

Mike Cooke  
Chief Executive  
London Borough of Camden  
Camden Town Hall  
Judd Street  
WC1H 9JE

23 February 2016

**By email only**

Dear Mr Cooke

**High Speed Rail (London – West Midlands) Bill  
Petition No.0184, AP20142, AP3072 London Borough of Camden – Assurances regarding Air Quality –  
Routewide Issues**

I am the Director of Hybrid Bill Delivery at HS2 Ltd, which is acting on behalf of the Promoter of the High Speed Rail (London – West Midlands) Bill ('the Bill') currently before Parliament. I am writing to you on behalf of the Secretary of State for Transport to set out the assurances that the Secretary of State is willing to give in order to address some of the concerns expressed by the London Borough of Camden (the Borough) regarding the impact of Phase One of HS2 (known as 'the Proposed Scheme').

The Promoter has been engaging extensively with the Borough, which has been supported by Chiltern District Council ('CDC'), to resolve the objections raised by the Borough regarding air quality impacts, and HS2 Ltd have attended a number of meetings over the past few months to discuss the issues which have arisen on a route-wide basis relating to air quality impacts and HS2's emerging policy. The Promoter greatly appreciates the time taken by CDC and the Borough to engage on these issues and hope that the Borough have found these meetings to be of benefit. As a result of this engagement HS2 is able to offer the assurances in the following areas – the details of which are provided in this letter:

1. Costs arising from exceeding EU limits
2. Air Pollution Highways Monitoring
3. Provision of monitoring data
4. Control of Dust
5. Non-Road Mobile Machinery emissions standards
6. Euston Station

These assurances are provided on the understanding that they reflect the entirety of the Borough's remaining concerns regarding air quality.

I have copied this letter to Alastair Lewis (Sharpe Pritchard), who I understand is acting as your appointed Parliamentary Agent.

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High Speed Two (HS2) Limited, registered in England and Wales.  
Registered office: One Canada Square, London E14 5AB. Company registration number: 06791686. VAT registration number: 181 4312 30.

Yours sincerely

A handwritten signature in black ink, appearing to read 'RH', is positioned above the printed name.

**Roger Hargreaves**  
Director, Hybrid Bill Delivery  
High Speed Two (HS2) Limited

cc. Alastair Lewis (Sharpe Pritchard) [alewis@sharpepritchard.co.uk](mailto:alewis@sharpepritchard.co.uk)

## **HS2 Assurances regarding Air Quality - Routewide Issues**

### **1. Costs arising from exceeding EU limits**

At a route-wide level, concern was expressed that HS2 related traffic might tip air quality into exceedance on certain roads. As was made clear throughout the meetings, exceedances require local authorities to declare Air Quality Management Areas, conduct additional monitoring, publish Local Air Quality Action Plans and undertake work to reduce pollution concentrations.

It was noted through these meetings that the Environmental Impact Assessment (as amended) does not predict significant effects on local air quality outside of London (or indeed outside of existing Air Quality Management Areas), however we understand the basis of this concern and the desire to avoid additional costs to local authorities due to construction of HS2. It is noted that costs to a local authority associated with air quality exceedances are not included in HS2 Information Paper C13 'Local Authority Funding and New Burdens Arising from HS2' which specifies the activities which may place a new burden on local authorities and for which HS2 Ltd and DfT will provide funding. It is understood that local authorities would have the potential to claim under this policy for costs incurred as a result of the activities of HS2 affecting their statutory duties for Local Air Quality Management set out in Part IV of the Environment Act 1995.

On that basis the Promoter is willing to offer the following assurance:

*In accordance with the New Burdens policy and process, any additional local authority costs which arise as a consequence of exceedances in air quality caused by the construction of HS2 will be reimbursed. This will include additional costs arising from the establishment, maintenance and removal of Air Quality Management Areas, and consideration will be given to baseline air quality and sources other than HS2.*

I hope this provides sufficient comfort that local authorities are not expected to incur additional costs as a result of air quality impacts caused by construction of HS2.

### **2. Air Pollution Highways Monitoring**

HS2 construction traffic and build up of diverted traffic on roads in the Borough of Camden were also discussed through the meetings mentioned above. In the Promoter's Response Document to the Borough's petition (number 0184 to the Bill) the Promoter has committed that HS2 contractors will comply with air quality regulations extant at the time, including the provisions of the ULEZ, and that EURO VI construction vehicles will be used in the Euston area for the transport of excavated material.

With respect to the concerns highlighted over these issues the Promoter is willing to offer the following assurances:

*The Secretary of State will incorporate the following text into the draft Code of Construction Practice in substantially the form in which they appear below and the draft Code of Construction Practice will not be further revised so as to make these commitments less onerous on the Nominated Undertaker than the text below.*

*"The Nominated Undertaker will manage air quality effects adjacent to the highways, where these have been identified as significant in the Hybrid Bill Environmental Statement (as amended) or subsequent assessments. In order to manage significant impacts related to highway traffic changes*



