. We ask that all vehicles and plant are Euro VI compliant for emissions no matter where they are used for the entire project. Using Euro VI lorries only in the Low Emission Zone is not sufficient.

130. We ask that non-diesel vehicles are used for all work where possible and the percentage in use to be reported every 6 months

131. We ask that HS2 provide community feedback on air quality in the form of 'traffic light' red / amber / green signs in public locations. Such feedback should be updated weekly. More detailed data for agreed locations in residential streets should also be provided regularly, particularly on

construction routes and also locations that are downwind of the major works.

132. We ask for a formal review and audit of the approach the Promoter and any contractors are taking to reducing Air Quality at least every year through the building programme. The purpose of such a review will be to ensure that as technology evolves, or sufficient quantities of low emissions vehicles are available, these are incorporated into the construction approach. Contractor's contracts should reflect this requirement that more stringent limits will be set during the course of the project at agreed review points (as has happened on other large infrastructure projects recently).

133. We note that the EU directive on Air Quality requires that where a development causes a breach of relevant emissions levels in a location it should not proceed. Also that the development should not proceed if it makes worse an existing breach and therefore delays compliance with existing values. We believe the construction work proposed, including the on-site construction vehicles, trains to convey materials and road vehicles make it implausible that HS2 will meet this criterion.

134. We ask that HS2 make a clear commitment that they will abide by the Directive and ensure not undertake construction that would breach emissions standards.

135. We ask that HS2 commission an independent study demonstrating whether the project will meet the requirements of the Air Quality Directive.

136. We ask for NO_x and PM₁₀ filters to be installed on all ventilation fans provided to those houses both with and without noise insulation packages.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of air quality in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.
2. Further to this, the Promoter is aware of the challenges the UK faces in reducing NO₂ levels to meet the EU limits which currently apply, especially in London, and it is acknowledged that construction traffic and the impacts of road closures during the construction of the Proposed Scheme, will result in significant effects on NO₂ concentrations adjacent a number of roads.
3. Consequently, the Promoter is liaising with local authorities on this issue through the Environmental Health Group of the HS2 Planning Forum and is also continuing to examine ways to reduce both peak traffic numbers and the duration over which these would occur and thus reduce the Proposed Scheme's impact on local air quality.

4. As outlined in HS2 Information Paper E31, Air Quality, in locations where significant air quality effects are predicted to occur, the Promotor will adopt a management process based on the Local Air Quality Management provisions of Part IV of the Environment Act 1995, which requires measurements of air quality, periodic reviews of those measurements, and if necessary the development of action plans to address the significant effects, with the objective of removing them as soon as, and as far as practicable.
5. The management process described above will be undertaken working with the relevant Local Authorities. They have been consulted on the monitoring and will similarly be consulted on reviews, assessments and action plans as the project progresses. The baseline monitoring programme for nitrogen dioxide was started at the end of June 2016.
6. Furthermore, following an assessment of whether or not the commitment to using Euro VI compliant vehicles in construction could extend beyond those HGVs associated with the transport of excavated material, involving discussions with TfL and London Borough of Camden, the requirement for EURO VI will be further extended to apply to the majority of HGVs utilised during construction of the Proposed Scheme at Euston. Benchmark targets will also be set for the use of Ultra Low Emission cars and vans. A report summarising the outcomes of this assessment is due to be published in summer 2016.
7. With respect to Non-Road Mobile Machinery Emissions Standards, as outlined in HS2 Information Paper E31, Air Quality, requirements for the scheme are based on those standards within the Greater London Authority (GLA) Supplementary Planning Guidance (SPG) on control of dust and emissions during construction and demolition, but are more stringent, requiring the earlier up-take of cleaner engines within the 'Rest of Greater London' area.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 137 - 148 and 153 - 156

ISSUE RAISED: Compensation

**PETITION
PARAGRAPH:**

137. We understand from consultation meetings with HS2 that our neighbourhood has been excluded from the compensation proposals offered to rural areas on the basis that we are accustomed to train noise and that the Draft Code of Construction Practice (CoCP) will protect us from the effects of construction. The first of these arguments is irrelevant: we are not petitioning about the effects of HS2 when it is in operation; it is the ten to eighteen year construction period that is our concern. The second argument is false: we are not protected by the Draft Code of Construction Practice as most of the construction activities in the Camden Cutting are specifically exempted from the prescribed working hours, few mitigation proposals are guaranteed by the CoCP and there remain significant adverse residual impacts identified within the SES2 & AP3 ES even after mitigation is provided. The environmental statement highlights the adverse impacts after mitigation.

138. We have also been told that compensation is not required in urban areas because intervening buildings will shield residents from the noise of the works. A visit to Mornington Terrace and Park Village East will show that there are no intervening buildings and that residents will be exposed to the full impact of one of the largest construction sites in Europe. Many other properties not immediately adjacent to the Cutting are also unscreened through gaps between buildings on the Cutting, or because they line streets which run perpendicular to the Cutting.

139. The Government's April 2014 'Decision Document' did not respond to the issues that the Camden Cutting Group raised in its substantial responses to the Compensation Consultation and the Environmental Statement Consultation. The compensation measures offer nothing to those in the Camden Cutting neighbourhood whose homes and community will be seriously affected.

140. The Compensation proposals do not respect the statement made in the House of Commons on 20 December 2010 by Philip Hammond, Secretary of State for Transport: "I have indicated that we will seek to go further than has happened with previous such infrastructure schemes in the UK, because it is right and proper that individuals who

suffer serious financial loss in the national interest should be compensated."

141. The promoter has suggested in response to asks at the House of Commons Select Committee that compensation is not necessary because the policy in previous infrastructure projects is to "mitigate not compensate". However the construction impacts in the Euston area and its approach through the cutting are not fully mitigated and indeed in many instances the mitigation quoted by the Promoter will not be put in place in the desire to keep the existing rail services running. Consequently your Petitioner asserts the Promoter's position is flawed and compensation for the construction impacts is appropriate.

142. Rural areas are offered a variety of compensation schemes that urban residents are excluded from: Voluntary Purchase Offer, Alternative Cash Offer and Home Owner Payment. We ask that equivalent schemes should be available in urban areas to provide flexibility for the various different types of resident in the Cutting area, owner occupiers, property owners and council tenants.

143. We ask that an Independent Compensation Commission is established to draw up a fair compensation scheme and administer it. The Commission should take evidence from residents and address the needs of both property owners, reluctant landlords, long term tenants (including council tenants). It should consider the needs of those who want to stay in their homes, but be appropriately compensated, and also the needs of those who need to move during the period of construction works but who should receive a fair unblighted value for their property.

144. We believe a fair principle of such a scheme is that it should be designed to meet the specific needs of residents of the Euston and Camden Cutting area. The limits of such a scheme could be drawn to focus on significantly impacted groups, in particular the scheme should include compensation where there are 'predicted unmitigated significant adverse residual in-combination effects'.

145. In 1999 Railtrack made cash payments to residents of the Camden Cutting of between £150 and £300 (depending on location and property) as compensation for one weekend of work on the tracks. The work in question was only on rail systems and did not involve any of the much more disruptive heavy civil engineering that will be required for HS2. Similar compensation could form part of the compensation measures and we ask that it be considered.

146. We ask that the concept of 'Personal Compensation Budgets' as proposed by local authorities including Camden in their 'Fair HS2 Compensation Charter' be considered. This would allow people to make their own arrangements for dealing with times of significant disturbance in addition to any measures proposed by HS2.

