

Heathrow Expansion Board (HEB)

20th August 2018**Attendees**

Board Members	Caroline Low	Rosalind Smith-Reid	Jack Goodwin
	Sarah Bishop	Tony Poulter	Brett Welch
	James Adutt	[REDACTED]	[REDACTED]
	Jonny Saks	[REDACTED] (telephone - commercial deputy)	
Attendance for specific items	[REDACTED] (item 6)	[REDACTED] (item 8)	[REDACTED] (item 9)
	[REDACTED] (item 5)	[REDACTED] (item 7)	[REDACTED] (item 9)
			[REDACTED] (item 7)
Secretariat / Observers	[REDACTED] (Secretariat)	[REDACTED] (Secretariat)	
Apologies	Lucy Chadwick, [REDACTED], Jill Adam, Roger Jones, Michael Fox		

Note**1. Minutes and Actions**

1.1. Caroline Low (CL) opened the meeting and noted that the Board was light in attendance today due to summer holidays. CL warmly welcomed Rosalind Smith-Reid (RSR) back to the Board [REDACTED].

1.2. CL invited the Board's comments on the minutes from the 11 July meeting. The minutes were agreed with no comments.

1.3. [REDACTED] explained that a number of the actions in the Action Tracker are being covered by papers being presented today. [REDACTED] drew attention to Action 180606/5 relating to timings for the HE/HAL Heads of Terms, the timings are now confirmed for BICC on 24 September and the Strategic Roads team will be updating on this today. [REDACTED] also noted that [REDACTED] will give an update on action 180606/8 regarding propriety guidance today also.

2. Programme update

- 2.1. [REDACTED] updated the Board using the latest Dashboard. [REDACTED] noted that six legal claims against the Airports NPS have been lodged with the Court and the Legal Defence team will provide a further update later in the agenda.
- 2.2. With regards to Heathrow engagement, [REDACTED] noted that the team is working with Heathrow to implement the governance arrangements outlined in the Relationship Framework Document (RFD) which includes refreshing the terms of reference for the Programme Coordination Board (PCB) and establishing a series of sub-boards beneath that to progress key workstreams. An update is being taken to the PCB in September.
- 2.3. [REDACTED]
- 2.4. [REDACTED] noted that the team has engaged with Heathrow on DfT's plans to undertake a light touch behavioural research project to consider attitudes towards the proposed Community Compensation Fund.
- 2.5. [REDACTED] noted that separately we are in correspondence with Surinder Arora regarding his intention to bring forward an application for Development Consent.
- 2.6. [REDACTED] highlighted that there a number of vacancies within the team but that several recruitment campaigns were underway and teams are settling into their new structures.
- 2.7. Since the preparation of the dashboard, [REDACTED] noted that CAA assurance work on the NATS Airspace Modernisation Feasibility Report has also been submitted to the Department. A National Governance Structure to oversee airspace modernisation is being developed which will include a new board chaired by the Aviation Minister.
- 2.8. [REDACTED]
- 2.9. [REDACTED]
- 2.10. [REDACTED]

2.11. [REDACTED] asked for further information on correspondence with the Arora Group. Jack Goodwin (JG) responded that the Arora Group, Heathrow, airlines and the CAA are close to agreeing the terms of reference for a full review of the Arora Group's proposals by the CAA's technical adviser Arcadis. This work is expected to complete in September and provide an indication of how mature Arora's plans are. Outside of this there has been an exchange of correspondence between DfT and Arora Group, where the Department has explained that the DfT team will continue to engage with Heathrow on aspects relating to the delivery of expansion, with the rationale for this set out in the RFD. [REDACTED]

2.12. [REDACTED]

2.13. [REDACTED] introduced the Forward Look. [REDACTED] noted that the Heads of Terms will go to BICC in September and the negotiation strategy for a contribution towards Western Rail will be presented to HEB next month before going to BICC also in September. [REDACTED] highlighted that items 9 to 12 require further consideration of where and when decisions will be taken and it would be helpful to consider these at the 'special' HEB meeting next month where the role of the Board and interactions with other forums will be considered.

2.14. [REDACTED] presented the BICC /ExCo Forward Look which has not changed since last month and asked Sarah Bishop (SB) for an update on the two proposed aviation updates to ExCo. SB explained that the last time the team went to ExCo with a paper on Airspace Modernisation it was agreed that a yearly update would be given, so they would plan to go back to ExCo in early 2019. SB noted that the proposed update on slots needs further consideration.

