

INDEPENDENT Phase 2a Planning FORUM FOR HS2

Title:	Independent Phase 2a Planning Forum for HS2	
Date & Time	Monday 24 September 14:00 – 15:30 Staffordshire County Council County Buildings 15 Martin Street Stafford ST16 2L1	
Chair	Ted Allett	Independent Chair
Promoter Attendees:	Paul Gilfedder Louise Portelly Sarah Walton Terry Stafford Dominic Moore Richard Proud	HS2 Ltd - Head of Town Planning HS2 Ltd - Environment & Town Planning Manager HS2 Ltd – Head of Commercial Agreements HS2 Ltd – Senior Community Engagement Manager HS2 Ltd – Senior Town Planning Manager HS2 Ltd – Commercial Manager
Local Authority Attendees:	Mike Brown Sarah Mallen John Holmes Ian Dale David Malcolm	Lichfield District Council (LDC) Staffordshire County Council (SCC) Stafford Borough Council (SBC) Cheshire East Council (CEC) Cheshire East Council (CEC)
Guests:	James Harold	Department for Transport (DfT)

Item		Action Owner
1	Pre-meet for local authorities The Chair and the LAs held a pre-meeting to exchange views and discuss matters to be raised in the Forum meeting.	
2.	Introductions The Chair invited attendees to introduce themselves.	
3.	Review of notes & actions from last meeting Amendments requested to previous minutes: 1) 3 rd paragraph, Section 4 Amend text to say 'were based' instead of 'was based' 2) 4 th paragraph, Section 6 Amend text to say Royal Assent in fourth quarter of 2019 instead of first quarter. Action. Subject to these changes, minutes agreed.	HS2 Ltd

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	<p><u>Actions</u></p> <p>Previous actions were reported as completed or alternatively an update would be provided as an agenda item during the meeting.</p> <p>The Chair flagged two further actions:</p> <p>1) Section 3 bullet 3 of 9th July minutes; ‘The Chair suggesting putting a post-meeting note in the previous minutes to explain this.’ Action.</p> <p>2) Section 4 of 9th July minutes; ‘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.’ – Action. Check if this has taken place.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
4.	<p>Service Level Agreement – update</p> <p>The rationale for having Service Level Agreements (SLAs) in place was discussed and an overview given on how the process worked for Phase One, highlighting that the Memorandum of Understanding (MoU) was the starting point, with SLAs replacing these once Royal Assent was granted. The MoUs for Phase 2a are now in place.</p> <p>Lessons had been learnt from Phase One with regards to payment processing. Some central and southern LAs exceeded SLA budgets and did not submit invoices in a timely manner which led to HS2 Ltd experiencing difficulties in paying LAs.</p> <p>To avoid this situation reoccurring, a ‘cap’ has been set on costs to be claimed. Financial approval has been granted to award SLA agreements to a set value. However, if additional services are required in the future requiring a further budget, there would be flexibility to amend the limit to meet both HS2 Ltd and the LA’s needs.</p> <p>SCC commented that they did not experience any difficulties with payment processing for Phase One and confirmed that with current forecasting they are unlikely to exceed the ‘cap’ or limit value.</p> <p>SCC went on to say that they do not have the capacity to keep track of when the limit is close to being reached and that this should be the responsibility of HS2 Ltd to monitor. Further to this, SCC explained that they had received several queries from HS2 Ltd on invoices recently despite submitting timesheets as was done for Phase One.</p> <p>HS2 Ltd confirmed that a new template had been produced for payment processing which should make the process simpler. Richard Proud, HS2 Ltd confirmed that he was the main point of contact for all Phase 2a LAs with regards to invoice processing.</p>	