147. We ask that an urban Property Bond scheme be considered, in particular for the Euston and Camden areas given the 'exceptional' nature of the impacts that have been identified. Criteria for residents to be included in such a scheme could be based on the impact residents will be exposed to, not simple distance from the works (as applies in rural areas).

148. Such a scheme would protect the interests of a property owner who over the construction period of 10 years may reasonably want to move house as they start a family and need to move from a smaller, central property to a property more suited to their changing family life. This is a common occurrence in the Cutting area, and such residents are already faced with accepting significantly reduced values for their property if they wish to move.

153. We envisage there will be situations where the Construction Commissioner directs HS2 to undertake action. Experience from other projects, such as Crossrail shows that the promoter can often fail to engage reasonably with the process, with the Commissioner relatively toothless to enforce an outcome that resolves the situation.

154. We ask that the Construction Commissioner be given the power to approve homes for the Express Purchase scheme if complaints remain unresolved after a reasonable period (for example 3 months). This will have the benefit of providing an effective remedy in at least some situations (although not all residents would want to take advantage and move, most just want the problem fixed). It also provides an incentive to the Promoter to ensure reasonable proactive follow through on any issues.

155. We also ask that any owner predicted to experience greater than three years of residual significant adverse impact (i.e. after mitigation) should be eligible for Express Purchase.

156. The promoter argues that those in urban areas are used to construction noise. However such disturbance is a rare occurrence and when it occurs it is minimised by legislation that the promoter in this case is seeking to remove. When disturbance does occur it is for months, not years, and not of the intensity proposed. Therefore your petitioner requests that any resident suffering significant impacts for a period in excess of six months be eligible to a compensation to be calculated in relation to a fair unblighted occupancy value (based on rental values) for each month of impact.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of compensation in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

Property bond scheme

2. The Government's reasons for not proceeding with the property bond scheme are set out in Section 8 of *Property Compensation Consultation 2013 for the London-West Midlands HS2 route: Decision document*, Cm.8833, April 2014. Having considered the evidence including evidence presented by a number of petitioners, the House of Commons Select Committee concluded:

'We have reflected and concluded that the case that a property bond scheme should be preferred over other options was not sufficiently established.'

Construction Commissioner remit

3. HS2 Information Paper G3, Construction Commissioner, explains the Promoter's proposals:

'The Secretary of State will ensure that a Construction Commissioner is appointed by the time construction begins. If people have a complaint during construction that cannot be resolved through the nominated undertaker's complaints process, they will have the option of referring their complaint to the Construction Commissioner. This Information Paper outlines proposals for this role.

The Construction Commissioner will provide independent, impartial decisions. This will be important in ensuring a fair and balanced approach to cases that cannot be resolved through the normal complaints process. The Construction Commissioner will also be able to provide advice to members of the public on how to complain.

If someone is unhappy with any aspect of Phase One's construction, the first step would be to complain to the nominated undertaker. If the complainant feels that the complaint has not been satisfactorily addressed through the normal procedure, they can put their case to the Construction Commissioner.

He or she will investigate any grievance where it is alleged that the nominated undertaker has not satisfactorily addressed a matter raised by a complainant. The Construction Commissioner will be independent of the Secretary of State and any nominated undertaker appointed to construct the Proposed Scheme.

The precise terms of reference for the Construction Commissioner will be established by an independent body, which will be made up of a variety of project stakeholders.'

4. As outlined in HS2 Information Paper G3, Construction Commissioner, the Construction Commissioner's role is not expected to cover:

- complaints that have not first been considered by the nominated undertaker's helpdesk;
- complaints relating to works that are not part of, or associated with, the HS2 project;
- complaints relating to planning conditions and other matters that are subject to the approval of statutory authorities;
- matters considered by Parliament in approving the project; matters dealt with by the Office of Rail Regulation, and operational rail matters dealt with by train operating companies and passenger watchdogs;
- matters under investigation by the Health and Safety Executive;

- complaints relating to property compensation issues;
- claims for losses over £10,000;
- complaints relating to settlement deeds (see HS2 Information Paper C3, Ground Settlement and HS2 Information Paper C10, Small Claims Scheme, for further details);
- the operation of the HS2 railway or services; or matters relating to HS2 Safeguarding Directions.

5. It is the Promoter's intention to proceed with setting up the independent body later this year in order that it can establish its terms of reference and the process for selecting the Construction Commissioner as early as possible. In the meantime the Promoter has recently appointed an interim commissioner. His main responsibilities will include:

- ensuring that people affected by HS2 know who the Construction Commissioner is and what they need to do including advice on how to make a complaint;
- mediating in unresolved disputes between HS2 Ltd and individuals or bodies, including claims under the Small Claims Scheme; and
- monitoring complaints and providing reports marking trends and providing advice on how to reduce the instance of complaints where possible.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 149 - 152

ISSUE RAISED: Need to Sell scheme

PETITION PARAGRAPH: 149. The only compensation currently available to all but a few Camden Cutting residents is the Need to Sell Scheme (NTSS). The rules for the NTSS are unfairly restrictive.

150. The NTSS is inadequate and unreasonable because:

(a) Applicants need to prove a 'compelling reason to sell' that is acceptable to a panel; you can't just move for your own reasons like everyone else. Even if HS2 has made your life unbearable and potentially your property uninhabitable and definitely unsaleable at unblighted value you will not get compensation unless you can provide personal circumstances that satisfy a tribunal that you have a 'compelling' reason to sell.

(b) Although the latest version of this scheme has changed the word 'hardship' to 'need to sell' there is no change in substance to the working of the scheme. Statistics produced by the Resident's Commissioner in September 2015 show eight of 58 applications refused only because a 'Compelling Reason to Sell' has not been proven and a further eight refused partly because of this.

(c) In rural areas people living within 120 metres of HS2 automatically qualify for various forms of compensation with no need to prove 'a compelling reason to sell' yet in Camden people living 10 metres from incredibly disruptive works must do so.

(d) A reason for wishing to sell might well be that the applicant does not want to live in the middle of one of the largest construction sites in Europe for ten years but this is not recognised by the scheme (a point noted by the House of Commons Select Committee).

(e) The long time scale of HS2 demands flexibility: people might well, through a normal web of human circumstance, want to move house during the next 10 years but not qualify under the scheme and suffer considerable loss to their assets and to their enjoyment of a home. People must be free to move home over the next 10 years and not be trapped, unable to get on with their lives as they normally would.

(f) If you have received an offer 14.99% less than 'a realistic unblighted asking price' (Decision Document 2014) you are not eligible to even apply for the NTSS and will suffer a 14.99% financial loss because of HS2.

(g) The 'no prior knowledge' stipulations in the NTSS do not reflect the extended time scales and new impacts in AP3 that were not known to property purchasers between 2010 and 2015.

(h) Non-resident landlords are unfairly excluded from the scheme: disruption caused by construction works could severely undermine the rental value of properties and make lettings impossible. No compensation is offered by the NTSS scheme.

(i) Even if landlords were covered by the NTSS scheme they would need to sell their property to take advantage of it. Landlords should have an option to retain their property but be able to ask HS2 to cover costs such as mortgages, bills, fees where rental has fallen and will not cover them.

151. We note that many of these inadequacies were recognised by the Select Committee of the House of Commons who requested the Department for Transport (DfT) to look again at the structure of the scheme. We note that response from DfT was negligible and made no serious adjustments to the operation of the scheme. The deficiencies therefore remain unresolved.

