

Phase 2a Planning Forum Agenda Meeting #03 – January 2018

Date & Time:	<p>Tuesday 23 January 2018 13:30 – 16:00 Planning Forum</p> <p>HS2 Ltd Staffordshire County Council County Buildings 15 Martin Street Stafford ST16 2L1</p>
Independent Chair:	Ted Allett

Item	Topic	Lead	
	Introductions	All	13:30
	Review of ToR and previous meeting minutes	HS2 Ltd	13:35
1	Petition points and themes	HS2 Ltd	13:55
2	Schedule 17 – Lorry route changes discussion	All	14:25
3	Phase 2a Bill update – Select Committee	HS2 Ltd	14:55
4	Additional Provisions (AP1) update	HS2 Ltd	15:20
5	Memorandum of Understanding (MOU) update	HS2 Ltd	15:45
6	Date of future meetings	HS2 Ltd	15:50
7	AOB	HS2 Ltd	15:55
8	End	All	16:00

INDEPENDENT PLANNING FORUM FOR HS2 PHASE 2a

Title:	Independent Planning Forum for HS2 – Phase 2A	
Date & Time	Tuesday 22nd January 2018 Staffordshire County Council County Buildings 15 Martin Street Stafford ST16 2L	
Chair	Jon Griffiths	DfT - Interim Chair
Promoter Attendees:	Paul Gilfedder Reiss Graham Simon Knight Terry Stafford Laura Setright Ted Allet	HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd Independent Chair Phase 1 Planning Forum (TA)
Local Authority Attendees:	Sarah Mallen Liam Cowden Guy Benson John Holmes Sean Coghlan Ian Dale Emma Williams David Malcolm Glen Watson	Staffordshire County Council (SCC) Shropshire Council (SC) Newcastle under Lyme Borough Council (NULBC) Stafford Borough Council (SBC) Lichfield District Council (LDC) Cheshire East Council (CEC) Cheshire East Council (CEC) Cheshire East Council (CEC) Cannock Chase District Council (CCDC)
Apologies		

Item		Action Owner
	Introductions	
	Introductions were made. The Chair introduced the agenda and reiterated his position as interim Chair. HS2 Ltd agreed that the PowerPoint Slides presented will be circulated after the meeting.	HS2 Ltd
	Review of ToR and previous meeting minutes HS2 Ltd advised that comments have been accepted and incorporated in current version of the minutes. The Forum agreed that the minutes were a true account of the meeting on 7 November 2017. HS2 Ltd advised that all HS2 Ltd actions were complete.	

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	<p>No comments had been received from local authorities on the draft terms of reference so these will be recirculated. Action HS2 to re-circulate the draft ToR for comments.</p> <p>Members suggested that the Water Liaison Meeting may have to be postponed due to their resources being focussed on preparations for petitioning. Action HS2 Ltd to re-arrange meeting.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p>1.</p>	<p>Appointment of an Independent Chair</p> <p>The Chair reiterated his position as interim Chair and subject to discussions with members at this meeting, an independent Chair could be appointed for the next meeting. Ted Allet (Phase 1 Planning Forum independent Chair) was introduced to members and he explained to members his previous experience (significant hybrid Bill experience and current Chair responsibilities).</p> <p>After a discussion the Forum agreed that TA should be appointed of the Phase 2a Planning Forum. TA will take up the role at the next meeting of the Forum.</p>	<p>,</p>
<p>2.</p>	<p>Schedule 17 – Lorry route changes discussions</p> <p>HS2 Ltd highlighted the issues raised from the previous meeting and noted members concern regarding the proposed changes from regarding lorry movements from Phase1 to Phase 2a.</p> <p>HS2 Ltd provided a presentation on proposed lorry route changes to the members, which summarised three main concerns: safety, amenity and community confusion over lorries using unapproved routes.</p> <p>Responding to a question, HS2 Ltd confirmed that a lorry movement is a one way trip; therefore 24 movements equal 12 lorries arriving and departing site or for example 24 lorries leaving a site.</p> <p>HS2 Ltd explained that the reason for the proposed change to the Bill was to allow for flexibility and reduced administration by planning authorities when works were initiated and substantially reduced towards the end of the project. It was also noted that planning control is not required for sites before lorry numbers reach 24 movements but there was no mechanism to allow this when movements dropped below 24.</p> <p>CEC asked if more than one site compound was located on the same road how would this apply to theses site. HS2 Ltd advised that routes to each compound would be required until lorry numbers exceeded 24 movements per-day; however the use of the roads would also be subject to the EMRs. Information on lorry numbers across routes would be provided in accordance with the requirements of the Route Wide Traffic Management Plan.</p> <p>Members raised concerns around disturbance this change could cause and the impact of unapproved lorries joining the existing network and how this may affect sensitive receptors. HS2 Ltd said that it felt the controls in the EMRs including the Code of</p>	