2.15. CL suggested that a paper on innovation could be given to ExCo. CL asked the PMO to discuss with the team. [REDACTED] also suggested potentially bringing an update to BICC in winter 2018 on HAL's costs and the Benefits Management work.

Action 180820/2: PMO to update the BICC/ExCo Forward Look with proposed innovation and costs/benefits items and share with Lucy Chadwick for views.

2.16. [REDACTED] introduced the long term plan for information noting that this would be updated following PCB in September where Heathrow will provide an update on their schedule.

- 2.17. [REDACTED] queried what dates relating to Heathrow's plans have been shared publicly. JG advised that the Section 16 process required Heathrow to be open with airlines about their plans. JAd added that the proposed DCO timeline is also included in the RFD which has been published. [REDACTED]

3. Programme Vision and next steps

- 3.1. [REDACTED] introduced the short paper and explained that the PMO has worked with teams to define Government's role in expansion and give clarity on priorities for this phase, up to any DCO application(s) expected in 2020. [REDACTED] noted that this could be reflected on further at the special HEB meeting next month on 17 September.
- 3.2. TP commented that although this might be discussed more at the special HEB meeting, he expected to see even more on relationship building, management of risks and the programme timetable in the priorities.
- 3.3. [REDACTED] questioned what 'making the case for expansion and airspace modernisation' involves. CL responded that work needs to continue on communications and the underpinning policy/analysis work to maintain and build support for expansion. Prior to the NPS vote excellent work was undertaken across the UK to build support and this work doesn't stop now. CL noted that communicating the strategic case for airspace modernisation will be a key priority.
- 3.4. [REDACTED] thanked the Board for their comments and noted that this would be discussed further on 17 September.

4. Communications

- 4.1. Comms activity has been limited over the summer and CL noted that the Comms Update would resume next month.

5. Business Management and Propriety

- 5.1. [REDACTED] explained that his paper sets out the new post NPS designation propriety arrangements. [REDACTED] noted that the arrangements are required to ensure there is no bias and or perception of bias in the DCO decision making process.
- 5.2. As set out in the paper, any DCO decision will be decided on the Secretary of State's behalf by another DfT Minister who is not responsible for the policy area (known as 'the Decision Making Minister' or 'DMM'). Nusrat Ghani is likely to be the DMM in respect of Heathrow expansion and will be supported by a team entirely separate to the Heathrow Expansion Programme team. This team will be based in RDM Group in the Transport and Works Act Orders unit.
- 5.3. [REDACTED] drew the Board's attention to the table included in the papers which sets out a comparison with the previous propriety arrangements. The new arrangements permit more frequent and less formal correspondence with Heathrow, however the merits of any DCO application cannot be discussed with Heathrow or any other party.

5.4. TP queried the proximity between the Heathrow Expansion Programme team and the team advising the DMM. CL confirmed that this team will be within the same building but physically and electronically separate. CL added that the DMM's team is not yet in place but once it is, separation will be ensured in the way that it has been for other DCOs.

5.5. [REDACTED]

6. Assurance review of HAL's Masterplan

6.1. [REDACTED] explained that as HAL are finalising their masterplan, the team has been thinking about any assurance the DfT may wish to undertake.

6.2. [REDACTED] noted that as the Government's role is becoming clearer, this work may be less about assurance and more about developing our understanding of and confidence in HAL's proposals and progress. [REDACTED] noted that this is in line with the evolution of the programme's approach to understanding HAL's [REDACTED] position – [REDACTED]

6.3. [REDACTED] asked the Board for their thoughts on the paper and how the programme can build on the agreements in the RfD to continue to develop confidence in and understanding of HAL's plans.

6.4. RSR suggested that it may be helpful to set out current /proposed activity in a lines of defence model, to analyse where there are any gaps or possible duplication.

6.5. TP queried where the programme will get the expertise from to undertake assurance. TP referenced the Costain work, which although very technical and detailed he found very useful and took confidence from. TP questioned whether the programme has expertise in place for other topics, for example air quality perspective. JAd mentioned that WSP provide this expertise to the programme.