152. We ask that the Need To Sell scheme is modified to:

- (a) Remove the requirement to show compelling reason to sell
- (b) Drop the 15% rule
- (c) Relax 'no prior knowledge' rules
- (d) Include landlords in the scheme

PROMOTER'S RESPONSE:

1. To address concerns relating to the issue of generalised blight, the Promoter operates a package of property help and compensation measures for residential owner-occupiers including a 'Need to Sell' Scheme. This Scheme operates without a defined boundary whereby the Government will offer to accept applications to buy properties at their full un-blighted market value from those who have a compelling need to sell such as job relocation or ill health, but who are unable to do so other than at a substantially reduced price, as a direct result of the announcement of the Proposed Scheme. Five criterion must be evidenced to be met in order for the Government to agree to buy a property. The price paid would be the full, unblighted open market value of the property.

2. Changes were made to the Scheme on 26 May 2016, including allowing residents to choose local valuers as part of the valuation process where applications are successful. Further details about the scheme are available at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/525965/Need_to_sell_guidance_and_application_form.pdf.

3. The Promoter does not accept the need for the changes to the discretionary compensation arrangements that the Petitioner proposes:

- There are clear and comprehensive rules of eligibility.
- The location criteria are set out in paragraphs 3.1.10-15 of the guidance notes. They comprehensively cover the relevant considerations to determine whether the property is 'in such close proximity to the route that it would be likely to be substantially adversely affected by either the construction or the operation of the new line'. It is not necessary or desirable to extend the scheme to encompass claims for properties not substantially adversely affected where the only ground is a notion of market perception, not least because it would be very difficult to find objective evidence for this perception.
- As described in paragraphs 3.1.29-37 of the guidance notes there should be a compelling reason to sell. The purpose of the scheme is 'to help people who would be placed under an unreasonable burden within the next three years if they were unable to sell their property except at a significant loss due to proposals for HS2 Phase One or 2a. It is not intended to act as a mechanism to either mitigate or exploit property market performance.' The scheme is designed to be flexible so that any compelling reason can be considered. 'The panel will consider each individual case on its unique merits. Creating a list of circumstances where applications will be accepted could perversely restrict the panel with rigid evaluation criteria that would not reflect the intended flexibility of the scheme.
- By asking for a 'Right to Sell' and an appeals process, the Petitioner is in effect seeking to apply the same processes as for statutory compensation. The criteria and processes are clearly described and the panel considering the applications is independent. Paragraph 2.1.2 explains the Promoter's approach:

'The NTS is a discretionary scheme (it is not required by law). It will be administered by HS2 Ltd on behalf of the Government. Applications will be considered by a panel of three fully independent professional members, who will recommend to the Secretary of State for Transport whether each case should be accepted. In most instances, the recommendation will be reviewed and a final decision made by a senior civil servant with delegated authority from the Secretary of State. However, if the senior civil servant disagrees with the panel's recommendation, the case will be decided by the Secretary of State or a minister with delegated authority.'

- The Promoter does not consider a formal appeal process is necessary as there are sufficient safeguards and independence in the NTS mechanisms. Where circumstances have changed or new evidence is submitted, decisions can be reviewed through re-application as explained in the guidance.
- The Promoter does not accept that the NTS scheme will lead to arbitrary action or maladministration. In any event the Ombudsman would be able to consider cases of maladministration if any were to arise in the same way as with other Government actions.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 158 - 163

ISSUE RAISED: Materials by rail

PETITION PARAGRAPH: 158. HS2 construction traffic will be a major source of pollution, noise, vibration and potential accidents and will have the largest impact on the wider area.

159. A construction railhead(s) in or near Euston could significantly reduce construction traffic and have major environmental benefits in Camden and beyond, and we are supportive of the study underway to assess how this can be done with the maximum percentages of materials to be moved in this way.

160. As with other construction work, we ask that transport by rail is done so as not create unacceptable noise and that all properties affected must be offered the noise insulation and/or ventilation package. We note with regret that the study agreed to by HS2 was programmed to be complete by mid 2016 and that this has denied us the opportunity to include any details in our petition.

161. In particular, we ask that where there are options for constructing a 'rail not road' scheme, that the scheme details reflect how disruption to residents will be minimised, and does not prioritise the operational needs of HS2 or Network Rail.

162. In the event that a rail scheme is implemented for conveying spoil and materials, the impacts of this should be fully assessed and Environmental Statement updated. These impacts must then be fully mitigated, for example a railhead north of the portal may require more houses in Gloucester Avenue to receive noise insulation.

163. If the outcome of the study is unsatisfactory we reserve our position and may wish to address the Select Committee on the subject.

PROMOTER'S RESPONSE:

1. Due to the restricted nature of the Euston site (constrained by lack of space for sidings and division of the excavations into two separate stages), it may not be possible to move any more than a limited amount of the excavated or demolition material by rail. Therefore, as a reasonable worst case the Supplementary Environment Statement 2 and Additional Provision 3 Environmental Statement (SES2 and AP3 ES) assumes all excavated material transported off site

is moved by public highway network. However, investigation will continue to establish whether movement of more excavated material by rail is feasible, as noted in the SES2 and AP3 ES Volume 2, CFA1 report, paragraphs 5.3.144 and 15.4.83.

2. Last year the Promoter gave an assurance to the London Borough of Camden and Transport for London to carry out a study to investigate options for increasing the movement of material by rail as far as reasonably practicable. The Promoter held 10 workshops with the London Borough of Camden, Transport for London and Network Rail to examine options for removing material by rail from Euston and the findings from this work were set out in a report submitted to the Secretary of State for Transport. The Secretary of State has confirmed that he accepts the recommendation in the report and the proposed next steps. A copy of the full study report was published in July 2016 and a copy can be found at <https://www.gov.uk/government/publications/material-by-rail-euston-station-strategic-redevelopment-board-report>.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 164 - 181

ISSUE RAISED: Traffic

**PETITION
PARAGRAPH:**

164. Construction lorry routes are proposed by HS2 on residential streets in the Camden Cutting area. This will cause air pollution and noise and vibration to adjacent properties and increased danger to pedestrians and cyclists. It has been reported in the press that three cyclists have been killed to date by CrossRail lorries and we do not want similar fatalities from the construction of HS2. HS2 staff refer to their safety plans, however we suggest similar measures were put in place by CrossRail and the only 100% way to prevent deaths is keep the HGVs out of residential areas and off cycle routes.

165. We ask that HS2 trains all lorry drivers in safe driving techniques and that the Fleet Operator Recognition Scheme (FORS) and Construction Logistics and Cyclist Safety Scheme (CLOCS) is implemented in full.

166. We ask that there is no transport of materials or waste outside of core hours on the roads.

167. We ask that physical barriers, or road signs with camera enforcement, are used to ensure that other traffic is not able to use residential streets as rat-runs to avoid congestion from construction traffic / utilities works / diversions on main roads.

168. We ask that road humps and table junctions on construction routes be removed to prevent unacceptable noise and vibration from HGVs to residential properties which are often only a few metres away from the road edge (with speed enforcement by other means).

169. We ask that HS2 provide sufficient funds to LBC for local traffic management and for traffic management schemes to be developed with the community.

