

## INDEPENDENT Phase 2a Planning FORUM FOR HS2

<b>Title:</b>	<b>Independent Phase 2a Planning Forum for HS2</b>	
<b>Date &amp; Time</b>	<b>Monday 9 July 13:00 – 16:00</b> <b>Staffordshire County Council</b> <b>County Buildings</b> <b>15 Martin Street</b> <b>Stafford</b> <b>ST16 2L1</b>	
<b>Chair</b>	Ted Allett	Independent Chair
<b>Promoter Attendees:</b>	Paul Gilfedder Lizzie Smith Simon Knight Terry Stafford Dermot Scanlon	HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd HS2 Ltd
<b>Local Authority Attendees:</b>	Guy Benson John Holmes Sarah Mallen Liam Cowden Craig Jordan Emma Williams Ian Dale	Newcastle-under-Lyme Borough Council (NULBC) Stafford Borough Council (SBC) Staffordshire County Council (SCC) Shropshire Council (SC) Lichfield District Council (LDC) Cheshire East Council (CEC) Cheshire East Council (CEC)
<b>Guests:</b>	James Henderson	Department for Transport (DfT)

Item		Action Owner
<b>1</b>	<b>Pre-meet for local authorities</b>  The Chair and the LAs held a pre-meeting to discuss matters to be raised with HS2 Ltd during the Forum meeting.	
<b>2.</b>	<b>Introductions</b>  The Chair invited attendees to introduce themselves.	
<b>3.</b>	<b>Review of notes &amp; actions from last meeting</b> <ul style="list-style-type: none"> <li>• <b>May Item #3 Phase 2a Planning Forum Minutes:</b> HS2 Ltd said that the minutes would be available on the gov.uk website and that they were working with the HS2 Communications team to develop the Planning Forum page on the HS2 Ltd website. POST MEETING NOTE: The page is now available at <a href="https://www.gov.uk/government/collections/hs2-phase-2a-planning-forum">https://www.gov.uk/government/collections/hs2-phase-2a-planning-forum</a></li> <li>• <b>May Item #4 Prior approval for temporary buildings:</b> HS2 Ltd said that they had sought legal advice which had been forwarded to SCC.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• <b>May Item #8 Service Level Agreement (SLA):</b> HS2 Ltd said it would update the Forum under agenda item 6. SC highlighted that HS2 Ltd had previously asked for comments by 22 May but when the document was shared with the Forum, HS2 Ltd requested comments by 24 May. HS2 Ltd explained that it wanted to work collaboratively with LAs so would consider comments that were sent in by either of those dates. The Chair suggesting putting a post-meeting note in the previous minutes to explain this. <b>Action. HS2 Ltd to amend May meeting notes.</b></li> </ul>	<p><b>HS2 Ltd</b></p>
<p><b>4.</b></p>	<p><b>Phase 2a Bill update – Select Committee</b></p> <p>The DfT gave the Forum the following updates:</p> <ul style="list-style-type: none"> <li>• The Minister announced that a £2million Woodland Fund and £6.5million Road Safety Fund would be available for Phase 2a. It had been previously announced that the CEF &amp; BLEF for 2a will have a budget of £5million.</li> <li>• The Road Safety Fund will be available after Royal Assent. Once Highway Authorities (HAs) have decided how they want to spend the funds, they will need to agree a schedule with HS2 Ltd for releasing the money. Funding allocations to HA’s will be based on predictions of construction traffic in their area. For illustrative purposes only, and based on the current Bill scheme, allocations would be approximately 85% for SCC, 13% for CEC and 2% for SC. However, allocations will be finalised on the finalised Bill proposals.</li> </ul> <p>SCC asked if the calculation to work out the percentage of funds available for each HA were based on the same methodology for the Phase 1 Road Safety Fund. The DfT clarified that it would be based on a similar methodology, although the figures given were based on the current Proposed Scheme which may be subject to change through the Select Committee process.</p> <p>NULBC asked if the fund could be used for works on roads not proposed to be used for construction. HS2 Ltd confirmed it could and it is for the HAs to propose these works.</p> <p>The Chair highlighted that if a HA thought that additional works would mitigate the safety aspect of a proposed lorry route, the HA (in agreement with HS2 Ltd) could suggest such a condition be attached to the approval and so the works would be carried out by HS2 Ltd. The additional works would however need to be within the Act limits, i.e. the area HS2 Ltd have authorised powers over.</p> <p>LDC asked if the final split of the funds between Highway Authorities would be decided prior to Royal Assent. HS2 Ltd explained that they would not because the Proposed Scheme may be subject to change as Petitioner’s are heard by the Select Committee who may then instruct HS2 Ltd to amend what is currently proposed.</p> <p>The Select Committee’s First Special Report was published on 24 May 2018. It sets</p>	