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Construction Practice (CoCP) and associated documents such as the Route Wide Traffic Management Plan would address these issues

SCC confirmed that the potential of striking bridges was not SCC's only concern but it one element as part of wider road safety concerns. SCC advised that up to 24 movements should be considered given the risk to safety and traffic capacity. SCC also stated that there are a number of junctions where road/junction visibility would not be adequate for HGVs and the only way to achieve this would be for the relevant Highways Authority to approve the proposed unapproved routes.

HS2 Ltd advised that under the Phase 1 Act, where lorries movements did not exceed the threshold (24 movements) Highway Authorities do not need control over the unapproved routes used as existing legislation already addresses this and that the number of movements (up to 24) would be similar to current traffic levels. SCC expressed concerns that some routes would be an issue even below 24 lorry movements per day. HS2 Ltd stated that is something that could be discussed through the traffic liaison groups (TLGs) established by the CoCP which could be a way of managing this issue. HS2 Ltd said that it would look at whether this is required by the CoCP and other highways requirements.

Action: HS2 to look at CoCP and other EMRs requirements for engagement on lorry routes at TLG.

SCC raised that on Phase One lorry routes issue, it has not had sufficient engagement on lorry routes at its TLG yet and was concerned about the implementation of the highways requirements in the CoCP. HS2 Ltd said it would raise this concerns with its Phase One colleagues.

Action: HS2 Ltd noted this concern and said it would raise it with Phase One highways colleagues.

TA advised that in relation to the proposed 24 movements change, Local Planning Authorities (LPAs) should address potential impacts of this at the ES stage and provide evidence of any routes that would be considered unsuitable and if concerns are still evident LPAs should petition on this issue.

TA expressed that the proposed changes would be impractical if numbers dropped below 24 movements during one day and should not be used ad-hoc. It was suggested that the rule should apply only when numbers are consistency below 24 movements for a sufficient period of time.

HS2 Ltd advised that the existing planning enforcement procedures could be utilised to enforce against this. Members felt the provision would make planning enforcement difficult.

The Chair also raised that consideration should be given to Saturday working and as no to affected the existing traffic at peak times on a weekend.

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	<p>NULBC raised concerns and suggested that the public would not be content with this proposed change.</p> <p>HS2 Ltd summarised the key concerns as being: the variability in when approved routes have to be used causing confusion and problems; the difficulty in enforcing the planning approval; and general highway safety. HS2 Ltd said it felt the members of the Forum had indicated that they might be more amenable to the proposal if it to be changed, so it would be clearer and more definite when the planning approval no longer applies.</p> <p>SCC agreed that this might be the case if reasonable regard was given to their comments made through TLG, so they were able to review unapproved routes prior to use to advise of any of inappropriate routes. SCC also suggested that local members would want to petition against this proposed change on the grounds previously raised.</p> <p>HS2 Ltd said the discussion had been useful and it found the feedback useful. It would take the matter away and consider its next steps in response.</p> <p>Action: HS2 Ltd to consider comments made in relation to lorry route approvals and report back at the meeting.</p> <p>CEC suggested that if a timeframe of the proposed lorry routes was provided early on, it would assist the LPA in their decision making. HS2 Ltd replied that they cannot provide timeframes at this stage, however written statements will provide advice and notes on what works contractors are applying for (such as enabling works/civils).</p>	
<p>3.</p>	<p>Parliamentary process</p> <p>HS2 Ltd updated members on the parliamentary process, highlighting that 2nd reading was anticipated on 30th January and if passed, the petitioning period would run for a minimum of 25 days.</p> <p>NULBC asked for confirmation whether any potential petition would need to be submitted before the end of the petitioning period. HS2 Ltd confirmed that this was correct.</p> <p>LDC advised members a petition is similar to skeleton version of a statement of case. HS2 Ltd confirmed that this was correct but was not as onerous and a template was provided online and detailed evidence is not required to be included in the petition.</p> <p>SCC informed members that they have undertaken a session with parliamentary agents to brief residents on the right to appear.</p> <p>The Chair advised that the right to appear challenge process is not there to prevent legitimate petitioners from appearing, but where a petitioner had not demonstrated that they were specially and directly affected, their right to appear would be challenged.</p>	

