

**Consultation Response to
Volume 3: Route-wide Effects
Volume 4: Off Route Effects
EIA Scope and Methodology Report
Alternatives Report
Draft Code of Construction Practice**

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1 VOLUME 3: ROUTE-WIDE EFFECTS

1.1 Route-Wide Effects

1.1.1 This section of the report contains our comments for the Route Wide: WDES Volume 3. This response forms part of a suite of documents from Derbyshire County Council (DCC) and should be read in conjunction with Volume 1, Volume 2 and EQIA responses.

1.1.2 To aid the reader we have, where possible, followed the sequence and order of issues raised and the methodology used by HS2 Ltd, namely:

- Agriculture
- Air Quality
- Climate change
- Community
- Ecology and biodiversity
- Health
- Historic Environment
- Land quality
- Landscape and visual assessment
- Major accidents and disasters
- Socio Economics
- Sound, Noise & Vibration
- Traffic, & Transport
- Waste and material resource
- Water Resources & Flood risk
- Phase 1 and Phase 2 combined impacts

1.1.3 Where the Council has not provided comment, this should not be taken as agreement or consent for the text.

1.2 Agriculture, Section 2.

1.2.1 In its commentary on Volumes 1 and 2, the Council has made clear the importance of farming and the rural economy to the overall economic wellbeing of the county. At this moment, the implications of the proposal on the rural economy have not been fully demonstrated in the WDES and the Council would welcome further dialogue in this respect.

1.3 Air Quality, Section 3.

1.3.1 In its response to Volumes 1 and 2, the Council has commented on the likely significant impact of construction traffic, congestion, delay and air quality in Derbyshire. No further comment is provided on this section at this time.

1.4 Climate Change, Section 4.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
4.1	As in Volume 1, the framework of how climate change is going to be addressed is comprehensive. However, DCC would like to see this widened out to include some indirect opportunities that require further dialogue and explanation in the period leading to the formal ES, particularly with regards to climate change mitigation. The draft ES gives little indication of the proposed climate change mitigation or adaptation measures; DCC would expect to see more information in this regard prior to the formal ES.

1.5 Community- incorporating health related concerns, Section 5.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
5.1.1	<p>The Council has identified and commented on specific community impacts in the Volume 2 templates. However, there needs to be recognition throughout that the effects of construction and reduced access to open green space as a result will be significant. This should be mitigated against in both the short and the longer term. Particularly in relation to physical activity and community connectedness which are fundamental determinants of wellbeing.</p> <p>The Council therefore requests HS2 should consider the following additional mitigation:</p> <ol style="list-style-type: none"> 1) "Compensate communities for the loss of local amenities and support their relocation, replacing 'like-with-better' rather than 'like-for-like' via a process that involves the community in the decision-making". 2) "Identify opportunities to facilitate new greenway links between communities utilising the HS2 corridor to bridge connections that have yet to be formally established".
5.1.3	The Council requests the following: Add mitigation to the statement: Ensure construction sites and all companies contracted to service them are registered with the Considerate Constructors Scheme, which will include monitoring against 'Enhancing the appearance' and 'respecting the community' standards.

1.6 Ecology and biodiversity, Section 6.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
6.2.1	“Ecology survey and assessment work is ongoing, and the findings from these surveys will be reported in the formal ES. Prior to the completion of field surveys and fully developed mitigation, it is not currently possible to identify fully the effects that are likely to be significant at regional or route-wide levels.” As surveys are incomplete and given the absence of developed proposals for mitigation and compensation, it is almost impossible to provide meaningful comment on species and non-designated assets.
6.3.6	DCC welcomes the recognition that ancient woodland is an invaluable irreplaceable resource. It is therefore very disappointing that the Proposed Scheme will result in the loss of a significant area of ancient woodland, giving rise to “a permanent adverse residual effect, which is significant at the national level”. This needs to be addressed through appropriate mitigation, including landscape and planting proposals that support ‘no net loss’ as a minimum.
6.4.1	The extent of habitat losses envisaged, whilst apparently not a significant proportion of the national resource, are significant, amounting to some tens (and in some cases hundreds) of hectares of habitats of principle importance. This is especially concerning considering that these losses will occur in a relatively short period of time, due to a single phase of a single infrastructure project. The lack of firm mitigation proposals, or indeed any significant detail, make it impossible to determine the significance of residual impacts on biodiversity, ecology and ultimately the value and attractiveness, (special qualities), of the environment.
6.5.1	Whilst the potential for significant impacts on protected species is acknowledged, the lack of a detailed impact assessment, or of firm mitigation and compensation proposals makes assessment of residual impacts impossible at this stage. The Council therefore reserves its position to make further representation on this matter.

