

CATEGORY | Outstanding Environmental Health Team
WINNER | HS2 Local Authority Noise Consortium



INTRODUCTION

The team entered here are the EHPs (HS2LANC) who worked for the local authorities and their communities affected by the planned construction and operation of HS2 Phase 1, the new high speed railway from London to Birmingham. Substantial wins were achieved during the hybrid bill stages of the High Speed Rail (London - West Midlands) Act 2017 which received Royal Assent on 23 February 2017. This was the result of more than 3 years of engagement and negotiations with HS2 Ltd and Parliament.

The challenge was to provide a robust and professional check on the methodology used to assess the sound noise and vibration (SNV) impacts predicted in the HS2 Phase 1 Environmental Statement and seek better route wide noise mitigation. The LANC had 15 members: Camden, Hillingdon, Three Rivers, Chiltern, South Bucks, Wycombe, Aylesbury Vale, Cherwell, South Northants, North Warwickshire, Solihull, Lichfield, Buckinghamshire, Warwickshire and Staffordshire. The area of control was scrutiny of the assessment of sound, noise and vibration impacts at residential receptors reported in the Environmental Statement submitted as part of the hybrid bill process.

The team became competent in hybrid bill processing, Planning Practice Guidance – Noise, the application of the Noise Policy Statement for England (NPSE), establishing and application of noise LOAELs and SOAELs, the negotiation of complicated issues relating to SNV and Inter-authority governance, team and budget.

In November and December 2015, the HS2LANC authorities appeared before the HS2 Select Committee to present the route wide noise case on ‘operational’ and subsequently ‘construction related’ noise issues. Lengthy and complex negotiations with the authorities secured assurances and amendments to ‘Information Papers’ relating to noise resulting in a commitment that ‘all reasonably foreseeable circumstances’ would be taken into account when designing the railway. They also secured an assurance to prevent the Nominated Undertaker from changing assessment models for airborne noise, ground noise and vibration which could have resulted in a different and less favourable result for those impacted, an assurance when applying the Noise Policy Statement for England (NPSE) that commitments must apply to individual receptors and not just ‘community groupings’ and an amendment to the planning regime for the scheme



requiring the nominated undertaker to provide technical information at an early stage in the planning process.

Other changes include ensuring that outdoor living spaces include private garden areas; an assurance relating to cost benefit application during detailed design; an assurance that HS2 will continuously monitor research evidence, and where evidence would materially affect the level of mitigation, take steps to account for the information and act upon it at the planning stage.

HS2LANC continued to negotiate the double glazing and temporary rehousing policy with the promoters resulting in amendments to the construction noise information paper. During negotiations HSLANC proposed an innovative “statement of expectations”, which was accepted by the promoters as a mutually beneficial way of managing construction impacts.

The team’s efforts are considered to have been very successful. HS2LANC was in place for 3 years culminating in petition negotiation in the House of Commons and the Lords. LANC lead petition authorities were agreed, operational SNV Chiltern, and construction SNV Camden supported by Aylesbury Vale. For the committee stages leading experts experienced in construction and railway noise were instructed - SNV experts, a specialist barrister in environmental law and a Parliamentary Agent. The team gained confidence and funding from consortium members and governance was put into place including legal agreements between collaborating authorities.

Minutes and notes and an “issues tracker”, from hundreds of hours of meetings held before the petitioning stage were collated and passed to the experts. The acousticians wrote a detailed review of the HS2 approach to the EIA and integration of National Noise Policy statement, some 240 pages. A brief was prepared for the barrister who assessed the chances of team success as good.