

HS2 AMERSHAM ACTION GROUP

RESPONSE TO THE DRAFT ENVIRONMENTAL STATEMENT

The HS2 Amersham Action Group is lead by representatives the conurbations of Amersham and district, and covers a substantial proportion of the Area 8 Chalfont and Amersham Community Forum. The Group also includes representatives from Amersham Society, Amersham Residents Association, and Whielden Street Residents Group, and the Chesham Society.

Introductory statement.

The following comments on the DES/Code of Construction Practice do not in any way infer agreement with or acceptance of the proposed HS2 scheme.

The Appraisal of Sustainability calls for an assessment of the impact of plans, policies and programmes from an environmental economic and social perspective.'

The AoS adopted a simplified approach which does not fulfil the requirements of PPS 7, paragraph 22, which sets out the tests which should be applied to major development proposals affecting nationally designated areas, i.e. that consideration should be given to:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

The draft environmental Statement regarding HS2 proposal, fails fully to address these issues.

The description of the project is essentially engineering based and any serious attempt to reduce the environmental impact appears to have been lost to the expediency of cost.

General Comments.

The preface to Volume 1 indicates that public consultation will be undertaken on the formal ES during the passage of the Hybrid Bill. However in describing the Hybrid bill procedure indicates that the public has an opportunity to comment on the ES following the First Reading and deposit of supporting documents. These are not compatible statements. Whilst 'comment' can be ignored, 'consultation', if it is to be meaningful,

implies an opportunity to shape outcomes. How can consultation during the hybrid bill process change any aspect of the proposal.

The draft DES does not provide convincing evidence of the need for development, nor the 'exceptional circumstances' required to meet PPS7. Neither does it present a convincing case why this particular route has been chosen. In addition, it fails to state why the need cannot be met or moderated in some other way.

The DES continues to follow the path of lack of clarity and evidence to identify the specifics of the problem. One would expect an irrefutable flow of evidence and argument towards the solution and a thorough exploration of other ways to meet the problem. As it is, the solution is presented and justifications for the project are retrofitted to it. Every reframing of the argument is shrouded in a lack of data, opaqueness and obfuscation, preferring assertion and spin. Much of the relevant sections of Volume 1 have the same assertions as the AOS. The arguments are no more developed or underpinned by evidence.

Within the document there is multi use of subjective phrases such as 'significant' 'negligible', overall, 'wherever possible', 'due consideration', 'minor', 'potentially' and various combinations without any specification or quantitative guidance to indicate what these descriptors might be.

In face to face conversations at the DES roadshow, requests for missing information generally met the response that this will be dealt with in the final ES. This information is too late for proper consultation before the Hybrid Bill.

Green credentials are rated as broadly neutral in the AoS. These are not explored in any depth in Volume 1 or elsewhere. The power demands for up to 36 very high speed trains on the track in any one hour will increase the demand for supply from the national grid. Already there is concern that availability of current demand is likely to prove challenging and sourcing of this additional power requirement is not addressed, other than in the original Consultation (in 2011). that power supply would be from renewable sources. These are not identified in the DES. There is no assessment of the implications for the supply industry or the nature of its production. To claim green credentials on the back of 'dirty' supply is ingenuous. Hence there can be no confidence that HS2 will reduce the nation's carbon footprint associated with both the construction and operation of the proposed line..

Volume 1 presents the main milestones in the development of HS2. However, reference to the McNulty Report is omitted. HS2 is always presented as a stand-alone solution. HS2 has never been set in the context and challenges that McNulty raises: unit costs; capacity as measured by train utilisation rather than train paths; (to forecast HS2 train loading of little over half and for conventional trains at a third by 2043 eschews any value for money arguments), fares that are 30% higher than European fares but levels of subsidy the same as pre-privatisation; fragmentation; National Rail debt charges exceeding their maintenance budget to name but some of the challenges McNulty highlights. Lower than forecast occupancy (as experienced in HS1) severely effects the already questionable environmental benefits, which rely in high load factors on HS2, yet this is not raised as an issue in the DES

The negative environmental effects from production and operations of all associated plant and machinery, transport vehicles, transport for employees, and landworks,(both rail and road), over a period of nearly 20 years is disregarded as an issue in further determining the discredited 'green' status of HS2

The operational phase of HS2 and the possible contribution or dis-benefits that HS2 might bring to tackling some of these fundamental issues are not explored. Also to assume that HS2 will operate in a non-competitive context with regard to fares is naïve. (Or 'shocking, biased and bonkers' as described by the Chair of the Public Accounts Committee). All modes of transport compete, as can be seen with the current three train operators on the London to Birmingham route.