1.7 Health, Section 7.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
7.1.1	<p>The comments on health impacts in relation to route-wide effects should be read in conjunction with the representations made in Volume 2.</p>
7.2.4	<p>The Council agrees with the health determinants listed. However, the WDES has neglected to include: any potential affects on mental health and wellbeing, community connectivity, and physical activity. These were all identified as significant health and wellbeing considerations in the Derbyshire Health Impact Assessment (2013) and subsequent Updated Health Impact Assessment (2017). These can be found in Appendix A.</p> <p>In relation to mental wellbeing, it is recommend following the interventions stated in Public Health England: Preventing Suicide in Public Places (November 2015) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/481224/Preventing_suicides_in_public_places.pdf are included as mitigation in the statement.</p> <p>Area 1. Restrict access to the site and the means of suicide This can be achieved by: i) Closing all or part of the site ii) Installing physical barriers to prevent jumping iii) Introducing other deterrents, for example, boundary markings or lighting.</p> <p>Area 2. Increase opportunity and capacity for human intervention This can be achieved by: i) Improving surveillance using CCTV, thermal imaging and other technologies; increasing staffing or foot patrols ii) Providing suicide awareness/intervention training for staff working at or near the site; increasing whole-community awareness and preparedness to intervene.</p>

7.2.4 (cont)	<p>Area 3. Increase opportunities for seeking help by the suicidal individual. This can be achieved by:</p> <ul style="list-style-type: none"> i) Providing Samaritans signs and/or free emergency telephones ii) Providing a staffed sanctuary or signposting people to a nearby one. <p>Area 4. Change the public image of the site; dispel its reputation as a 'suicide site' This can be achieved by:</p> <ul style="list-style-type: none"> i) Ensuring media reporting of suicidal acts is in line with Samaritans guidelines ii) Discouraging personal memorials and floral tributes at the site iii) Introducing new amenities or activities; re-naming and re-marketing the location. <p>Implementing and adhering to the PHE Guidance:</p> <ul style="list-style-type: none"> • Physical barriers and deterrents regarding access to the line itself, especially at stations, crossings and high speed areas (Area 1) • Physical barriers and deterrents regarding access to constructions, viaducts, bridges, tunnels, multi-storey car parks, roads (Area 1). • Training and awareness of construction staff and subsequently staff working on the rail network (Area 2) • Appropriate signage and emergency telephones at commuter and potential access points (Area 3) • Relationships with owners, operators and those with statutory responsibility. Currently Network Rail, British Transport Police and East Midlands Trains are local partners in suicide prevention in Derbyshire. Any additional or new partners should contribute to local suicide prevention plans and to data collection in relation to suicide incidents. <p>Proactive prevention of root causes of mental ill health and suicide ideation. Consideration of mitigating factors for those disrupted by the construction and future service activity of HS2, including:</p> <ul style="list-style-type: none"> • Compulsory purchase and demolition of housing leading to relocation • Loss of property value and property blight • Construction noise and ongoing noise • Visual intrusion • Increased traffic re-routed temporarily during construction and permanently during service • Loss or displacement of employment within local businesses • Potential social isolation resulting from changing communities, loss of social capital and public transport routes.
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7.2.4(cont 2)	<p>In relation to physical activity, it is recommended adding the following mitigation to the statement:-</p> <p>1) Work with and support health partnerships in Derbyshire to promote HS2 as an 'active travel' compatible solution, as increasing exercise will help prevent and mitigate obesity and diabetes (a significant health issue for eastern Derbyshire).</p> <p>2) Pay particular attention to design solutions that enhance the safety of all road users (including pedestrians and cyclists), taking the opportunity to reconfigure high-risk crossings/ junctions impacted by the proposed route—most especially in North East Derbyshire where the risk of RTAs is already high and in Long Eaton where station-related traffic flows are likely to increase injury rates.</p> <p>3) Pay particular attention to the impact of disrupted access upon those with physical disabilities, such as wheelchair users, to ensure any particular needs are catered for as part of planning for temporary diversions or permanent route/ footpath changes.</p> <p>Whilst employment is considered during construction it is not considered under health during operation. The HIA 2013 noted a major health impact would be that inward investment and job creation following the initial windfall of increased employment during the construction phase would create improved job prospects and will be beneficial to the mental health and wellbeing of residents. The wider economic impacts and opportunities have been highlighted in Volume 1 of the Council's response.</p>
7.2.5	<p>It is important that HS2 Ltd continues to recognise that health effects may be felt by people further away from the route, both positively and negatively.</p>
7.2.6	<p>The Council agrees that strength of evidence does not necessarily determine the importance of the outcome. The Derbyshire HS2 HIA outlines extensive community insight for example that the development might improve pride in the area/better self-worth or anxiety over the threat of a compulsory purchase order. HS2 should have regard to this local intelligence.</p>
7.2.7	<p>The Council does not agree with the statement that "there is no established or widely accepted framework for assessing the significant health effects of a development proposal". Health Impact Assessments (HIAs) clearly provide a methodology for doing this. Derbyshire conducted an HIA of the initial HS2 route in 2013. This was updated in 2017 in line with the HS2 route realignment. This document clearly outlines the evidence base, literature and community insight to assess the overall impact/significance on a specific health determinant. These can be found here in Appendix A.</p>

