

**Subject:** Enquiry (ref: 18572810)  
**From:** Planning BC Investigation Team <rluk@cheshireeast.gov.uk>  
**Date:** 22/12/2022, 12:48  
**To:** clerk@pickmereparishcouncil.gov.uk  
**CC:** eoc@cheshireeast.gov.uk



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Date: 22 December 2022  
Our Reference: 18572810  
Your reference: Jack Steel

Dear Mr Steel

**Your case reference: 18572810**

Thank you for your enquiry received on 19 December 2022, regarding the upcoming HS2B construction monitoring by Cheshire East Council. Having consulted a colleague, the Director of Highways & Infrastructure, the Chief Executive, Lorraine O'Donnell, has asked me to reply on her behalf.

The HS2 Phase 2b hybrid bill information papers outline the role of the Council, as Local Planning Authority and Local Highway Authority, in approving the detailed design of a certain structures, elements and construction matters of the Proposed Scheme within the future Act of Parliament. These controls are set out in [Information Paper B2: Main Provisions of the Planning Regime](#). In addition, in December 2022, Cheshire East [Full Council](#) approved a recommendation for the Council to become a [Qualifying Authority for HS2 Phase 2b](#), providing it with a wider range of planning controls. Qualifying authorities also have the responsibility for approving plans and specifications for works such as buildings and road vehicle parks, terracing, cuttings, embankments and other earthworks, fences, walls or other barriers, transformers, telecommunication masts, pedestrian access to the railway line, artificial lighting, waste, and spoil disposal and borrow pits.

The information paper [C12: Local Authority funding and new burdens](#) sets out how funding will be made available by HS2 Ltd to enable local authorities to carry out their responsibilities under the future Act and the likely mechanism for management of such funding being a Service Level Agreement. A Service Level Agreement for the Council's responsibilities under the Act, and the funding to be made available, for Phase 2b is expected to be agreed following Royal Assent of the hybrid bill.

The Council has included the following point within its petition against the hybrid bill to seek assurances from HS2 Ltd that will provide the Council with sufficient time to appropriately resource these responsibilities.

**Extension of time for granting approval and providing consents**

**Issue**

1. Under the Bill, the Council will have 28 days to grant certain consents and provide certain approvals. The Council considers it will be able to accommodate this deadline if the Council has received advance notice of around 6 months for any application. If this not provided, the Council considers that it will require 72 days to determine any consent or approval.

## **Solution**

The Council requests that the Bill is amended to provide for this.

Monitoring and enforcement of HS2 Ltd and its contractors throughout construction will be governed by a [Code of Construction Practice](#) (CoCP) which is a recognised approach for a scheme of the magnitude of HS2. The Nominated Undertaker and all of its contractors and sub-contractors will be required to adhere to the CoCP. Compliance to the CoCP will be ensured via an environmental management system (EMS) that will be developed by the Nominated Undertaker which meets the international standard for such systems. In addition, the Secretary of State for Transport will appoint an [HS2 Construction commissioner](#) to deal with complaints where a complainant is unhappy with the construction process of the proposed scheme by the Nominated Undertaker or its contractors. This is consistent with Phases 1 and 2a of HS2.

I hope this provides you with the information you are seeking and thank you for contacting the Council

Yours sincerely

Anita Ralphs  
Administration Support  
Cheshire East Council

**NOTE: Please do not edit the subject line when replying to this email.**