The list of milestones does not include the publication of *The Productive Use of Rail Travel- Mott MacDonald*, one of the consultant organisations currently used by HS2 Ltd, which challenges HS2 Ltd's assumptions about productivity.

In addition, a factor in the rejection of the conventional rail-based alternatives to the London to West Midlands high-speed line is the disruption to existing rail users. The very real environmental disruption to communities by designing and building a high speed link has been totally discounted. Arguing that one scenario (the WCML) will cause disruption as a factor for rejection, whilst ignoring the massive impact of construction and operation on communities (the proposed HS2) is both inconsistent disingenuous, and brings into question the integrity of the assessment process.

Similarly, the case made for selecting Route 3 (through the Chilterns AONB) is unsubstantiated. The impact of other routes on longer journey times is vague, as no evidence is presented. Additionally, routes other than Route 3 are rejected on environmental grounds but without a strategic impact assessment. The serious impact on the environment of Route 3 is not discussed and effectively dismissed. The conclusion must be therefore that, the selection of Route 3 appears to be based solely on the journey time/cost factors with no environmental consideration whatever.

To emphasise this point, (that HS2 Route 3 takes no account of Environmental issues,) Volume 1 asserts that

'There is a compelling case for delivering a step-change in the capacity and performance of Britain's inter-city rail network to support economic growth over the coming decades.'

This has nothing to do with the Environment, which this DES is supposed to be addressing, and there is no independent evidence to suggest that there is a case of any kind.

Environmental Benefits of High Speed Broadband versus High Speed Rail

The DES takes no account of the Environmental benefits in reducing travel which will result from very high speed broadband. Today many companies using video linked meetings to reduce or eliminate the need to travel (including at least one of the contractors top HS2 Ltd). While this will reduce all forms of (particularly business) travel it will affect HS2 in two ways. Current train users will use the new technology, as will potential HS2 markets such car and air. This puts into question the green credentials of HS2 as there will be fewer passengers than forecast from these sources.

Throughout the DES great weight is attached to the draft CoCP. A key feature of this is the lack of independent scrutiny and enforcement procedures. No redress is identified if assurances given to petitioners and Parliament are not met, as happened with HS1. The commitment to *reduce further the reported adverse environmental effects* reflects little more than a token gesture when any actions to do so have to be 'Reasonable' and 'as long as this does not add to unreasonable cost or delay'. The judge of these is the principal undertaker.

It is evident that this, and other environmental factors were **not** considered in the decision making process since no strategic environment impact assessment was carried out on the various scenarios and the lack of costs to the environment were not included in the advantages of targeted existing infrastructure improvements. This situation was evidenced in conversation with HS2 Ltd/DfT/ hired consultants who appeared not to be aware of actuality as regards specific areas under discussion (e.g. construction of access shaft at A413 in Amersham area.)

It is also evident the NPPF suggestions in 2.8.5 are not met. HS2 Ltd stresses unproven economic and social gains at the expense of the environment. As a result, it fails to adopt measures, which could meet the need for it (the project) in some other way or the extent to which that could be moderated.

DES states *categorically* that vibration from the operation of the proposed scheme will present no risk of any building damage. There is no supporting evidence or research to support this statement. However the DES admits that there is still further work to be undertaken to verify the sweeping assumption made in respect noise and vibration. So this is contradictory.

The HS2 Amersham Action Group now wishes to address the following local issues:-

Road Traffic

Section 2 Volume 2 of the DES identifies a 'significant' increase in LGV and HGV traffic over 5 years through this area This must mean the A413, a single lane single carriageway road (Not a major corridor as suggested in the original HS2 proposal as well as the DES documentation). .The A 413 is on an emergency 'blue light route' to the major hospital in the area for A & E. Delays created by HS2 construction to this traffic could results in loss of life.

Whilst not an A& E Hospital, Amersham Hospital carries out investigative and diagnostic procedures using highly sensitive and delicate equipment which may be affected by noise dust and traffic delays, as A413/A404 will be a major point of activity only 100 yards from the hospital.

Area 8 DES identifies construction compounds, including the Amersham access shaft compound at Whielden Lane , which will generate over 200 vehicles per day additional traffic, over a period of 3 years. Reference is made to vehicle management plans but these are not explained. No reference is given about the carbon footprint of these vehicles, nor if it is added to the carbon footprint of the HS2 operation in determining the 'carbon neutral' status of the proposal.