7.4.1	<p>The Council agrees with the mitigation mentioned in Vol 3. It is also suggested to add the following mitigation that was identified in the Derbyshire HIA (2013/2017):</p> <p>1) Utilise mitigation solutions intended to minimise the impact of HS2 to improve upon the existing impacts of the M1 upon Hardwick, aiming to improve resident satisfaction with the local area.</p> <p>2) Demonstrate how HS2 will enhance the Trent Valley Vision being developed to promote and support economic growth in the south of the county by the Lowland Derbyshire and Nottinghamshire Local Nature Partnership.</p> <p>3) Provide detail on proposed strategies for mitigating potential environment-related adverse impacts within Derbyshire.</p>
7.4.3	<p>Ensure construction sites and all companies contracted to service them are registered with the Considerate Constructors Scheme, which will include monitoring against 'Enhancing the appearance' and 'respecting the community' standards. (See previous comments).</p>
7.4.4	<p>The nominated undertaker is required to take reasonable steps to engage with the community with regards to construction impacts. A major positive health impact in the 2013 HIA was that construction may present training opportunities/ apprenticeships, leading to on-going employment. P131 The Council would question whether the undertakers are tasked with recruitment as part of this engagement? What mitigation is in place to ensure those low skilled jobs are targeted to areas of low educational attainment, high NEET and unemployment and who is responsible for this mitigation?</p>
7.5.1	<p>The potential new jobs outlined in Vol 3 are welcomed. In order to support the health and wellbeing of local residents, it is recommended that the following mitigations are considered:</p> <p>1) In recognition of high overall unemployment locally, commit to employing a significant proportion of local workers during the construction and operational stages of the proposed development (balancing this with a potential increase in occupational injuries.</p> <p>2) In recognition of high rates of local youth unemployment, commit to employing inexperienced workers during the construction and operational stages in combination with educational initiatives leading to qualifications that increase the prospect of long-term employment.</p> <p>3) Support persons losing their jobs as a result of compulsory relocation or demolition of business premises to find alternative employment, perhaps with preferential treatment in relation to jobs created as part of the HS2 scheme if they have suitable skills or wish to be re-trained.</p>

7.5.5	<p>DCC recommends adding the following mitigation:</p> <ol style="list-style-type: none"> 1) Provide detail on proposed strategies for mitigating potential economy-related adverse impacts within Derbyshire. See also Volume 1 comments. 2) Businesses subject to land take or relocation should be financially assisted to locate new premises that are an improvement on the premises they are vacating and should be adequately compensated for the disruption caused to the conduct of their business.
7. 5.7	<p>Direct or indirect impacts on vulnerable members of the community due to the relocation of business and inability to commute resulting in unemployment is highlighted but no mitigation is suggested. This needs to be considered further to minimise negative health impacts on the most vulnerable community members. Possible mitigation should include support to persons losing their jobs as a result of compulsory relocation, or demolition, of business premises to find alternative employment. HS2 skills work should include a programme of support for re-training also, as a means of maximising the opportunities of HS2.</p>
7.5.9	<p>DCC agrees there may be increased traveller stress associated with this development. HS2 Ltd should consider adding the following mitigation:</p> <ol style="list-style-type: none"> 1) Ensure that a Disability and Access Champion is involved at all key decisions points. 2) Provide detail on proposed strategies for mitigating potential transport and access-related adverse impacts within Derbyshire. 3) Avoid utilising important local roads for construction traffic, which will worsen existing congestion and thereby exacerbate commuter stress.
7.5.10	<p>DCC requests that HS2 add the following mitigation: Work with local authorities, emergency services and the Highways Agency to develop a traffic management strategy aimed at minimising disruption to road users and limiting the risk of road traffic accidents or injuries to pedestrians as a result of construction-related traffic.</p>
7.5.16	<p>This development will result in the demolition of 536 properties. This will have a significant impact on a cohort of Derbyshire residents. Evidence in the HIA suggests that the stress and anxiety induced by demolition does not depend upon identification of replacement housing. Similarly, relocation and severance from established communities can have detrimental impacts on wellbeing. Also worthy of further consideration are:</p> <ul style="list-style-type: none"> • An improvement in housing is linked to decrease in illness, with general well- being benefits and with gentrification (wealthier communities, resulting in less affordable housing due to a rise in property value); • New infrastructure can reduce perceptions of amenity value and thus lower the value of local properties.

7.5.20	<p>The Council agrees with the statement that the health effects of involuntary relocation would vary between individuals, with some groups being more vulnerable to adverse effects. In order to mitigate against this it is suggested that the following recommendations are incorporated where possible.</p> <p>1) Provide relocated families with housing that is better than what they are losing (minimum no net loss), recognising the relationship between housing quality and health and that this cannot fully compensate for community severance.</p> <p>2) Work with local authority housing departments to upgrade social housing exposed to higher noise levels with appropriate noise insulation.</p>
7.5.21	<p>Just as important is the need to ensure that residents who are not owner-occupiers (and therefore not covered by the compensation scheme) are also treated fairly, recognising the particular difficulties those in park homes may face in seeking alternative accommodation if relocation is required or desired.</p>

1.8 Historic environment, Section 8.

1.8.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

1.9 Land quality, Section 9.

1.9.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

1.10 Landscape and visual assessment, Section 10.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
10.1.2	<p>It states that the National Forest and the Northern Forest are the only landscape receptors where effects have the potential to occur at a geographical scale greater than the community areas. The Council does not agree with this statement given that a strategic landscape initiative is planned for the Trent Valley as promoted by the Local Nature Partnership and the scale of these identified landscape receptors is no different to the scale of a Landscape Character Type as defined and described in local authority landscape character assessments, some of which have their own strategic aims and objectives. See Volume 2 comments.</p>

1.11 Major accidents and disasters, Section 11.

1.11.1 The Council has no comment to make on this section at this time but reserves its position to provide representation as and when information becomes available.