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	<p>NULBC questioned if proposed lorry routes could be a petition issue. HS2 Ltd agreed that it could potentially be a petition issue, but a case would need to be made by the petitioner on a case by case basis that the impact was such that a legal claim for nuisance could be mounted. An example was given of a significant construction site being adjacent to a house.</p> <p>The Whitmore and Madeley tunnels were raised and HS2 Ltd advised that petitioners would be likely to have to make their case early on, as this is likely to be a significant topic for discussion. SCC asked if it was still the case that petition issues could be resolved prior to appearing before the Select Committee, thus avoiding the need to appear. HS2 Ltd confirmed that this was the case. SCC stated that if a long single tunnel at Whitmore and Madeley was approved, then they would have less issues to take forward.</p> <p>HS2 Ltd advised that the proposed running order (subject to the Select Committee's approval) is the major petition changes and route wide issues, then working up the route from South to North, with LPAs, Parish Council, group and individuals been seen in that order. However, clustering is likely to occur and is dependent on the nature of the petitions.</p> <p>The Chair advised that the new HS2 Minister would be given a route tour on Thursday 25 January.</p> <p>NULBC raised the May 2018 local authority elections purdah period and how this may impact NULBC and CCDC during the Select Committee stage, given that local elections would be taking place. SCC asked if the programme could be amended to allow for this. HS2 Ltd informed members the normal purdah procedures would apply and could not guarantee a programme change. However, HS2 Ltd would not want to make it difficult for any petitioner to appear and consideration would be given to reprogramming nearer the time if required.</p>	
4.	<p>Detailed introduction of the Environmental Minimum Requirements (EMRs)</p> <p>HS2 Ltd presented a detailed introduction to the EMRs and existing legislation for Forum members.</p> <p>HS2 Ltd noted that the EMRs have recently been agreed for Phase 1 and believe they are robust; however HS2 Ltd are open to comments from members on them.</p> <p>LDC and SCC advised that the Local Traffic Management Plans (LTMPs) are not working in practice. HS2 Ltd stated that the requirements for LTMPs to be in place for the start of works is clear in the CoCP. HS2 Ltd took an action to investigate with colleagues the status of LTMPs in Staffordshire.</p> <p>Action: HS2 Ltd to investigate progress with LTMPs in Staffordshire.</p>	

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	<p>HS2 Ltd asked members to provide written comments on the EMRs and Planning Regime. HS2 Ltd suggested that a lead authority should collate the responses, but given that there have been minimal changes since Phase One, the consensus was that this would not be necessary.</p> <p>CEC and NULBC wished to have sufficient time (2 weeks) to review the EMRs before commenting. SCC advised that although they would be happy to assist members but due to competing demands on their time would be unable to collate responses.</p> <p>Action: Local Authorities to provides comments on the draft EMRs by 16 February</p>	<p>HS2 Ltd</p> <p>Local authorities</p>
<p>6.</p>	<p>Liaison meetings (Highways, Environmental Health and Historic Environment)</p> <p>HS2 Ltd advised that the first Heritage and Environmental Health Liaison meetings have already taken place. Highways and Water liaison meetings will be taken place within the next two weeks.</p> <p>HS2 Ltd informed members that only one LPA had responded to the invite to the Water Liaison meeting and it was agreed that this should be postponed given petition stage and resources. Action HS2 will rearrange the water liaison meeting.</p> <p>HS2 Ltd also advised that a route fly over route video was available and it may be helpful for members to view this video at the next meeting. Action HS2 to arrange viewing of this visual fly over.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p>7.</p>	<p>AOB</p> <ul style="list-style-type: none"> • MOU LDC raised payment terms and whether a MOU would be in place to arrange payment for travel and expenses (must be recorded) associated with work on HS2. HS2 Ltd advised that this is likely to be the case. Action HS2 Ltd will seek advice on the Phase 2a MOU • Noise mitigation changes SBC asked if there are any changes to noise barriers or viaducts, as this may be a petition issue if design/heights change. HS2 Ltd advised that they are considering options and alternatives. The impact/mitigation of noise is assessed in the ES but the design is not fixed. Action HS2 to provide contact details of the Noise Assessment Manager (Phil Brewer) to SBC. <p>Date of next meeting It was agreed that Tuesday 20th March 2018 was the preferred date, subject to room confirmation.</p> <p style="text-align: center;">Finish - 16:20pm</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>