Section 12 of the DES states that there are likely to be residual significant effects of delay to vehicle occupants but these are subject to a more detailed assessment which will only be reported in the formal ES. Again too late for detailed analysis. The bus routes on A413/A404 will be subject to delay and diversion around the workings associated with the Amersham Vent shaft and no reference is made to arrangements for dealing with this issue.

Also there is no information available as regards noise and vibration produced by these additional vehicles, and no information about the carbon footprint created by them during the construction period of the proposed scheme. Nor does the DES address the amount of additional carbon generated by the delayed traffic resulting from the increase HS2 proposal.

This means that it is impossible to make a considered response on this matter to the DES at this stage.

Access Shaft- Amersham (Section 9)

The vent shaft at Amersham shown on map LV-12-24 would appear to show the vent shaft in the position prior to the repositioning of the shaft, and not the current proposed position. (View point no 078-3-002 looking west to Amersham vent shaft PRow AMS/21/3. This is a serious error and brings in to question the note relative to this shaft contained on Page 55.

The DES not state how power to the shaft will be supplied. Other shafts have the power supplied identified, e.g. power, transformer.

There is no explanation as to the amount of vehicles required to use the shaft facility, for instance for emergency evacuation and maintenance.

There is no indicator of noise measurement around the shaft area during proposed HS2 operation.(Section 11).

Area 8 Community Forum Report Page 19, 2.3.10 refers to the use of vent shafts to pump excess water from the tunnel. No indication is given as to where this might then go and what noise or environmental effects this would have. There is no indication of any water storage or disposal facility. (e.g.SuDs) (para 2)

Map CT-05-028 indicates that there would be an area for storage of excavated material associated with the Amersham Access shaft. Some of this material may require crushing and/or screening to render it useable elsewhere. The proposed storage/ crushing/screening area is immediately adjacent to the Chilterns Crematorium and Garden of Remembrance approach road which will be negatively affected by noise and dust associated with the activities at the storage site. In 2012 the Crematorium was responsible

for 3178 cremations, all of which would be within HS2 operating hours and which would be effected by the work in progress.

Community Issues

1. Construction

Dust, noise traffic density, and scarred landscape will have a detrimental effect on visitors to Amersham area during construction and operation of the proposed scheme. Of the 50 million short stay visitors annually who visit the area, many are walkers and cyclists, who will seek alternative areas rather than one affected by noise, dust and a scarred countryside. The damaged environment in this area will affect businesses resulting from users avoidance of these problems.

This will result in perceived blight of the area being associated with HS2 and Chilterns AONB.

On page 62 11.5.3 and 11.5.4 there is reference to the effect of noise and vibration from the tunnel boring machines. This is described as 'within a close distance' but this close distance is not described so it is impossible to understand the environmental and disturbance criteria of this issue. Para 11.5.3 page 62 states that the drives (of the TBMs) would staggered within the twin bore tunnel. This in fact doubles the exposure time at the receptor of the unquantified noise and vibration over 'a few days'.

2. Operation

Amersham would continue to be adversely effected by reduction in tourism resulting from perceived blight of Chilterns associated with HS2, as described above

All these issues are deferred until the final ES.

Construction effects on water Levels (Shardeloes Lake and River Misbourne)

The DES indicates that there is a potential for drying up of these water courses. (Volume 8 Page 42) This is of interest to Amersham as the River flows through the town and is part of a recreational area. The DES refers to 'mitigation' which might be considered to avoid this.

The obvious mitigation would be to maintain the tunnel at the level instead of raising it to emerge at Mantles Wood, and continue it beyond Wendover. This would also protect fully the AONB from crippling environmental damage resulting from cuttings, green tunnels, viaducts and embankments, plus construction and operational negative impacts.

Fully bored tunnelling through the AONB would be feasible following the introduction of new EU legislation as described below.

(Written response to David Lidington, MP, from Siiam Kallas, vice-president of the European Commission.)

" Concerning the issue of tunnelling standards, the following legislation is currently in force:

- Commission Decision on Technical Specifications for Interoperability - Safety in railway tunnels (TSI

SRT). regulating the standards to be applied for tunnels.

This TSI is scheduled to be revised in 2013 on the basis of a recommendation from the European Railways Agency (ERA). The revised decision should enter into force in 2014 and concerns mainly an extension of its scope."

The reference is 2008 163/EC for the Commission Decision of 20 December 2007.

Authorised by

Nigel Shepherd

Chairman Amersham HS2 Action Group.

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Introductory statement.

The following comments on the DES do not in any way infer agreement with or acceptance of the proposed HS2 scheme.