1.12 Socio Economics, Section 12.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
12.4.2	<p>There is no specific detail identified in the WDES as to the likely socio-economic impacts of the proposal.</p> <p>The Council considers these impacts could be significant both positively and negatively. Previous experience has shown that the impact on the local community in terms of job creation during these phases is often limited by the contractors moving staff into the area to work, rather than employing local residents. Monitoring of contractual arrangements offering both work experience, jobs and apprenticeships need to be robust in order to enforce agreements such as those identified in HS2 Phase One Information Paper G4. Contractors should be recruited and assessed on their ability to deliver social value, and meet their corporate social responsibilities to the locality in which they are working.</p>

12.4.2 (cont)	<p>In order to maximise benefit from the construction, significant and timely investment needs to be made in the upskilling and training of residents within the affected area to enable them to access any future work opportunities. Skills preparation traditionally has lagged behind the development of the infrastructure. This needs to change, not only to ensure the maximum benefits are derived to the local economy, but to ensure skill gaps and skills shortages can be met and avoid jeopardising the timely delivery of the project.</p> <p>A failure to train more local people could also see a drain on skills from other development projects taking place in the area, with a consequential reduction in the positive economic impacts on the area as other projects are delayed. This is part of the consequential and cumulative impacts of the proposal outlined in Volumes 1 and 2 of the Council's response.</p> <p>The recruitment of local residents must go beyond the traditional use of recruitment agencies and Job Centres. HS2 needs to invest in pre-recruitment training. Sector based work academies are a proven method of ensuring local residents are prepared to apply and successfully secure the opportunities on offer. It is suggested therefore that this should form part of the delivery proposals.</p> <p>The East Midlands has established governance arrangements which support the active engagement of HS2 in this agenda: the East Midlands Skills and Supply Chain Board has now been agreed and will meet early in 2019.</p> <p>In addition, the education and careers projects outlined within HS2 Ph1 Information Paper G7 needs to be rolled out across the whole area as a matter of priority if local young people are able to take advantage of the opportunities that will be delivered. For example many of the civil engineering opportunities could be taken up by young people in secondary education now, or via re-trained adults currently available for work.</p> <p>Whilst local employment should be the target, further consideration needs to take place on the impacts of significant inward migration of labour. For example, local professional services such as GP's and dentists which may adversely displace the local residents.</p>
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12.4.3	<p>The Council is concerned at the lack of detail in this area and requires further information to be made available.</p> <p>The impact seems to be limited to the sites directly effected through loss of use. There is little or no detail on what these businesses are or what the impact of the construction may be. DCC is aware that the proposed line cuts directly through one of the country's most important centres for furniture manufacturing and upholstery at Long Eaton. In fact this locality enjoys an international reputation as a niche economic sector, (LA05: Ratcliffe-on-Soar to Long Eaton). Whilst some businesses may not be directly impacted as part of the construction, the inter-relationship of this small market on established supply chains in the locality means that any fracturing of the economic relationship due to uncertainty, blight or relocation could have a devastating effect.</p> <p>Further work is required on the impact on businesses on disruption to transport networks. In particular the main arterial routes of the M1 A38 and A42, where the impact on business could be severe. Local businesses have reported significant difficulties associated with the widening of the M1 in the area, and the HS2 proposals will have a more significant impact on a greater number of roads. See also comments on Volumes 1 and 2.</p> <p>The ability of local businesses to gain access to the contracts associated with HS2 is key to the offsetting of some of the negative impacts of the construction phase. It is therefore important that greater weighting is given to local suppliers in the awarding of contracts. See also comments on Volumes 1 and 2.</p>
12.4.4	<p>The Council is concerned at the lack of detail in this area and requests further information be made available or dialogue undertaken.</p> <p>In addition to the work required to meet the construction phase skill needs, work is also needed with local schools to prepare young people for the opportunities associated with the running of the line in 2033 and beyond. Many of those young people are currently in primary education. Whilst HS2 has a number of programmes designed to support this aim the Council is very disappointed and concerned that the primary project has been postponed. This either needs to be addressed, or local areas should be funded to offer their own solutions.</p> <p>Delivery of education, careers and training activities should not only been seen as an essential part of ensuring the HS2 has the skills it needs for the medium to longer term, but should also be seen as a key activity in mitigating some of the fears of local communities by ensuring that residents, their children and grandchildren benefit from the jobs HS2 will bring through delivery of careers and education.</p>