170. We ask that HS2 does traffic modelling to the satisfaction of LBC and TfL using VISSIM modelling to give a fine-grained understanding of traffic at all junctions including minor roads (not just SRN / TfL roads at major junctions).

171. We ask that residential streets are not used as construction routes but that where HGVs have no alternative but to use residential streets

to access specific sites we ask that their numbers be strictly limited to a pre-agreed level and that no additional vehicles be allowed to use that route. (This is necessary to ensure that once residential roads have reached 'significant adverse' community effects, or air pollution then it is not permissible for contractors to further increase the problem and benefit from the fact that there is no higher category higher than "significant adverse" that additional vehicles will push the route into).

172. The trigger limit of 25 HGVs per street per day prior to formal notification is not acceptable and should be removed to prevent journeys being spread further across the area in an effort to bend the rules.

173. We ask that the size of construction vehicles used on local residential streets is limited appropriately where vehicles are required for Utility works or there is no alternative route.

174. We ask that HS2 have an enforceable mechanism to ensure that construction vehicles stay on their agreed and designated routes.

175. We ask that HS2 makes proposals to maintain safe cycle routes throughout construction and specifically that North-South designated Route 6A on Arlington Road (to be signposted later this year as a 'Quietway' as an official part of the London Cycle Grid) is kept free from HGVs and LGVs to protect cyclists seeking to avoid Camden High Street with its additional loading of construction vehicles and to permit safe cycling.

176. We ask that HS2 makes proposals to maintain safe pedestrian crossings throughout construction and construct new ones where there are significant increases in traffic due to HS2 construction.

177. We ask that HGVs going to the concrete batching plant at Kings X do not drive east-west across Camden Town but use the Euston Road.

178. We ask that an assessment and mitigation of accident black-spots is done by HS2 on construction routes including the Delancey Street / Arlington Road junction.

179. We ask that HS2 report three months before preparatory construction work begins on the measures they have taken to implement their commitments and that regular monthly Traffic Management Plan review meetings are held with residents (and not just the Local Authority) so that real-time experience of traffic issues can be taken on board.

180. We ask that the road system is designed to minimise traffic increases on all residential roads due to HS2. Currently this is not the case. Coordinated planning with TfL, LBC and the community is needed.

181. We ask that the new Euston Station taxi rank is moved to the south of the station away from the little open space that will exist after the HS2 station is built, and further away from residential areas. Taxi provision should not result in taxis having to use Harrington Square and the perimeter of the Ampthill Estate as a route between drop-off and pick up to ensure that residents health is protected.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of traffic in their Petitions against the Bill in the House of Commons, Petition Nos. 858 and AP3: 91. Please refer to the original Promoter's Response Documents, attached as Annexes A and B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 182 - 186

ISSUE RAISED: Construction compounds

PETITION PARAGRAPH: 182. There will be five construction compounds on or adjacent to residential roads in the cutting area north of Granby Terrace Bridge. All five are in close proximity to residential homes. The largest, Carriage Shed and Park Village East Compound, will include handling spoil removed from the Cutting in digging out the west side of the Cutting and station as well as processing the material from the demolitions. Until the study on spoil is completed the exact use of this compound is uncertain and your Petitioner reserves the right to raise further issues when that study is available.

183. Many of the residential roads to the east of the Cutting have been designated construction routes. Use of these areas extends either side of the working hours described in the ES, further increasing disruption to residents. This must be restricted to Core Working hours as a minimum and not using shoulder periods for bringing vehicles into position outside hours.

184. We ask that the size of these local compounds is minimised wherever possible and made smaller than proposed by HS2. The main compound at the Temperance Hospital site is only a 10 minute walk away, and deliveries of plant and materials should only be allowed via the main construction compound or at Euston Station, not via the satellite compounds.

185. We are particularly concerned that a proper analysis of the proposed use of these compounds has not been carried out and proper alternatives considered with opportunities to merge compounds and restrict those at street level. Some of the issues in this area appear to relate to a failure by HS2 Ltd and Railtrack to reach agreement allowing the impact on residents to be minimised. For example the ES lists the Mornington Street OverBridge compound as operating until 2020 and mainly during the day despite the bridge work being at night and reconstruction during 2021-22. Other queries remain unanswered despite the residents of Mornington Terrace raising this before the House of Commons Select Committee. It is still unclear why this compound is required for the intervening period between demolition and reconstruction of Mornington Street Bridge and ask that it be removed entirely. We reserve the right to appear again before the

Committee when full additional information that has been asked for becomes available.

186. We ask that resident parking spaces that are lost due to Construction Compounds and other HS2 works are replaced in the same or adjacent streets by converting pay and display spaces or yellow line areas to resident parking and that no spaces are removed until alternative spaces are clearly identified and implemented.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of construction compounds in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 187 – 188 and 206 - 209

ISSUE RAISED: Design of the cutting

PETITION PARAGRAPH: 187. The design of the approach to Euston and of the Station should address the needs of the local community and not just those of HS2. The unique qualities of the Camden Cutting neighbourhood must be preserved. Specific elements of this infrastructure are dealt with in paragraphs 188 to 213 below.

188. The "to be appointed" Euston Design Panel should be appointed forthwith to ensure that its advice and input is taken on board early and must include members with accredited Conservation qualifications, members of Camden Design Review Panel (as soon as that body is appointed) and an appointee of the local community with architectural expertise.

206. The proposed track layout in the Camden Cutting requires the demolition of the Hampstead Road Bridge, the Granby Terrace Bridge, the Mornington Street Bridge, the Park Village East Retaining Wall and the Central Retaining Wall at Parkway. It also requires the construction of a rail dive-under in a large excavated cut and cover concrete structure with new deep retaining walls. Line X for conventional trains will be demolished and reconstructed at a later date.

207. The design of this infrastructure responds to the needs of HS2 but has little regard to the needs of the local community or the urban fabric of London. HS2 is being built in a densely populated neighbourhood and we ask that the designs take account of this. The Hampstead Road Bridge study must have early input from the Euston Station Design panel (or HS2 Design Panel if the Euston Station Design Panel is not appointed), and the options assessed must allow for a design of the highest quality in this sensitive location (as it forms the setting to the Listed buildings on Mornington Crescent). The brief for this design must have community input because, to date, HS2 have repeatedly ignored/miscontrued community views on this element (as reported at several ECRG meetings).

208. Consideration needs to be given to the setting of the Conservation Areas and Listed buildings (Grade II and II*) on both sides of the Cutting. The Bill removes protection from some of our local heritage assets and we ask that the Local Authority retains this control. LBC

have been given some limited assurances on this point, but only relating to 'important assets', which excludes residential homes.