6.6. The Board discussed how any assurance work would be used. CL noted that this needs to be carefully considered, adding that the context is different now that the NPS has been designated and there is no forthcoming decision point for the programme. The Board discussed the importance of mapping where activity is already happening (eg. with Highways England in their statutory role, the CAA and Independent Fund Surveyor).

6.7. [REDACTED]

6.8. [REDACTED]

6.9. RSR asked whether HAL have checkpoints and assurance reviews. [REDACTED] confirmed they have gateways that have been agreed with the airlines for go / no go decisions and the development of their masterplan. RSR queried whether we get to feed into these and JG advised that we are an observer but that Heathrow has committed to reporting to the Transport Select Committee (TSC).

6.10. CL queried whether the IPA Routemap process could provide support in this area. [REDACTED] confirmed that as we will work with the IPA to set the ToR / scope for the Routemap this could be considered.

6.11. CL noted that ultimately this work should focus on being able to provide confidence to Parliament and Ministers that we are on track to meet the programme's broader objectives and benefits.

6.12. CL asked [REDACTED] and the team to return to the Board with a worked up proposal in two months' time and for the Board to consider this further at the 17 September session.

Action 180820/3: AS to bring an update paper on the assurance of HAL's activities to HEB in October.

7. Legal Defence

7.1. [REDACTED] informed the Board that the deadline for submission of applications for permission for judicial review has now passed and advised that six claims have been lodged with the court. The Department for Environment, Food & Rural Affairs are also named as an interested party in the claim brought by the Five Councils, Greenpeace Limited and the Mayor of London.

7.2. [REDACTED]

7.3. [REDACTED] noted that the team expects to have sufficient internal resource and resource within GLD to accommodate the work.

7.4. [REDACTED] advised that the next steps are to submit our Acknowledgement of Service and Summary Grounds of defence for each claim by 4 September 2018. We expect permission to be considered and decided by late September at the earliest. [REDACTED] noted that we currently expect the hearing to be in March 2019.

7.5. [REDACTED] The final content will be dependent on detailed consideration of the filed grounds of challenge.

[REDACTED]

7.6. JG summarised that the challenges can be grouped into the following areas: environmental; bias and predetermination; the Heathrow Hub (why their Extended Northern Runway scheme was not selected) and the consultation process. The scale of some of the claims is considerable i.e. the Five Boroughs claim is accompanied by 11,000 pages of material. JG noted that whilst we are confident in being able to robustly defend the claims, there is a significant volume of work to do.

7.7. [REDACTED]

7.8. [REDACTED]

7.9. [REDACTED]

8. Roads Update (items 8 and 9 switched due to availability)

8.1. [REDACTED] advised that other than the information contained in the paper the only other point to note is that [REDACTED]

8.2. [REDACTED] noted that this has been agreed at working level with Heathrow but that the HoT are still due to go through the relevant governance boards at Heathrow.

8.3. [REDACTED]

8.4. CL asked the team to ensure there was clarity on the potential timing of the completion of the HAL masterplanning process and the subsequent timing of the design fix for the M25 options. Any further clarity on what M25 options Heathrow plan to consult on at Con 2 would also be useful (i.e. will there still be multiple options at this stage and will costs be included).

8.5. CL asked the team to think about when a local roads update could be provided to the Board.

[REDACTED]

Action 180820/4: [REDACTED] to provide a update on local roads at a future HEB.

9. Rail Update (items 8 and 9 switched due to availability)

- 9.1. [REDACTED] talked the Board through the Rail Update paper. The market engagement team has now finished meeting with respective parties and the final report is being drafted. The report is expected to be completed in October. Work is ongoing to carefully consider the findings, particularly for SRATH. [REDACTED]

9.2. [REDACTED]

- 9.3. CL questioned the current resourcing both in Rail Group and the HEP team. [REDACTED] advised they have a few vacancies and recruitment is underway. As a result the teams are quite stretched at the moment but this is currently containable. However as the work ramps up, [REDACTED], it may become an issue. [REDACTED]

[REDACTED] CL noted that the resourcing position should be clearly set out in the update to BICC on 24 September and noted that she would speak with Roger Jones offline to ensure his ongoing support for this work ahead of BICC.

Action 180820/5: Rail team to include details on resourcing in BICC paper for 24 September.