12.6	<p>In the introduction to this section the report states that it “provides an assessment of the route-wide socio-economic impacts”. The report, in paragraph 12.6 simply focuses on the wider benefits of HS2 and fails to review any of the possible negative impacts in any detail. The report then fails to provide any assessment other than to outline the basis on which the assessment takes place. Further, the report then goes on to suggest that “significant localised effects” are reported in Vol 2 community area reports. These “significant” localised effects are restricted purely to the loss of business premises in a few areas and none of the wider socio-economic impacts that will occur on adjacent communities or businesses. The reports belief that only those few sites where business premises are lost are significant, seriously undermines the validity of the assessment that has taken place and calls into question its quality. See also comments provided in Volumes 1 and 2 requesting a more detailed economic impact assessment.</p> <p>The development of HS2 is a once in a generation opportunity to have a positive impact on the socio-economic landscape of the eastern districts of Derbyshire, which since the 1980’s, have suffered from the decline of traditional industries and have struggled to break free of that industrial decline. This has left many of the areas with higher levels of deprivation, unemployment and sickness than other parts of Derbyshire. Equally, the areas affected typically demonstrate low levels of social mobility, which a project like HS2 could help address if the level of investment and intervention is sufficient and timely and if active engagement with local organisations is undertaken.</p>
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1.13 Sound, Noise & Vibration, Section13.

1.13.1 The Council is very concerned regarding the limited information on dust and that no further assessment in the formal ES is mentioned. DCC request that further work is undertaken as part of the formal ES.

1.13.2 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

1.14 Traffic, & Transport; incorporating PROW, highway design and Traffic Safety, Section 14.

Document: Volume 3: Route-Wide Effects	
Paragraph reference	Full ES comment
14.5.2	<p>The WDES indicates that impacts of construction traffic are focused on the road network close to the Proposed Scheme, which includes the principal corridors for bulk material movements. It is noted that contractors would seek to use rail for the transport of bulk materials, where reasonably practicable. Clearly, this would help to reduce wider traffic impacts of such movements. The WDES suggests that construction traffic movements are expected to represent a small proportion of total traffic on the strategic highway network, although no information is provided to substantiate this assertion. Derbyshire provides a significant proportion of minerals in the East Midlands. Although detailed information on the transport of minerals within the Council is limited; the last East Midlands Regional Aggregate Working Party survey on transport occurred in 2009 when, of the total limestone produced for use as aggregates, (some 7.2 million tons), approximately 71% was transported by road and 30% by rail. Of the limestone aggregate that was exported, (i.e. 4.9 million tonnes), 58% was transported by road and 42% by rail.</p> <p>Although the potential quarry sites lie some distance from the proposed scheme, locally, the transport of minerals and associated traffic is one of the most significant impacts relating to minerals development and is usually what causes most concern to communities particularly those in and around the Peak District National Park. The movement of minerals and the importation of fill material to restore mineral workings can generate large volumes of traffic which mainly constitutes heavy good vehicles travelling on roads. Such traffic can have a considerable impact on local communities causing problems such as public safety, noise and vibration, air pollution and visual intrusion. These problems are most severe where heavy good vehicles use roads unsuited to their weight and size, where they pass through sensitive areas and at the access to the site from the public highway.</p>

14.5.2 (cont)	<p>Prior to the publication of the formal ES work should be done to provide a clearer understanding of the demand for construction materials and their potential cumulative impacts, particularly in areas where the raw materials could be sourced. These could be some considerable distance from the actual construction compounds themselves. Further advice in this regards is provided in the Guidelines for the Environmental Assessment of Road Traffic Institute of Environmental Assessment (IEA) (1993). The Council would welcome an active dialogue with HS2 on these matters as there is much local potential in determining the BPEO for aggregate sourcing, transporting, storing and disposal.</p>
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1.15 Waste and Material Resources, Section 15.

Document: Volume 3: Route-Wide Effects	
Full ES comment	
Paragraph reference	Full ES comment
15	<p>The section outlines how HS2 will deal with waste arising both during the construction phase, employees' arisings during the construction and waste created afterwards i.e. commercial and industrial. The Council understands this section will be scrutinised by the Environment Agency (EA) as it refers mainly to national policies, frameworks and regional information published by the EA. Within the section they refer to the waste planning authority responsibilities to make provision for sufficient waste infrastructure capacity. The Council has no additional comments to make, having regard to the representations presented in Volumes 1 and 2.</p>

1.16 Water Resources & Flood risk, Section 16.

1.16.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

1.17 Phase 1 and Phase 2 combined impacts, Section 17.

1.17.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

2 VOLUME 4: OFF-ROUTE EFFECTS

- 2.1.1 This section of the report contains our comments for the Off Route Effects: WDES Volume 4.
- 2.1.2 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2. This particularly relates to the potential/planned benefits resulting from economic growth, and also the potential detrimental impacts to growth caused by the undue delay, congestion and economic uncertainty. All of which need to be carefully balanced and mitigated through meaningful dialogue with the Council.