209. We ask that HS2 design infrastructure in the Cutting (e.g. retaining walls, replacement bridges, vent shaft and headhouse) to enhance the urban environment and minimise the impact on the residents of Camden. Design Panel input should be provided early on.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of design in the cutting in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.
2. Further to this, the Promoter recognises the importance of appropriate public engagement in the design development process so that HS2 designers, the independent design panel and relevant local planning authority can be informed of local views as the scheme design develops. A core design principle of HS2's Design Vision is 'People: Design for everyone to benefit and enjoy'.
3. HS2 Information Paper D1, Design Policy sets out the design policy for the Proposed Scheme. Paragraph 3.1 of the Design Policy states that the Promoter and the nominated undertaker will seek to ensure that 'the design is developed through engagement to seek people's views and ideas on the aesthetic design of the visible buildings and permanent structures'.
4. While the exact form and nature of public engagement for station design will be developed closer to the time, it is likely to comprise an open engagement exercise, with public exhibitions, leaflet drops, interactive on-line materials and related publicity, reflecting the complexities of station design and the importance of their existing and potential contexts.
5. The Promoter will engage the public on the design development of key elements of infrastructure - including key ventilation shafts in sensitive areas. The engagement exercise is likely to include many of the elements outlined for stations, but will focus more on engaging the public in the locality where the infrastructure is located.
6. In addition to the general commitments set out in the design policy, the Promoter gave an assurance to the London Borough of Camden to require the nominated undertaker to undertake public engagement to inform the design development of Euston station to include a community engagement event following the appointment of the design team in 2016 and separate engagement on a preferred option for the design of the station prior to submission to the local planning authority for approval.
7. Please see assurance reference No. 1093 on the draft Register of Undertakings and Assurances at <https://www.gov.uk/government/publications/high-speed-rail-london-west-midlands-bill-register-of-undertakings-and-assurances>.
8. The exact nature of this engagement will be developed in line with a separate commitment to develop a community engagement framework to ensure that all sections of the community are aware of the HS2 scheme.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 189 - 198

ISSUE RAISED: Hampstead Road Bridge

PETITION PARAGRAPH: 189. HS2 proposed in AP3 to raise Hampstead Road Bridge by 4.8 metres and double its length to 220 metres. The effect on the urban environment is severe.

190. Eye level views between Camden and central London along Hampstead Road will be blocked and the unfriendly nature of the proposed design, along with its great length, will create an isolated and inhuman streetscape. It will cut off Camden visually from central London, discourage pedestrian use and create an inhospitable and unsafe environment in the centre of London.

191. The Hybrid bill planned to demolish and rebuild Hampstead Road as a truss bridge over a period of 6 years, phased to enable a single lane of traffic in either direction. The AP3 scheme will take 8 years, and now provide a deck and beam bridge that is 4.8m above current road level, 220m long, with a ramp off the south side to access the new service basement of Euston Station from 2033.

192. This design was driven by the basement service access to the station — requiring a ramp off the side of the bridge, and therefore not allowing trusses above the road level, As a result a deeper structural zone for the bridge is required underneath the road deck, pushing the road level higher up.

193. More frequent columns beneath the bridge would reduce the depth of the structure and thus height of the road.

194. We understand that the clearance under the bridge is designed to a European standard for high speed running that may not be necessary here and ask that this parameter be reconsidered.

195. Raising the road deck causes a number of issues - the height is both a visual severance and a danger to pedestrian and cyclist users; - the length means the road will be higher than the joining roads and the surrounding pavements, and it will therefore not 'fit' into the surrounding neighbourhood causing harm to the setting of the listed terrace on Mornington Crescent; - the service

ramp can only be accessed for southbound traffic, meaning HGV delivery lorries will have to circle residential Harrington Square (often at unsociable hours) to reach the southbound traffic lanes; -the road junctions and crossings shown will be dangerous and circuitous for both pedestrian and cyclist users.

196. We ask for the bridge to be lower and shorter causing less construction and operation issues as described above. The community would prefer a lower road level with less disruption to the surrounding setting of roads and pavements, even if this meant a truss bridge design — there are many examples of elegant bow string truss type structures from recent urban projects (not like the utilitarian box truss bridge in the photo-visual shown in the Hybrid Bill and ES documents).

197. We are aware of the assurance given to Transport of London to conduct a study to review the design of the bridge. We welcome this as an opportunity for HS2 to develop a more appropriate design that takes account of the needs of the community and the surrounding context, and we ask for the points above to be taken into account during this study process resulting in a high quality design proposal that is sensitive to its context.

198. We cannot take a final position on the design of the bridge until such time as the study is completed, so we reserve our position on this subject and may need to address the Select Committee on this point once the report is published. Whilst the study may not look at actual design proposals it is very important that the HS2 Euston Station Design Panel (or HS2 Design Panel if the ESDP is not yet appointed) is part of this study, and the options sifting from the earliest possible point and see this as an urgent matter to be rectified. The Design Panels have highly respected engineers, bridge designers and architects who will be able to give valuable creative input from the outset.

PROMOTER'S RESPONSE:

1. Hampstead Road Bridge has been designed to facilitate over site development (OSD) and station servicing. Servicing for the high speed station will be provided from an underground basement, with road access from Hampstead Road Bridge.
2. Hampstead Road Bridge, which currently carries a six lane road, will be demolished and rebuilt close to its current alignment to allow the new high speed station service and logistics basement access ramp to connect to the south side of the bridge. It will be extended to a total length of about 200m. The carriageway level of the replacement bridge will be up to 4.8m higher than at present to allow for longer bridge spans and sufficient clearance for high and conventional speed trains to pass underneath.
3. Last year an assurance was given to the London Borough of Camden and Transport for London (TfL) to carry out a study to identify options that would achieve lower road levels at either end of

the re-provided Hampstead Road Bridge in order to reduce the impact on local residents and neighbouring buildings as well as on non-motorised users of the A400 Hampstead Road. Since the House of Commons Select Committee, HS2 Ltd have held a number of workshops with TfL and London Borough of Camden to examine these options. The findings of these workshops are detailed in 'The Hampstead Road Bridge Study Report - Minimising the Proposed Height Increase', at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/540131/FINAL_HRB_report_for_publication_v1.pdf.

4. The recommendation of the study, which has been accepted by the Department for Transport, is to proceed with the option (Option 8) that would see the bridge being lowered by up to one metre compared to the current scheme.

5. Demolition is expected to commence in 2019. Reconstruction is anticipated to involve removing one half of the width and replacing that, before repeating for the other half. Throughout reconstruction, it should be possible to keep one lane of traffic open in each direction including access for pedestrians. Two temporary utilities bridges are anticipated to be provided during construction.

6. The bridge is proposed to be rebuilt with segregated cycle lanes using a continuous composite steel plate girder (or steel box) solution with the primary structural elements, the girders or boxes, positioned below deck level.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 199 - 200

ISSUE RAISED: Temporary Mornington Street Bridge

PETITION PARAGRAPH: 199. The proposed temporary Mornington Street Bridge has long approach ramps that will make it difficult for cyclists, people with push chairs and the elderly to use. We ask that it is designed to make it more user friendly with shorter and wider access ramps and a wider deck across the cutting to allow for people and cyclists to pass each other easily. There should be steps in the opposite direction to the ramp on each side so that the bridge can be approached from both South and North on both sides, and to give equality of access to those who find ramps difficult to navigate.

200. The current proposals leave unclear whether the current mature plane trees on the pavement on Mornington Terrace will be cut down when the temporary bridge is installed. We ask for a commitment that the bridge will be designed in such a way that these full grown, mature trees that are an essential part of the visual identity of the Terrace are all retained.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of the temporary Mornington Street Bridge in their Petition against the Bill in the House of Commons, Petition No. AP3: 91. Please refer to the original Promoter's Response Document, attached as Annex B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 201- 203

ISSUE RAISED: Granby Terrace Bridge

PETITION PARAGRAPH: 201. The proposed bridge design (arch and truss combination) is inappropriate in a residential location, proximate to listed properties. The proposed design is also of restricted width.

202. We ask that the design of the bridge is revised to reflect its surroundings and to create an appropriate structure for the location with a single unified design along its length. Again the Design Panel should be involved early on, at feasibility stage.