General

The main thrust of the responsibility for delivering the requirements of the Code has been placed on the contractors. There is little or no reference to enforcement or the role of HS2 Ltd in this. Neither is there any reference to the County and District Councils and the exercise of their statutory duties and obligations. This means that enforcement of the Code's provisions is weak and it appears that there will be no one who has responsibility for ensuring that contractors adhere to it.

HS2 Ltd will take 'reasonable steps' to engage with the community. Experience of 'engagement' with HS2 Ltd through the Community Forums suggests that this will be a box-ticking exercise with little notice being taken of views expressed by community representatives. It leaves the question of what the alternative unreasonable steps would be and who or which organisation decides on this. What are the tests for reasonableness?

The Local Environment Plan site controls will be provided after the Bill Submission has been made in support of the Hybrid Bill. Any comment, which local authorities, other organisations and the community wish to make on this, will have to wait until then. Commenting at that stage will be an expensive and difficult task and may well prove to be too late.

Main Issues

During the construction phase, the issues that most directly affect local communities are as follows:

*** Working Hours * Noise * Dust Emissions * Visual Intrusion *Traffic**

In addition, the response also considers how heritage aspects will be managed.

Working Hours

Working hours are noted generally as 08:00 to 18:00 weekdays and 08:00 to 13:00 on Saturdays.

However the following activities are not limited to core working hours:

- One hour start up and close down at each end of the normal working hours
- Earthworks
- Concrete pours
- Piling and diaphragm walling
- Plant maintenance
- Materials deliveries

Therefore, most of the major activities associated with the construction phase **are not limited to core working hours.**

In addition, the contractor must conform to core working hours for other construction activities '*as far as reasonably practicable or unless otherwise permitted*' presumably these are judged by HS2 Ltd.

This clause does not provide the rigour and independent monitoring and enforcement required to safeguard the local community and ensure the majority of the works are indeed carried out within the core hours.

Noise

'Best Practicable Means (BPM) will be applied during construction' defined as 'those measures that are reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to financial implications'

- Best Practicable Means appears to be decided by HS2, not independent assessors and is limited by commercial considerations
- Perimeter hoarding will provide negligible sound reduction for major earthworks and construction of large structures
- Bunds may limit the extent of noise emission but are only practical in limited and restricted areas and not over the length of the construction worksites
- Noise insulation to adjacent properties will be offered when '*noise levels are predicted or measured by the contractors to exceed the relevant trigger level defined in Table 13.1 at that property for at*

least ten days out of any period of fifteen consecutive days or alternatively 40 days in any 6 month period', which allows the contractor significant leeway

- The trigger level for insulation, dependant on the time of day, varies from 55 to 75 dB. Noise levels around 45 to 50 dB are sufficient to be intrusive and make normal conversation difficult.

The CoCP does not set a noise limit or even an expectation. Subject to a maximum of 55dB(A)LA eq, 1h (free field), contractors should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). The limit set should be as near that level as practicable during normal working hours (07:00-19:00) and should not exceed 55dB(A) LAeq, 1h (free field). Evening (19:00-22:00) limits should not exceed background level by more than 10dB(A) and night-time limits should not exceed 42dB(A) LAeq,1h (free field) at noise-sensitive dwellings. Where tonal noise contributes significantly to the total site noise, it may be appropriate to set specific limits for this element.

HS2 Ltd's contractors *will seek to obtain consents from the relevant local authority under Section 61 (s.61) of the Control of Pollution Act 1974 (CoPA) for the proposed construction works.*

There is no provision in the COCP for failure to reach agreement with the local authority. Nor does the COCP define actions to be taken if the agreed s.61 levels are breached and does not include for independent monitoring, control and enforcement, to safeguard the local community.

In reality, noise emissions will be significant and unavoidable and the only way to reduce the impact on the community is to rigidly apply limits to working hours for all activities near premises, which is at odds with Section 5 of the COCP.

Dust Emissions

During the construction of HS1, a local councillor stated that '**construction had meant disruption, temporary road closures and diversions and a lot of dust over a couple of years.**'

HS1 was an exemplar project and construction of HS2 will largely employ the same designers, contractors and technology used on HS1, so the impact on the community will be similar.

With regard to Section 8 of the COCP,

- There will be dust arising from earthworks and transportation of spoil
- Trucks operating within the access shaft boundary will not be sheeted
- Stockpiles will take place near the site boundary according to the Draft Environmental Statement
- Spoil material stockpiles are too large to be adequately watered or sheeted

In reality, significant emissions of dust are a natural consequence of major earthworks and the extent of emissions may be reduced by watering but never eliminated.

No trigger levels for dust emissions have been included in the COCP. In addition, though the '*relevant local authorities will be consulted regarding the monitoring procedures to be implemented,*' there is no allowance for the rigour of independent monitoring and enforcement required to safeguard the local community.