3 EIA SCOPE AND METHODOLOGY REPORT

3.1.1 This section of the report contains our comments for the EIA Scope and Methodology Report: WDES.

3.2 General comments

Document: Scope and Methodology Report	
Paragraph reference	Full ES comment
General	<p>The WDES sets out broad aims and intentions, disappointingly the detailed surveys and baseline data are not yet available. Therefore it is only possible to state that the relevant issues and draft methodologies have been identified and taken into consideration. The scale of impact and the adequacy of mitigation will only be known when the detailed surveys have been completed.</p>
	<p>The detail of how environmental impacts will be addressed will form part of the local environmental management plans discussed/ in consultation with local authorities. Local authority consultations regarding LEMPs should include parish, district and county authorities.</p>
	<p>The route is sub divided into community areas which do not follow administrative boundaries. These appear to have been identified on an arbitrary basis rather than the existence of a coherent community. The boundaries of the community areas could be aligned with administrative boundaries to enable a more meaningful assessment of data, particularly population, and land use data. This would also enable more meaningful engagement with the public.</p>
	<p>While the normal hours of working are set as 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays, a number of other circumstances in which working outside these hours have been identified. In practice, construction traffic, noise and lighting could occur at any time. Where planned works are to take place outside the 0800 to 1800 times, this should be indicated to local populations in advance of working. It is accepted that there may be occasions when unplanned/abnormal circumstances will prevent prior notice. Where possible the working hours should form part of the LEMPs.</p>

Environmental and construction site management	<p>The WDES volume 1 states that contractors will be required to develop an Environmental Management System (EMS) complying with BS EN ISO 14001:2004 and that the work of all sub-contractors will be within scope of the EMS. This is considered to be best practice and will contribute to ensuring legal compliance and controlling the environmental impacts of the construction phase. However, this standard has now been superseded by BS EN ISO 14001:2015. This reference must be corrected.</p> <p>For a project of this scale, the EMS of the nominated undertaker and the lead contractors should be subject to external verification/certification by a UKAS accredited certification body.</p> <p>Compliance failures and the identified corrective actions should be brought to the attention of the local community/authority as part of the Community Engagement Framework.</p> <p>The sustainability policy meets the requirements of ISO 14001:2015 and should be welcomed. The policy states a commitment to legal and other compliance, continual improvement in environmental performance, pollution prevention and most interestingly, 'no net loss in biodiversity'. Given the nature of the proposal it is difficult to conceive of how this 'no net loss' policy objective can be achieved unless measured over very long time scales.</p>
Local Environmental Management Plans	<p>Local Environmental Management Plans (LEMP) will be drafted to control construction works at a local level within each local authority area. LEMPs will ensure that local circumstances are identified and taken into consideration, they provide the opportunity for the detail of local circumstances to be taken into account and should be used to address during construction. The relevant local authorities should be consulted on the content of the LEMPs prior to the commencement of construction in the relevant areas/communities. The use of LEMPs is good environmental and community relations practice.</p>

3.3 Council Comments

3.3.1 The Council's comments are addressed in the order they appear in the document and sub divided by topic to aid the reader's understanding. Where the Council has not provided comment, this should not be taken as agreement or consent for the text.

3.4 Changes between Phase One, Phase 2a and Phase 2b approach to EIA, Section 2.

3.4.1 The Council has no further comment to make over and above those raised through previous engagement and the representations specifically made on Volume 2.

3.5 Stakeholder engagement and consultation, Section 3.

3.5.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.6 Environmental Impact Assessment (EIA) methodology, Section 4.

3.6.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.7 Reporting of alternatives, Section 5.

3.7.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.8 Agriculture, forestry and soils, Section 6.

3.8.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.9 Air quality, Section 7.

3.9.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.10 Climate change, Section 8.

3.10.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.11 Community, Section 9.

3.11.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.12 Ecology and biodiversity, Section 10.

Document: Scope and Methodology Report	
Paragraph reference	Full ES comment
General	<p>The ecology section of the SMR report would appear to be largely unaltered from the draft version we were consulted on in September 2017. As such, it fails to respond to the issues and criticisms raised at that time.</p> <p>Generally, the approach and coverage of ecological studies would seem to be appropriate, including desktop study, consultation and various field surveys. It is noted that these field surveys include both general habitat surveys (10.2.6) and a breadth of specialist surveys for species and particular habitat types (10.2.7).</p> <p>However, the methodologies used in these surveys are apparently set out in a 'Field Surveys Methods and Standards' Technical Note "referenced in Annex A" of the SMR. Whilst Annex A does indeed refer to a FSMS document, this appears to relate to HS2 Phase 2a, whilst the Annex does not contain any further details, or a link to the document in question. Whilst the SMR states that "the methods set out in the SMR follow recognised methodologies (deviating only where considered appropriate)", it would unfortunately therefore appear that at this stage of EIA preparation it is still not possible to comment on the survey methodologies employed.</p> <p>The ecology section of the SMR also continues to state that the Government and HS2 Ltd are "seeking to achieve no net loss of biodiversity" for the Proposed Scheme where a firm commitment to achieve no net loss would be preferable and would better accord with Government policy elsewhere.</p>

3.13 Electromagnetic interference, Section 11.

3.13.1 The Council has no comment to make on this section at this time, but reserves its position to provide more detailed representation in future.

3.14 Health, Section 12.

3.14.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.15 Historic environment, Section 13.