203. We ask that the existing bridge be rebuilt to the same width and the same parking space availability, so as to maintain parking capacity in the area as well as avoid creating a narrow 'canyon' for pedestrians and cyclists to traverse.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of Granby Terrace Bridge in their Petitions against the Bill in the House of Commons, Petition Nos. 858 and AP3: 91. Please refer to the original Promoter's Response Documents, attached as Annexes A and B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 204 - 205

ISSUE RAISED: Park Village East retaining wall

PETITION PARAGRAPH: 204. HS2 propose to demolish and rebuild the 12 metre high, 3 metre thick brick retaining wall along Park Village East that forms the western side of the Camden Cutting. The scale and elegance of this wall contribute positively to the character of the neighbourhood. Demolition of this wall and construction of its replacement will cause severe noise and disruption.

205. If the design of the scheme requires this demolition we ask that the impact of this significant infrastructure build is fully mitigated: for instance more day-time possessions of the adjacent railway line would reduce the night time impact to better balance the needs of the railway to be built and the needs of the community to sleep. We also ask that the replacement wall is considered carefully as a contextual design as it forms the foreground to the important II* listed houses on Park Village East when viewed from Mornington Terrace.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of the Park Village East retaining wall in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.
2. The Petitioner is also referred to the responses on working hours and design outlined above.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 210

ISSUE RAISED: Line X wheel squeal

PETITION PARAGRAPH: 210. The Bill proposes a reinstatement of Line X for classic trains in what appears to be the same geometry as the existing Line X which produces 'wheel squeal'. We ask that the new Line X is designed to eliminate this.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of Line X in their Petitions against the Bill in the House of Commons, Petition Nos. 858 and AP3: 91. Please refer to the original Promoter's Response Documents, attached as Annexes A and B.

2. Line X is to be reinstated virtually on the present alignment, using the existing conventional railway diveunder. The track alignment will be optimised within these geometric constraints, and this may reduce the risk of wheel squeal.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 211 - 213

ISSUE RAISED: Landscape and trees

PETITION PARAGRAPH: 211. The landscape of the Cutting is significantly enhanced by the mature plane trees along most of Mornington Terrace, and the plantation that runs the length of Park Village East. We are concerned that in some cases these may be removed during the construction phase when alternative 'workarounds' could be used. We are also concerned that when they are removed HS2 believe that 1-for-1 replacement is adequate. A mature plane tree in the streetscape of Mornington Terrace cannot adequately be replaced by a sapling after construction is complete.

212. We ask that planting on Park Village East adjacent to the Cutting is maintained or replaced with equivalent planting in a suitable depth of soil so as not to require irrigation and with suitable trees and shrubs to encourage bird life.

213. We ask that the all existing mature trees and the retaining wall along Mornington Terrace adjacent to the Cutting are maintained throughout the construction period, including those near the new temporary Mornington Street bridge.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of trees in their Petition against the Bill in the House of Commons, Petition No. 858. Please refer to the original Promoter's Response Document, attached as Annex A.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 214 - 216

ISSUE RAISED: Code of Construction Practice

PETITION PARAGRAPH: 214. HS2 have committed that the CoCP will be 'best practice'. We welcome this principle, but reviewing the draft CoCP published in March 2016 we are concerned that the CoCP does not actually reflect best practice. We ask that the CoCP is further developed to ensure that it is best practice. We reserve our rights on this issue as further drafts are published and may wish to address the Committee on this issue at a later date.

215. Further your Petitioner is extremely concerned that his local authority appears unable to get agreement from the Promoter on provision of detailed, timely and regular results from the monitoring of construction impacts. The petitioner is appalled that such vital information for residents protection should be withheld and can think of no conceivable reason why an organisation should validly seek to withhold such information from the community or the Local Authority given its statutory role in managing Environmental Health. Your Petitioner therefore requests your Lordships to fully investigate this matter as to why agreement has not been reached. This should be done even if the Promoter subsequently reaches agreement with London Borough of Camden since it demonstrates a wider problem that is critical to protecting the health of local residents impacted by construction. Further, your Petitioner requests that such information is made public to ensure those impacted are fully informed.

216. We are also aware that Transport for London are working with the London Borough of Camden to create a Construction Logistics Plan. We agree with the position of LBC that this plan must be incorporated into the CoCP and we ask the Committee to ensure this occurs.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of the Code of Construction Practice in their Petition against the Bill in the House of Commons, Petition No. AP3: 91. Please refer to the original Promoter's Response Document, attached as Annex B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 217 - 220

ISSUE RAISED: Local Environmental Management Plans

PETITION PARAGRAPH: 217. The impacts shown in AP3 and SES2 will be managed by the ES and CoCP which set out the proposed approach for how Local Environment Management Plans will be agreed. These are the rules by which construction of the work will be governed. It is proposed that the contractors for the project, as well as local council, will be involved in agreeing these plans. We believe that representatives of the local community should also be involved. We note that while Local Authorities are central to this process they are not synonymous with the local community. As the London Borough of Camden themselves have expressed it: "it is the promoter's responsibility to engage with the community to ensure their concerns are heard and responded to directly, rather than using [LBC] as the intermediary".

218. We ask that three representatives from Camden community groups including the Camden Cutting Group be on the body that develops LEMPs.

218. We ask that three representatives from Camden community groups including the Camden Cutting Group be on the body that develops LEMPs.

219. We ask that CFA1 has its own LEMP that addresses the unique issues of the area.

220. We ask that community representatives have input to local environmental issues during construction and also formal input into Contractor's Environment Management Plans (CEMPs).

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of Local Environmental Management Plans in their Petitions against the Bill in the House of Commons, Petition Nos. 858 and AP3: 91. Please refer to the original Promoter's Response Documents, attached as Annexes A and B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 221 - 230

ISSUE RAISED: Engagement and management of local issues

PETITION PARAGRAPH: 221. We draw the attention to the recent report of the House of Commons Public Administration and Constitutional Affairs Committee (PACAC) which was highly critical of HS2's willingness to engage, and made the following comments:

"The continuing existence of a culture of defensive communication and misinformation within a public body, responsible for the delivery of such a large and highly controversial project, is not acceptable.... Unless those responsible for delivering HS2 understand that first and foremost they serve the public, and take action to reflect this, then they will continue to be vulnerable to the criticism that they have disregard for members of the public who are impacted by this large-scale infrastructure project." (Source: Summary of report)

"The depth and extent of criticism expressed in the vast majority of the evidence that we received highlights the need for a fundamental shift in how HS2 Ltd communicates and engages with the public. We have seen no evidence to suggest that this step change has taken place." (Source: para 33)

"Whilst we do not seek a return to the Phase One community forums, we are concerned that HS2 Ltd has failed to identify what we believe to be the root cause of the forums' failings: namely that the process was treated as a one way 'box-ticking' exercise by HS2 Ltd, with no genuine two-way engagement. Whilst we are broadly supportive of any engagement activity which offers the public a genuine opportunity to discuss and contribute to the process, unless there is a change in approach from 'transmit' to 'receive' on HS2 Ltd's part, then these new proposals will also fail. In particular we urge HS2 Ltd to address its "defensive" style of communication and to embrace openness and transparency." (Source: para 38)

"We cannot over-state the importance for HS2 Ltd of developing a strong customer focus on the needs of those whose homes and communities are seriously affected by what remains a highly controversial project." (Source: para 45)

222. Camden Cutting Group submitted evidence to the PACAC and we were pleased to have the Committee listen to our concerns and reflect them in their report.

