

# HS2

## Draft Code of Construction Practice

This factsheet outlines how it is expected that the nominated undertaker will manage the effects of the construction of the Proposed Scheme on communities and the environment through its Code of Construction Practice (CoCP)

Version 3.0

Last updated: June 2019

# 1 Introduction

- 1.1 High Speed Two (HS2) is the Government's proposal for a new, high speed north-south railway. The proposal is being taken forward in phases: Phase One will connect London with Birmingham and the West Midlands. Phase 2a will extend the route to Crewe. Phase 2b will extend the route to Manchester, Leeds and beyond (the 'Proposed Scheme').
- 1.2 The construction and operation of Phase One of HS2 is authorised by the High Speed Rail (London – West Midlands) Act (2017). In July 2017, the Government introduced a hybrid Bill to Parliament to seek powers for the construction and operation of Phase 2a. A hybrid Bill to seek powers for the construction and operation of Phase 2b is expected to be introduced to Parliament in 2020.
- 1.3 HS2 Ltd is the non-departmental public body responsible for developing and promoting these proposals. The company works to a Development Agreement made with the Secretary of State for Transport.
- 1.4 The work to produce the Phase 2b Bill will include an Environmental Impact Assessment (EIA), the results of which will then be reported in an Environmental Statement (ES). The ES would be submitted alongside the Phase 2b Bill when it is introduced to Parliament. The emerging findings of the EIA were reported in a working draft Environmental Statement (WDES)<sup>1</sup> that was consulted on in late 2018.
- 1.5 As was the case with Phase One and Phase 2a, when the Phase 2b Bill is introduced to Parliament, the Secretary of State will also publish draft Environmental Minimum Requirements (EMRs). The EMRs will set out the environmental and sustainability commitments that will be observed in the construction and operation of Phase 2b.
- 1.6 A series of information papers were produced for the Phase One and Phase 2a hybrid Bills, explaining the commitments made in those Bills and EMRs. It is the Secretary of State's intention to follow a similar process for the Phase 2b Bill. These information papers for Phase 2b will be used to provide information about Phase 2b itself, the powers contained in the Phase 2b Bill when it is introduced to Parliament and how decisions on Phase 2b have been reached. It is currently proposed that these information papers for Phase 2b will be published at the time the Phase 2b Bill is introduced in Parliament.

---

<sup>1</sup> The WDES presented draft environmental information based on a stage in the ongoing design and assessment process for the Proposed Scheme. It included a description of the existing environment; an evaluation of the anticipated environmental impacts of the Proposed Scheme; and the measures being proposed at the time to manage the anticipated impacts. The ES submitted alongside the hybrid Bill will reflect any changes made following further work on the design and EIA, the WDES consultation, and any further consultation on the Proposed Scheme.

- 1.7 The Secretary of State for Transport will be ‘the Promoter’ of the Phase 2b Bill. The Promoter will also eventually appoint a body responsible for delivering the Proposed Scheme under the powers to be granted by the Phase 2b Bill. This body will be known as the ‘nominated undertaker’. There may well be more than one nominated undertaker. However, any and all nominated undertakers will be bound by the obligations contained in the Phase 2b Bill, the policies established in the Phase 2b EMRs and any commitments provided in the Phase 2b information papers.
- 1.8 These Phase 2b Factsheets have been produced to provide information on the emerging proposals for measures to manage the design process for Phase 2b and to control impacts which may arise from the construction and operation of the Proposed Scheme. These measures may then be applied to Phase 2b as commitments made through the eventual Phase 2b Bill, EMRs or information papers.

## 2 Overview

- 2.1.1 The purpose of this factsheet is to outline how it is expected that the nominated undertaker will manage the effects of the construction of the Proposed Scheme on communities and the environment through its Code of Construction Practice (CoCP).

## 3 Code of Construction Practice – what is it?

- 3.1.1 HS2 will be one of the largest construction projects in Europe. The aim is to design and construct the Proposed Scheme in such a way as to reduce the effects of construction on communities and the environment as far as is reasonably practicable.
- 3.1.2 The CoCP is a part of the environmental and sustainability commitments that it is anticipated the Government will enter into through the hybrid Bill process.
- 3.1.3 These commitments are known as Environmental Minimum Requirements (EMRs) and consist of a suite 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.

- 3.1.4 As part of the EMRs, a draft CoCP will be submitted at hybrid Bill deposit. A working draft CoCP was included in the WDES documents which were consulted on in October 2018.
- 3.1.5 It is expected that the draft CoCP will evolve and be subject to refinement, amendment and expansion during the passage of the Bill through Parliament. The final version of the CoCP would be produced upon the Bill achieving Royal Assent.
- 3.1.6 The CoCP will set out a series of measures and standards that the nominated undertaker and the contractors appointed to deliver the Proposed Scheme would be required to meet for the duration of the construction of the Proposed Scheme. It will also ensure that potential impacts on people and the natural environment are kept to a practicable minimum.
- 3.1.7 The CoCP will build on direct experience from HS2 Phase One and Phase 2a, and other major infrastructure schemes such as HS1, Crossrail and the London 2012 Olympics, which all followed a similar approach.
- 3.1.8 The CoCP will require the nominated undertaker and its contractors to comply with all the measures set out in it as well as all applicable environmental legislation prevailing at the time of construction.