Document: Scope and Methodology Report	
Paragraph reference	Full ES comment
13.2.7	<p>Risk-based approach to prioritising archaeological surveys. This appears to be at a very early stage and no evidence or conclusions on the proposed 'Archaeological sub-zones' (ASZ) or the assessment of risk therein is included in the WDES. The Council should be afforded the opportunity to comment on and input into the methodology and conclusions of this process.</p> <p>The proposed methodology has the potential to be a useful and effective approach to quantifying archaeological 'risk' along the route, particularly in light of the observation that much of the eastern part of Derbyshire is under-researched and imperfectly understood in terms of its archaeological resource.</p> <p>However, the efficacy of the model depends on the extent to which an appreciation of the multi-layered nature of 'archaeological character' is built in to the methodology, and this is not clarified in the existing technical note. For example, earthworks may be evidenced at the land surface, lithics and other artefacts in the ploughsoil, and 'cut features' at the subsoil/natural interface, in some cases representing different periods of human activity. Existing information on one layer of evidence alone (for example earthworks), should not be taken as confirmation that 'archaeological character is understood', where there is an absence of understanding of sub-surface archaeology.</p> <p>The potential for Palaeolithic archaeology is another layer of evidence that should be built separately into the model. This type of evidence can be associated with gravel terraces and fluvial landforms, fissures in e.g. limestone geology, wind-blown loess deposits, cave and rock shelter sites, and surface lithic scatters, and in some cases can be deeply buried. Assessment of Palaeolithic potential is not easily achieved using standard archaeological prospection techniques (e.g. geophysics) and needs to take into account the geological and borehole evidence for each landform unit along the route.</p> <p>Another important factor is the quality and resolution of data on opencast coal extraction. Large parts of eastern Derbyshire have been subject to opencasting during the recent past, but there are also significant gaps in the knowledge and data regarding this activity. The data used must be fine-grained enough to identify these significant lacunae. DCC recommends that the County Council's opencasting data is used because this allows actual extraction areas to be identified, rather than consented areas which can be much more extensive.</p>

13.2.9	<p>The proposed 500m buffer for the 'study area' is a very narrow corridor and risks constraining the understanding of archaeological settlement patterns in the wider landscape which should strongly influence the planning and delivery of archaeological evaluation and mitigation fieldwork. At the regional level this overview will be delivered by the Regional Research Framework but there is currently a lacuna between this high level and the micro-level afforded by e.g. HER data within the study area. Appropriate research and consultation needs to be in place to ensure that period narratives on the sub-regional level are understood and appropriately feed in to research aims and the fieldwork planning stage.</p> <p>It is suggested that the 2km study area for gathering data, "either side of the land required in rural areas and urban areas", should be appropriately broadened in areas where there is the potential for more far reaching impacts on the setting of heritage assets. This is because the extent of the setting of a heritage asset is not fixed¹, or in other words, it has no definable limit. Therefore the potential impacts, and the study area, should be considered more organically in response to this.</p>
13.6.12 and Table 17	<p>Significance criteria. The study area in Derbyshire contains heritage assets recognised as being internationally important: for example the asset groups at Hardwick Halls/Park and Bolsover Castle, which combine Grade I Listed Buildings, Scheduled Monument and Grade I Registered Parks/Gardens. These are assets of exceptional importance and should be weighted accordingly in the EIA process.</p> <p>Table 17 shows the groupings of different types of designations proposed at 'High', 'Moderate' and 'Low' importance. At present no distinction is made between the internationally important, exceptional asset groups discussed above, and a whole range of designated assets of demonstrably lesser importance. This includes some Grade II Listed Buildings and Conservation Areas and even some undesignated assets. The assessment of significance on this rather broad brush basis runs the risk of under-assessing impact to some of the county's most important heritage assets.</p> <p>Some consideration should therefore be given to a category of 'Very High' or 'Exceptionally High' to capture the exceptional importance and sensitivity of these key asset groups which sets them above some of the other designations.</p>

¹ According to: Historic England, *Setting of Historic Assets*, URL available at: <https://historicengland.org.uk/advice/hpg/has/setting/>, accessed on 20/11/2018.

13.6.12 and Table 17 (cont)	Grade II Listed Buildings and Conservation Areas can be assessed at either 'moderate' or 'high'. This may be a valid approach but at present there is no rationale presented for assessment to either group, and the validity of the conclusion in each case cannot therefore be assessed.
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3.16 Land quality, Section 14.

3.16.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.17 Landscape and visual, Section 15.

3.17.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.18 Major accidents and disasters, Section 16.

3.18.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.19 Socio-economics, Section 17.

3.19.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.20 Sound, noise and vibration, Section 18.

3.20.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.21 Traffic and transport, Section 19.

3.21.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.22 Waste and material resources, Section 20.

3.22.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.23 Water Resources & Flood Risk, Section 21.

3.23.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

3.24 Structure of the Environmental Statement, Section 22.

3.24.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

4 ALTERNATIVES REPORT

- 4.1.1 This section of the report contains our comments for the Alternatives Report: WDES.
- 4.1.2 At this time the Council has no comment to make but reserves its right to make additional representation at a later date as dialogue progresses with HS2 and other alternatives, or views on alternatives are made available.