223. In particular we endorse the comment that HS2 regard 'engagement' as a one way transmission process, and not an opportunity to listen and shape their proposals to take account of community needs.

224. We also note the strategy of HS2 to regard engagement with London Borough of Camden as engaging with the community. We believe that LBC have a vital role to play, but HS2 has a responsibility to engage with the community directly.

225. Regrettably our recent experience since the 'Camden' hearings at the Select Committee of the House of Commons has been no better. We read with interest the Draft Community Engagement Framework published by the Promoter in January 2016. However the reality in the first four months has been poor with HS2 staff clearly unaware of the expectations set out in that document. This further concerns residents that HS2 as staff can't follow the process in this document, what reliability is that any other elements of the CoCP or information papers will be followed?

226. We ask that HS2 be directed in the strongest possible terms to undertake meaningful and substantive engagement on issues of concern to the local community, and to be fully and properly transparent with all members of the community about everything it is planning to do.

227. We ask that HS2 commit to briefing the construction work force with information obtained from liaising with the community regarding matters such as noise generation and access issues. This has been proposed in the CoCP for the Thames Tideway Tunnel project.

228. We ask that the HS2 local office to deal with all community issues for Euston and the Camden Cutting (CFA1) area be staffed by knowledgeable staff with appropriate expertise and experience. We are deeply concerned by our dealings to date with the employees in this office who do not appear to have a reasonable understanding of the scheme, its local impacts or key issues in how these are managed.

229. We ask that an independent person be appointed to chair engagement meetings between HS2 and community groups and representatives. HS2 have been very poor at maintaining a schedule of meetings, in providing reasonable information, and in following up on open action items and information requests. Engagement forums such as the Euston Community Relations Group (ECRG) should be chaired by an independent person able to call HS2 to account. This person

could be selected by, and be accountable to the Residents Commissioner.

230. We ask that all on-going studies be conducted promptly, with all workings and assumptions made public. We reserve the right to appear before the Committee where reports have not yet been published. Where relevant the studies must include input from the HS2 Design Panel (e.g. Hampstead Road Bridge).

PROMOTER'S RESPONSE:

1. Following the recommendation from a report by the Parliamentary and Health Services Ombudsman (PHSO) published on 26 November 2015, Ian Bynoe was appointed to review the complaints handling and community engagement of HS2 Ltd. His report was published on 11 April 2016. The Promoter responded to the recommendations of the Bynoe report on 26 May 2016, and acknowledged that HS2's community engagement needed improvement. The full response to the report can be found at

<https://www.gov.uk/government/publications/ian-bynoe-report-on-hs2-ltds-complaints-handling-and-community-engagement>.

2. Since the Bynoe report and the sixth report of Session 2015-16 by the House of Commons Public Administration and Constitutional Affairs Committee, HS2 Ltd have trebled the number of community engagement teams along the line of route. In Euston, HS2 Ltd now have a team of three full time engagement staff. In addition, HS2 are planning to recruit a Senior Engagement Manager dedicated to Euston/Camden to undertake engagement during the construction phase. In line with recommendations from the Bynoe report, the Promoter intends to publish the names, job titles and photos of the engagement team by the autumn of 2016.

HS2 engagement in Euston

3. In February 2016 the Promoter opened HS2 in Euston, a drop-in facility in the heart of Euston to enable residents to find out more about plans in the local area. HS2 in Euston is open Tuesday to Friday and the first Saturday of each month. It is open until 8pm every Thursday. The centre offers local residents the opportunity to speak face-to-face with a member of HS2 Ltd staff and a place where meetings with technical experts can be hosted if necessary. It also contains access to public HS2 Ltd documents and maps of the area, as well as acting as central point to host information events and community related meetings. Over 450 local residents have visited HS2 in Euston since it was opened and six information events have been held at the centre to date. The Euston Engagement team have also undertaken meetings with community groups.

4. Over 450 local residents have visited HS2 in Euston since it was opened and a number of events have been hosted at the centre including:

- HS2 in Euston community launch - 24 February 2016;
- Material by rail and air quality information events – 11 and 13 May 2016;
- National Temperance Hospital demolition information events – 12 and 14 May 2016; and
- Noise insulation information events – 19 and 21 May 2016

5. The Promoter has also undertaken targeted engagement to raise awareness of its noise insulation scheme. After conferring with the London Borough of Camden, HS2 Ltd sent out 1025

packs to properties identified as potentially requiring insulation. The communications process consisted of two noise insulation engagement events at the National Temperance Hospital for the residents of the 1025 properties who were sent postal invitations. The events gave the community an opportunity to find out more about noise insulation, speak to noise insulation experts, and see examples of secondary glazing and air ventilation systems. HS2 Ltd also undertook door knocking in the local area with the aim of following up the information pack, having face to face conversations with people and encouraging them to fill out and return the application forms. Many of the sessions were undertaken in conjunction with the London Borough of Camden's regeneration staff, providing excellent partnership working. 608 properties were called on, 144 face to face conversations took place, ten applications were written on the door step, and six potential special cases were identified, with six door knocking sessions having been undertaken in total.

6. In addition the Promoter has offered specialised noise insulation engagement with key members of groups who make up the Euston Community Representatives Group. So far, the Park Village East Heritage Group has taken up the offer.

7. The Promoter is looking to deploy a combination of additional channels to ensure community engagement in Euston is as wide reaching and effective as possible, including:

- A quarterly Hs2 in Euston newsletter - the first one was distributed to 21,000 Camden residents in May, the next one is planned in August/September 2016;
- An online engagement tool for Hs2 in Euston, which will enable HS2 Ltd to post information about the programme and facilitate community feedback online - which is now available here <https://hs2ineuston.commonplace.is/>;
- Quarterly information open day - held on a Saturday for community members to meet a range of HS2 Ltd staff and experts (Autumn onward)
- Monthly Construction Team Open Evenings - the community will be invited to hear the latest programme developments from the construction team and will be an opportunity to ask question directly to the team - the first one took place at the end of July and will continue as a rolling programme;
- Monthly construction surgery and monthly land and property surgery - slots will be booked for community members who wish to talk through their particular issues or concern and more support will be offered to those who require it;
- Regular advance notices of utility works;
- A series of tailored factsheets that are 'area' and 'issue' topic specific;
- The continued development of topic specific information events to be held in Hs2 in Euston as required; and
- Ongoing outreach to community groups in the Camden area.

Euston Community Representatives Group

8. On 27 April 2016 the Promoter held the first meeting of the Euston Community Representatives Group (ECRG) of 2016. The ECRG meetings are attended by representatives from the six local community groups, the London Borough of Camden, Network Rail and HS2 Ltd. At the meeting, the Promoter presented a three year community engagement plan, which outlined a wide range of engagement, outreach and information events that are planned from Q2 2016 to Q4 2019.

9. On 29 June 2016 the Promoter held a meeting with members of the ECRG, Sir Keir Starmer MP and representatives from HS2 Ltd including the Chief Executive Simon Kirby. At the meeting it was agreed that the Promoter would consider making changes to the ECRG, including:

- The introduction of an independent chair, which would be resourced by the Promoter;
- A review of the frequency of meetings;
- The requirement to agree a joint agenda in advance of the meetings;
- The circulation of papers 48 hours in advance of any meetings; and
- The provision of administrative support to the independent chair, to enable follow up of actions after each ECRG meeting, which would be resourced by the Promoter.