## **4 What will the CoCP cover?**

- 4.1.1 It is expected that the CoCP will address all environmental topics associated with the construction of the Proposed Scheme, namely:
- agriculture, forestry and soils – will set out measures to avoid impacts on soils, farms and farm-based businesses and forestry land;
  - air quality – will set out measures to manage dust, air pollution, odour and exhaust emissions;
  - cultural heritage – will set out measures to manage the impact of construction works on cultural heritage assets, including designated and non-designated assets;
  - ecology – will set out measures to protect flora and fauna affected by the construction of the Proposed Scheme, with special attention to areas of particular ecological value;
  - ground settlement – will set out measures to ensure that, as far as reasonably practicable, the effects of any settlement following excavation for the Proposed Scheme tunnels and any other below ground structures are controlled and limited;
  - land quality – will ensure that appropriate measures are adopted to protect geological resources, to mitigate the sterilisation or severance of mineral

areas and to assess potentially contaminated land, as well as to carry out remediation where necessary;

- landscape and visual – will ensure measures are in place to protect the visual amenity in rural and urban areas (including designated landscape areas, parks and open spaces and smaller green spaces in urban areas) from construction activities;
- noise and vibration – will set out measures to ensure that best practicable means will be applied during construction works to minimise noise and vibration at neighbouring residential properties and other sensitive receptors (including local businesses and quiet areas designated by the local authority);
- traffic and transport – will set out measures to ensure that any disruption caused by construction traffic is minimised by contractors and that public access is maintained where reasonably practicable. It is expected that the impact of road-based construction traffic will be reduced by identifying clear controls on vehicle types, hours of site operation and routes for large goods vehicles;
- waste and materials – will set out measures to ensure contractors use material resources more efficiently, reduce waste at source and reduce the quantity of waste that requires final disposal to landfill in accordance with the waste hierarchy. It is expected that these would be translated to the Proposed Scheme as: the application of designing-out waste principles to minimise construction waste; working towards a cut and fill balance in relation to excavation and tunnelling; and the segregation of construction and demolition materials on-site (or through the use of a suitable waste contractor) to maximise diversion from landfill via re-use, recycling and recovery; and
- water resources and flood risk – will set out measures to ensure that site activities and working methods are effectively managed. This would protect the quality of surface water and groundwater resources from other adverse effects, including significant changes to the hydrological regime, through controls to manage the rate and volume of runoff.

## 5 Community relations

- 5.1.1 The CoCP and the Phase 2b Community Engagement Framework, which would be developed following Royal Assent, will play a key role in supporting community relations during the construction process. It is expected that the Community Engagement Framework will detail how local people will be informed in advance of work taking place in their area, including, for example, providing details of any closures to roads or rights of way and details of the working hours applicable.

- 5.1.2 It is expected that a community helpline, staffed 24 hours a day, 7 days a week would be available during the construction period to handle enquiries from the public and that there would also be a small claims procedure to ensure that local people are compensated quickly for any damage to their property caused by the nominated undertaker or its contractors.

## **6 Managing local impacts**

- 6.1.1 It is expected that Local Environmental Management Plans (LEMPs) will be developed for Local Authority areas along the line of route following Royal Assent of the hybrid Bill. The LEMPs would build on the requirements of the CoCP and set out how the project will adapt and deliver the required environmental and community protection measures within each relevant local authority area.
- 6.1.2 The LEMPs would describe the local implementation of the requirements on lighting, security and fencing, and the provision of temporary living accommodation for contractors.
- 6.1.3 The nominated undertaker and/or its contractors would engage with the local communities in order to develop the LEMPs, once the detailed design and construction planning is underway, and the Proposed Scheme is nearer the start of construction.
- 6.1.4 The CoCP will ensure a consistent approach to the management of construction activities across all the local authority boundaries.

## **7 How will the CoCP be enforced?**

- 7.1.1 CoCPs are a tried and tested tool for managing the impacts of major projects on the environment and local communities. Since their introduction for the Jubilee Line extension in the 1990s, CoCPs have been used successfully on a wide range of major infrastructure schemes.
- 7.1.2 The provisions of the CoCP would be written into all HS2 construction contracts. The nominated undertaker would put measures in place to monitor the effectiveness of the CoCP and establish a process for handling complaints.
- 7.1.3 To ensure compliance with the environmental mitigation set out in the CoCP, the nominated undertaker would develop an environmental management system (EMS) in accordance with BS EN ISO 14001, the International Standard for Environmental Management Systems, full details of which are available from the International Organization for Standardization.

## 8 Next steps

- 8.1.1 A working draft CoCP was published as part of the consultation on the Phase 2b Working Draft Environment Statement in October 2018. Comments on the content of the working draft CoCP are being reviewed and will be used to inform the development of the draft CoCP that is submitted at hybrid Bill deposit. Interested parties will again be able to comment on the content of the draft CoCP during the Environmental Statement consultation which follows introduction of the Bill and again during the petitioning period.

## 9 More information

- 9.1.1 Further factsheets and details on the Proposed Scheme can be found at: [www.hs2.org.uk/phase2b](http://www.hs2.org.uk/phase2b)