5 DRAFT CODE OF CONSTRUCTION PRACTICE

5.1.1 This section of the report contains our comments for the Draft Code of Construction Practice: WDES.

5.2 General comments

Document: Draft Code of Construction Practice	
Paragraph reference	Full ES comment
General	<p>The draft Code of Construction Practice (CoCP) identifies the measures and standards of work to be applied by all contractors throughout the construction phase. This document identifies the intentions of the CoCP but not the detail of how these will be achieved. This information is anticipated to be provided by procedures, processes and toolbox talks determined by the contractors in compliance with the CoCP.</p> <p>Contractors will also be required to sign up to the Considerate Constructors Scheme and meet the requirements of the nominated undertakers/lead contractors EMS. This is welcomed.</p> <p>The CoCP will be supported by the nominated undertakes/lead contractor EMS, which should include details procedures etc to control the significant environmental aspects identified.</p> <p>The CoCP identifies the need for measures to prevent the spread of invasive non-native species (INNS) throughout the entire route. Details of the procedures/processes involved should form part of the nominated undertaker/lead contractors EMS and be highlighted in the LEMPs. There are locations along the route where INNS are found. The lead contractor should consult local authorities at all levels to identify records of INNS locations.</p> <p>There is comprehensive guidance on the requirements for pollution prevention, control and emergency preparedness measures detailing staff competence, the drafting of plans, reporting and investigation. Details of how this is to be achieved should form part of the nominated undertaker/lead contractors EMS.</p> <p>DCC as the Highway Authority would like to document its disappointment at the limited level of detail and the alarming number of sweeping statements contained within the Draft Code of Construction Practice. HS2 will need to provide far greater detail and utilise informed, accurate information to enable the Highway Authority to assess and comment upon the proposals.</p>

14 Traffic and Transport	DCC require that the phasing of the works are designed to minimise the impact on the local highway network. A number of local business and logistics companies rely on good transport links to and along the M1. The works to the M1 junctions and realignments in particular could have a devastating affect on some businesses and may already be blighting opportunities for growth and development.
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5.3 Purpose of the Code of Construction Practice, Section 2.

5.3.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.4 Policy and environmental management principles, Section 3.

5.4.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.5 Implementation, Section 4.

5.5.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.6 General requirements, Section 5.

5.6.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.7 Agriculture, forestry and soils, Section 6.

5.7.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.8 Air quality, Section 7.

5.8.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.9 Cultural heritage/historic environment, Section 8.

5.9.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.10 Ecology, Section 9.

5.10.1 At this time the Council has limited comment to make, it reserves its position to provide additional representation when further information is made available.

Document: Draft Code of Construction Practice	
Paragraph reference	Full ES comment
General	Ecology is a very light touch and superficial document covering ecology in just over three pages. As such, many of the measures mentioned in this section can be supported. However, it will need to be significantly expanded if it is to be meaningful for nominated undertakes and contractors and if it is to lead to effective ecological protection.

5.11 Ground settlement, Section 10.

5.11.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.12 Land quality, Section 11.

5.12.1 At this time the Council has no comment to make but reserves its position to provide additional representation when further information is made available.

5.13 Landscape and visual, Section 12.

Document: Draft Code of Construction Practice	
Paragraph reference	Full ES comment
General	This is very general statement and would be applicable to any major construction site. There are no reassurances within the text that vegetation loss will be kept to an absolute minimum. There is also no assurance that the nominated undertaker would be required to design their construction activities in such a way that maximises the retention of existing vegetation (minimises the loss) particularly where that vegetation might play an important role in mitigating any identified adverse effects. Ideally all vegetation that is expected to be retained should be included on a plan supplied to the nominated undertaker and the CoCP should perhaps state that this would be done.
12.1.1	The 4th bullet point needs to go further and state that new planting will accord with relevant guidance where available. The Landscape Character of Derbyshire document provides detailed tree planting guidance that is consistent with similar guidance in DWT's Habitat Creation Guide and DCC would expect any planting within Derbyshire to accord with that guidance.

12.2.6	<p>"Trees intended to be retained which may be accidentally felled or die as a consequence of construction works will be replaced. Where reasonably practicable, the size and species of replacement trees will be selected to achieve a close resemblance to the original trees". What happens if this option is not 'reasonably practicable'?</p> <p>Perhaps the CoCP needs to also outline what might happen in these circumstances such as replacement on a 3:1 ratio for example (3 new trees for each tree accidentally damaged).</p>
12.4	<p>Monitoring, the onus is placed on the nominated undertaker and their contractors to monitor all landscape works undertaken as part of the scheme. This feels very much like self-regulation so who will be independently scrutinising the progress of new planting and seeding to ensure that it does indeed fulfil the intent of the landscape mitigation proposals?</p>

5.14 Noise and vibration, Section 13.

5.14.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

5.15 Traffic and transport, Section 14.

5.15.1 DCC request that the sequencing of construction activities affecting the M1 corridor is very carefully sequenced to ensure the absolute minimum disruption to users. There is a significant number of haulage and other businesses that rely on good connections to the M1 in order to function.

5.15.2 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2. The Council reserves its position to provide additional representation when further information is made available.

5.16 Waste and materials, Section 15.

5.16.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.

5.17 Water resources and flood risk, Section 16.

5.17.1 The Council has no further comment to make on this section at this time, having regard to the representations expressed earlier in Volumes 1 and 2.