10. On 14 July 2016 the Promoter held a meeting of the ECRG. This was the first ECRG to be chaired by the independent chair.

Community Engagement Framework

11. The Promoter has been in discussion with the London Borough of Camden over the drafting of the Community Engagement Framework in accordance with assurance No. 1094:

'The Secretary of State will require the Nominated Undertaker to engage with the London Borough of Camden on the development of a community engagement framework aimed at ensuring all sections of the community, including businesses and individuals, are made aware of developments in relation to the construction programme and local impacts.'

12. The Promoter has had regular meetings with the London Borough of Camden on the Community Engagement Framework, the first draft of which was sent in February. The Framework has also been shared with a small number of community representatives. Following feedback from the community representatives, HS2 Ltd are reviewing their proposed Community Engagement Framework. The current framework includes an implementation plan outlining a programme of consultation, involvement and communication initiatives on emerging station and vent shaft design proposals, construction and other issues.

13. In addition the Promoter has met the London Borough of Camden to discuss Equality, Diversity and Inclusion and is working with London Borough of Camden on identifying and communicating with vulnerable residents. A number of meetings have already taken place with vulnerable members of the community.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 231

ISSUE RAISED: Clause 48

PETITION PARAGRAPH: 231. Clause 48 of the Bill allows ministers to compulsorily purchase land if they think HS2 creates "an opportunity for regeneration or development" on it. This clause states that if the Government "considers that the construction or operation of phase one of High Speed 2 gives rise to the opportunity for regeneration or development of any land" it may acquire the land compulsorily. This clause, which has no spatial or time limits, represents a new general power that seems to be unprecedented in the history of infrastructure projects. We are concerned that this power will be used to the benefit of large scale development and to the detriment of local communities and ask that the powers are removed from the Bill. HS2 should be for improving transport not for providing money making opportunities for large scale developers at the cost of the existing community. Development should be regulated by Local Authorities using the Planning system; there is no case for HS2 being above the laws that apply elsewhere in the country.

PROMOTER'S RESPONSE:

1. The Petitioner has previously raised the issue of Clause 48 in their Petitions against the Bill in the House of Commons, Petition Nos. 858 and AP3: 91. Please refer to the original Promoter's Response Documents, attached as Annexes A and B.

HOUSE OF LORDS SELECT COMMITTEE

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PROMOTER'S RESPONSE TO PETITION OF: Camden Cutting Group

PETITION NO: 382

PARAGRAPH NO: 232 - 242

ISSUE RAISED: Independent adjudicator

PETITION PARAGRAPH: 232. We are concerned that the proposed CoCP has no statutory basis since it is not actually part of the Bill and do not know how HS2 Ltd will be held accountable for the actions measured against the CoCP. The status of the policies referred to within the CoCP (for example the policy on re-housing) is also unclear. We ask that the Code of Construction Practice together with the relevant policies should be incorporated into the Bill in such a way as to ensure their compliance can be legally enforced by members of the public impacted by the non-compliance.

233. We ask that the Bill includes provisions enabling enforcement against the Secretary of State in the event of HS2 Ltd / the nominated undertaker / the Promoter failing to fulfil their obligations regarding environmental standards.

234. We are concerned that environmental standards in the ES, CoCP and other project documents may be breached in the interests of cost or programme requirements.

235. Any monitoring required under the Code of Construction Practice should involve the relevant local authority as well as independent experts with effective oversight and redress arrangements in the event of non-compliance with the Code of Construction Practice. We are concerned that there is no independent method of monitoring compliance by HS2 and their contractors in relation to noise, vibration, dust and other issues.

236. We ask that HS2 adequately fund additional Environmental Health Officers at LBC to monitor these issues, ensure compliance and deliver enforcement.

237. We ask that an Independent Adjudicator be appointed with the power to ensure any commitments entered into by HS2 are met in practice, including assurances, undertakings, and policies in HS2 information papers. These assurances should include those relating to the working culture of HS2 and the engagement with local communities and to investigate any instances of complaints that cannot be resolved by the resident's and construction commissioners.

238. We ask that the Independent Adjudicator must be separate from HS2, and not report to the Chair of HS2.

239. We ask that the Independent Adjudicator have the mandate and resources to proactively monitor whether HS2 are meeting their commitments, and not purely act reactively as part of the escalation process when complaints occur.

240. We believe this is especially important given the range of well documented examples of the Promoter's failure to have regard to residents' well being (as evidenced by the PACAC report in March 2016). The length of time that the concerns around the pervasive culture of disdain for residents have existed without corrective action means that residents have no trust that the Promoter is capable of acting reasonably towards impacted residents, that a reactive Complaints Commissioner is insufficient, and that an Independent Adjudicator is therefore essential to manage enforcement.

241. We ask that an Independent Adjudicator be given the mandate to direct HS2 to undertake actions to meet its commitments.

242. We ask that the Select Committee hear evidence from the Crossrail Complaints Commissioner on whether the complaints process is working and how it can be improved upon for HS2.

PROMOTER'S RESPONSE:

1. The Promoter does not agree that an independent adjudicator to ensure assurances are met is required, due to the various controls and commitments contained within the Bill and outside it.
2. The issues relating to adverse effects at Euston are essentially local and will be managed under the Code of Construction Practice (CoCP) and wider Environmental Minimum Requirements (EMRs) of the project. The controls contained in the EMRs, along with the powers contained in the Bill and the Undertakings and Assurances given by the Promoter will, as the CoCP sets out 'ensure that impacts which have been assessed in the ES will not be exceeded'.
3. In addition: 'the nominated undertaker will in any event, and apart from the controls and obligations referred to (...) use reasonable endeavours to adopt mitigation measures that will further reduce any adverse environmental impacts caused by Phase One of the Proposed Scheme, insofar as these mitigation measures do not add unreasonable costs to the project or unreasonable delays to the construction programme.'
4. The general principles of the EMRs state that the nominated undertaker shall comply with all undertakings and assurances concerning the project specified in the HS2 Register of Undertakings and Assurances, published by the Department of Transport, or as otherwise notified to the nominated undertaker. Any nominated undertaker will be contractually bound to comply with the controls set out in the EMRs and as may be developed during the passage of the Bill through Parliament.
5. As set out in HS2 Information Paper E1, Control of Environmental Impacts, the Secretary of State has 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. The EMRs are a suite of documents that is being developed in consultation with local authorities and other relevant stakeholders in relation to the environmental impacts of the design and construction of the Proposed Scheme. The draft EMRs for the Proposed Scheme are based on those already demonstrated to have been highly effective in controlling and reducing the environmental effects of previous projects, such as the Olympics and Crossrail.

6. Any nominated undertaker will be contractually bound to comply with the controls set out in the draft EMRs. However, where it is considered necessary, these documents will be supplemented or varied in site specific undertakings in order to deal with specific issues around a particular site.

7. The EMRs consist of a series of framework documents which will:

- define the ways in which the nominated undertaker will engage with people affected by the Proposed Scheme; and
- explain how measures designed to protect communities and the environment will be put in place alongside detailed design development and construction.

8. As HS2 Information Paper D3, Code of Construction Practice, sets out, the draft CoCP will be the means through which the Promoter will manage the effects of the construction of the Proposed Scheme on communities and the environment to ensure that potential impacts on people and the natural environment are kept to a practicable minimum.