The CoCP makes no mention of site-specific dust assessment. This is essential given the proximity of the route locally to hospitals, schools, residential homes and farm land. The National Planning Policy Framework makes it clear that a dust assessment study should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work. The scope of a dust assessment study should be agreed with the contractor and local planning authority. Such studies should be used to:

- establish baseline conditions of the existing dust climate around the site of the proposed operations;
- identify site activities that could lead to dust emission without mitigation;
- identify site parameters which may increase potential impacts from dust;
- recommend mitigation measures, including modification of site design;

and

- make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.

Visual Intrusion

Earthworks such as the access vent structures cannot in reality be disguised by anything other than the natural topography of the land – except where unsightly spoil heaps are located between the worksites and public areas.

- The '*use of well maintained hoardings or fencing*' will not hide the excavators, dump trucks, bulldozers, cranes and other miscellaneous items of major construction plant
- Appropriate measures to reduce landscape, visual and other environmental impacts associated with temporary site offices and compounds' is so vague as to be meaningless. The only way to remove compounds from the public view is to locate them in an area screened by topography or woodland

'*Relevant local authorities.....will be consulted, as appropriate*' does not provide for agreement with local authorities to locate compounds away from public view and therefore does not safeguard the local community.

Traffic

The impact of increased traffic during the construction phase will be significant, on the basis that in excess of 1000 HS2 staff is likely in the Chilterns area, with >800 LGV and 300 >HGV trips per day estimated on the A413 alone.

- The COCP traffic management states *'procedures'* and *'measures'* will be put in place to mitigate traffic impact, which is meaningless without some description or examples of what these measures and procedures will be
- *'public access is maintained where practicable'* presumably means that access will not be maintained if considered not practicable by HS2
- The construction works will effect traffic which will impact the local community
- Vehicle sharing by the workforce has historically not been achieved to any significant scale
- HS2 workforce will be trying to get to work at the same time as local commuters and when school bus trips are taking place, resulting in significant peaks.
- *'Phasing of the works'* to reduce traffic congestion is unlikely though deliveries are not restricted to core working hours
- It is likely that traffic control will be required where 'B' roads intersect, such as the B485, to allow construction traffic to cross, which will impact on local road users

The Traffic Management Plan will be compiled and monitored by the contractor, with no provision for independent monitoring, control or enforcement.

Heritage concerns

Despite the assurances describing how the principal undertaker and contractors will manage the impact of construction works on cultural heritage assets there is very little on how these approaches are to be monitored or enforced.

The reality is that HS2 Ltd managers and construction companies will be incentivised by bonus schemes that reward completion of the line at least on time and on budget. They will regard considerations about the historic environment and heritage assets as an impediment. They will have no incentive to take account of them during the course of normal working and every incentive to disregard them wherever possible. It is therefore essential that strong enforcement provisions be written into the CoCP to ensure that it is adhered to.

The principle undertaker (HS2 Ltd) should pay local authorities to employ, or retain the services of, well-qualified and experienced archaeologists and field officers who will monitor the construction works on a regular and frequent basis to ensure that the CoCP is adhered to. The Local Authority must have the power to order work to stop so that finds can be investigated and if they consider that the contractor is not abiding by the provisions of the CoCP in relation to heritage assets.

Conclusion

There are insufficient independent controls in place to safeguard the local community from the adverse impact of HS2. Appropriate '*procedures*' and control '*measures*' should be agreed with local authorities before implementation.

Requirements for Noise and Dust Emissions should be based on the NPPF Technical Guidance for Minerals issued by the Department for Communities and Local Government in March 2012, which should be regarded as the minimum acceptable.

As happens on other projects, HS2 limited should pay the local authorities to employ additional, project-dedicated Environmental Health Officers (EHO's), to monitor and ensure that these agreed '*procedures*' and control '*measures*' are in place and are being complied with.

The local authority EHO's should also have the powers to suspend the works should the agreed control measures be breached, until more rigorous measures have been put in place.

Apart from works that have to be carried out on a 24/7 basis, e.g. tunnelling, no work should be permitted on Sundays or public holidays except with the prior agreement of the local authority. Applications must be made 14 days in advance and the work to be done specified in detail.

Bearing in mind that half the archaeological sites excavated during the construction of HS1 were unknown before work started, HS2 Ltd should also pay for local authorities to employ dedicated archaeologists to maintain an effective watching brief. The principals of Planning Policy Statement 5, issued in 2010, should be applied to sites affected by any aspect of work on HS2

Authorised by

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