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	<p>out the Select Committee’s decisions for the “in principle” cases. HS2 Ltd published their response which can be found here: <a href="https://publications.parliament.uk/pa/cm201719/cmselect/cmhs2/1085/1085.pdf">https://publications.parliament.uk/pa/cm201719/cmselect/cmhs2/1085/1085.pdf</a></p> <p>17 July 2018 is the last public hearing before the Select Committee break for summer recess. The Select Committee are planning on publishing a second report. POST-MEETING NOTE: 2<sup>nd</sup> Report published on 23 July 2018 can be found here: <a href="https://publications.parliament.uk/pa/cm201719/cmselect/cmhs2/1452/1452.pdf">https://publications.parliament.uk/pa/cm201719/cmselect/cmhs2/1452/1452.pdf</a></p> <p>NULBC requested further information on AP2 in terms of the process which the LA would have to undergo should it want to petition. For instance, would it be required to gain a vote from members to petition. SCC clarified that it would not.</p> <p>NULBC referred to a letter they had received which said that AP2 was expected to be deposited in late 2018/early 2019. HS2 Ltd explained that the date is based on when the environmental assessment is expected to be completed. In addition to this, the Select Committee may propose changes which would also need to be assessed to be included in AP2. HS2 Ltd proceeded to say that it expected that they would know more in October and would do some information rounds to inform stakeholders.</p> <p>SBC said that some highway amendments proposed in AP2 had not been discussed with the Borough Council and that they needed more information to inform their Parish Councils and developers where these works impacted them. HS2 Ltd said that the purpose of the letter was to give advance notice that further highway amendments had been proposed. HS2 Ltd reiterated that they intended to send a letter to inform LAs and Parish Councils of the proposed information rounds once the details were confirmed.</p> <p>HS2 Ltd advised SBC to email their hybrid bill team to start conversations regarding specific developments that the Council were concerned about in context of the AP2 amendments.</p> <p>NULBC asked HS2 Ltd if lowering the railway would require additional land. HS2 Ltd said that the requirement for additional land would trigger an additional provision (AP) so if lowering a viaduct required more land, then an AP would be required.</p>	
<b>5.</b>	<b>Fee and Appeal Regulations – Introduction to principles</b>  <b>Fee Regulations</b> HS2 Ltd explained that there were a number of documents instrumental to implementation of the planning regime for HS2 that need to be considered by the Planning Forum. Therefore, draft documents would be shared for LAs to comment on. A programme of these documents would also be shared in due course so that LAs would be informed of the documents requiring their consideration.  HS2 Ltd presented slides that contained the principles of Fee Regulations and	

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	<p>Appeal Regulations and asked the LAs to consider these and forward any comments by 6<sup>th</sup> August. HS2 Ltd explained that the Fee Regulations had been based on the Fee Regulations for the TCPA 1990. It was explained that the regulations allow for LAs to have their costs paid through an SLA rather than be paid fees. <b>ACTION – HS2 Ltd to circulate slides to LAs for their consideration.</b></p> <p>CEC said they had been sent a draft SLA, and asked if HS2 Ltd were referring to that particular document as an alternative. HS2 Ltd explained that they were not. The SLA sent to LAs recently was to cover costs that LAs would incur pre-construction: a separate SLA would be implemented to cover costs LAs would incur during the construction phase, such as handling schedule 17 approvals. HS2 Ltd took an action to clarify whether a timescale ought to be inserted into the current draft SLA to clarify this. <b>ACTION.</b></p> <p><b>Appeal Regulations</b>          HS2 Ltd presented slides that contained the principles of the Appeal Regulations. HS2 Ltd explained that an appeal made on a schedule 17 submission would follow the same process as on a TCPA application, but at an accelerated rate. SBC said that PINS would need a resource for this process to work. HS2 Ltd explained that the DfT have been working with PINS to put in place the appropriate SLA to ensure timescales are adhered to.  <b>ACTION.</b> HS2 Ltd to circulate slides to LAs for their consideration.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p>6.</p>	<p><b>Service Level Agreement (SLA) update</b></p> <p>HS2 Ltd said that the template for the SLA was circulated after the last Forum meeting and comments received by the 24<sup>th</sup> May had been considered.</p> <p>A key comment was why there was a cap on the value of the costs. LAs explained that this was not the case for the equivalent document known as the MoU on Phase 1. HS2 Ltd explained that this was felt necessary by the HS2 Commercial Team and that there would be an opportunity to review the cap. SCC said that as their timesheets are reviewed by HS2 Ltd, surely the process to review is already carried out once. The Chair asked HS2 Ltd if it was over complicating the process.</p> <p>CEC asked to see a template of the timesheet and an estimate of how much work the LA is likely to be doing so they can ensure they have resources in place. The Chair noted that the LAs are already doing the work by attending Forum and reviewing/commenting on documents.</p> <p>LDC said it would be helpful to have contact details for the HS2 Ltd personnel dealing with the invoices. <b>ACTION.</b></p> <p>SC asked what the target date was for Royal Assent. HS2 Ltd said that the fourth quarter of 2019 was the aim. HS2 Ltd explained that LAs had already carried out the work required for the Proposed Scheme. The Chair said there would be potential for LAs to comment on the SES (Supplementary Environmental Statement) for AP2. SC said they needed more detail to understand if they were expected to deliver the value of the SLA. HS2 Ltd clarified that the figure was a</p>	<p>HS2 Ltd</p>

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	<p>budget and not a figure for expected work to be delivered by the LAs.</p> <p>The Chair asked the Forum if any LAs had been paid yet. LAs said they had not yet submitted invoices as an agreement was not yet in place.</p> <p>CEC wondered if there was not the amount of work expected, such as reviewing documents but this needed to be clarified by the SLA.</p> <p>SCC highlighted that the majority of the work on Phase 1 was data requests.</p>	
<b>7.</b>	<p><b>AOB</b></p> <p>HS2 Ltd said they would be bringing the first draft of the Class Approval and statutory guidance to the next meeting. Monday 24<sup>th</sup> September was set as the date for the next meeting.</p> <p>SCC asked for a template timesheet and stressed the important of keeping them simple. The reaction on the timesheet for Phase 1 is that it takes too much resource completing it.</p>	