*and interventions, the Nominated Undertaker will put in place a management process to manage those impacts through measurement of air quality and regular assessments of the air quality situation as affected by the construction of the scheme. Where significant effects are still predicted, action plans will be put in place with the objective of removing those significant effects. This management process is modelled on Defra Local Air Quality Management (for which the statutory duties of Local Authorities and London Boroughs are set out in Part IV of the Environment Act 1995), and the periodic reviews and action plans are envisaged as being similar to those produced in that process. This process comprises: measure – review – action plan. Baseline (pre-works) air quality monitoring will be required in locations where potential significant effects are predicted. Forecast baseline and with HS2 construction traffic flows will be reviewed and updated in these locations, if necessary. These baseline measurements will be reviewed and an air quality assessment produced at an appropriate stage to determine whether significant effects are still predicted. Where significant effects are still predicted, the air quality monitoring should be continued, and an air quality action plan should be drawn up, with the objective of removing the significant effects, as soon as, and as far as practicable. The action plan should be presented at Transport Liaison Group meetings (as set out in the Route-Wide Transport Management Plan) and Planning Forum sub-group for Environmental Health meetings. The process of reviewing highway and air quality impacts should be repeated at appropriate intervals (e.g. annual or biannual), until no significant effects are predicted or detected (as far as practicable), or two years after the completion of construction, whichever is the sooner. The monitoring, reviews, assessments and action plans will be developed in consultation with local authorities. The necessary provisions will be made in Local Environmental Management Plans.”*

Below is a non-technical summary of this policy included for information. Please note this does not form part of the assurance itself:

The Promoter will require the Nominated Undertaker to manage air quality effects caused by the construction of HS2 in the London Borough of Camden, where these are predicted to be significant. This will involve a process of measurement and review of the air quality impacts adjacent to highways with the implementation of an action plan to reduce any impacts where necessary. Before works start air quality measurements (monitoring) will be made at locations where significant effects on air quality adjacent to highways are predicted, in order to establish a baseline. At locations where a review of the construction programme at the detailed design stage predicts that significant effects are still expected during the construction period, the air quality monitoring will be continued, and an air quality action plan will be drawn up, working with the local authority, with the objective of removing the significant effects, as soon as, and as far as practicable. Periodic reviews of the air quality measurements and construction impacts will be made.

### **3. Provision of monitoring data**

*The Secretary of State will require the Nominated Undertaker to provide Local Authorities, where potential significant air quality effects are being managed by HS2, with information on an annual basis, which will include, as a minimum, breakdown of the number of vehicles accessing site, vehicle types, and monitoring data on road traffic in order to establish whether EU limits have been breached.*

### **4. Control of Dust**

*The Secretary of State will require the Nominated Undertaker to ensure that the standards used at construction sites in London will be of an equivalent standard to the Mayor of London's 2014 SPG 'the Control of Dust and Emissions during Construction and Demolition' and route-wide to the IAQM 'Guidance on the assessment of dust from demolition and construction', and any superseding guidance.*

## **5. Non-Road Mobile Machinery emissions standards**

Over the past few months HS2 Ltd have attended a series of productive meetings with officers from the Borough. During the course of these meetings the Borough made clear that it had concerns over the potential air quality impacts from construction of HS2, particularly with regard to Euston which already experiences undesirable levels of air pollution. It was discussed how the potential for further impacts from HS2 should be mitigated by the use of lower emission construction plant, for example plant which complies with the Mayor's Supplementary Planning Guidance with respect to Non-Road Mobile Machinery ('NRMM') emissions.

HS2 found these meetings to be of great benefit in the development of its emerging policy on air quality and is willing to offer the following assurance with respect to NRMM:

- a. The Secretary of State will incorporate the following text and tables into the draft Code of Construction Practice in substantially the form in which they appear below and the draft Code of Construction Practice will not be further revised so as to make these commitments less onerous on the Nominated Undertaker than the text and tables below.*

*"The engine emission stage requirements for non-road mobile machinery of net power between 37kW and 560kW will be:*

Area	London SPG Stage Requirements		HS2 Requirements	
	From 2015	From 2020	From 2017	From 2020
Central Activity Zone (includes Euston)	IIIB	IV	IV	Best practice (Stage V is being worked on)
Rest of Greater London	IIIA	IIIB	IIIB (or IIIA with approved DPF)	IV

*The exemptions and retrofit policy for these requirements will be revised in line with that of the Greater London Authority, where appropriate. It will be published in in High Speed Two Information Paper E31: Air Quality. The policy for 2020 will be revised in due course, when Stage V regulations are finalised. Revisions to the policy will be published in Information Paper E31."*

Below is a non-technical summary of this policy included for information. Please note this does not form part of the assurance itself:

The Promoter will require the Nominated Undertaker to ensure that its emissions standards for Non-Road Mobile Machinery will require lower-emitting machines to be used on the HS2 construction sites in the Central Activity Zone (which includes Euston station and its immediate surrounds) than would otherwise be required by the Mayor's Supplementary Planning Guidance on 'The Control of Dust and Emissions from Demolition and Construction' July 2014. This will be subject to an exemptions process mirroring that used by the Greater London Authority. This exemptions policy may be amended in the future, for example to accommodate developments in emissions standards.

## **6. Euston Station**

*The Secretary of State will require the Nominated Undertaker to adopt additional measures to ensure that air quality impacts at Euston Station are minimised as far as reasonably practicable including but not restricted to the usage of low emission vehicles to service the station and controls to ensure zero emissions capable vehicles operate in zero emission mode around the station.*