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	<p>The Chair questioned the concept of the 'cap' and suggested that it be referred to as 'budget'. If agreement is to pay for certain types of work, HS2 Ltd should estimate the associated costs and set a budget accordingly.</p> <p>The Forum requested that in future the term used is 'SLA budget.'</p> <p>The Forum agreed that, to inform forecasting and monitor budget the best approach would be for LAs to submit invoices to HS2 Ltd on a quarterly basis with set deadlines.</p> <p>Action. HS2 Ltd to check that submissions of quarterly invoices is acceptable: if so, this should be implemented and written as a commitment in the SLAs.</p> <p>Action. Remove the term 'capping' from the SLA and instead refer to 'SLA budget' and provide indicative timescales for payment of invoices.</p> <p>It was acknowledged that the SLA being discussed was appropriate for this period of time for work pre-Royal Assent, and that post-Royal Assent there would be a different agreement in place.</p> <p>Action. Include wording to this effect in the SLA.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
5.	<p>Phase 2a Bill - update</p> <p>Paul Gilfedder, HS2 Ltd provided a Phase 2a Bill update on behalf of Simon Knight (please refer to slide pack for more detail).</p> <p>SBC queried if/when remaining petitions would be heard by the Select Committee, including those that had deferred. HS2 Ltd confirmed that they would, along with AP2 petitions. HS2 Ltd recognised that there is a specific issue with one petitioner in SBC.</p> <p>Action. HS2 Ltd to confirm to SBC the position with the deferred petitioner in its area.</p> <p>The Chair informed the group that during the pre-meeting, LAs discussed the Second Special Report of the Phase 2a Select Committee, specifically with regards to the recommendation on the membership of the Phase 2a Planning Forum. HS2 Ltd confirmed that the Government are currently drafting the response to the Select Committee's report, which would be published in due course.</p> <p>SCC reported that their members have specifically queried this recommendation so it is essential that the message is clear to avoid confusion about appropriate attendance at future meetings.</p> <p>At this point in the meeting HS2 Ltd provided an update on community engagement activities.</p> <p>The dates and locations for the Phase 2a information events have been</p>	<p>HS2 Ltd</p>

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	<p>confirmed and should have been communicated with relevant stakeholders. SCC confirmed that they had received this information. HS2 Ltd highlighted that these events were not specifically for AP2, but were general information events to provide an update on the project, at which information about AP2 changes and its process would be available. HS2 Ltd confirmed the additional event on 19th October at Abbots Bromley specifically on the AP2 power supply proposals (known as Parkgate).</p> <p>The Chair asked for confirmation as to whether or not the scope of AP2 was now confirmed. HS2 Ltd confirmed that the details were still being developed, but that some high level proposals were in the public domain.</p> <p>SCC stated that affected land owners had started contacting members and asked what information should be shared with them in response.</p> <p>HS2 Ltd confirmed that the information included in recent letters to Parish Councils should be referred to in these cases. HS2 Ltd offered to assist in answering questions which come through and also advised that members should direct people to the HS2 help desk for answers. This allows HS2 Ltd to track responses and gain an understanding of the issues being raised by the public.</p> <p>In addition to the information sent to Parish Councils, two newsletters have been shared externally, one with route-wide relevance and the other specifically related to the power supply at Parkgate which had been shared only with those to which the change is relevant.</p>	
6.	<p>Fee and Appeal Regulation Principles - update</p> <p>HS2 Ltd reminded the Forum that at the last meeting the principles that are proposed for the fee and appeal regulations had been presented and they are the same as were included in the Phase One regulations.</p> <p>It was noted that comments had already been sought from the Forum on these principles. No comments were received, therefore DfT intend to instruct lawyers to begin drafting the Phase 2a regulations on the basis set out at the last meeting</p> <p>Action. An update on progress will be provided at the January Planning Forum.</p>	HS2 Ltd
7.	<p>Draft Schedule 17 Statutory Guidance</p> <p>HS2 Ltd provided an overview on Schedule 17 Statutory Guidance (please refer to slide pack for more detail).</p> <p>Action. Amend slide 11 to say 'Schedule 17 Statutory Guidance' instead of draft class approvals' in the first line.</p>	HS2 Ltd

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	<p>HS2 Ltd confirmed that the guidance will be published around Royal Assent on Gov.uk. Action. Share the link after the Forum to the Phase 1 guidance.</p> <p>HS2 Ltd emphasised that although the guidance for Phase 2a was essentially the same as is now effective on Phase One with minor changes, comments were welcomed from LAs as HS2 Ltd are open to receiving proposed amendments since the aim is always to make improvements where helpful. Action. LAs to review and send through comments (to the Phase 2a Planning Forum email address) within 4 weeks of receiving the guidance for review.</p> <p>Confirmation was given that the Statutory Guidance is a DfT document: James Harold (DfT) said was content with this consultation process.</p>	<p>HS2 Ltd</p> <p>LA's</p>
8.	<p>Draft Construction Arrangements Class Approval</p> <p>HS2 Ltd provided an overview on Draft Construction Arrangements Class Approval (please refer to slide pack for more detail).</p> <p>HS2 Ltd confirmed that unlike the Schedule 17 Statutory Guidance, there was a statutory requirement to consult on the Class Approval. Consultation for Phase One took place after the House of Lords published their final report but before Royal Assent was granted.</p> <p>The plan is to do the same for Phase 2a. However, in addition to the statutory consultation period, HS2 Ltd will be coordinating two previous rounds of non-statutory engagement.</p> <p>The Bill is not specific about who should be consulted: for Phase One a number of NGOs responded in addition to the LA's. Anyone can respond to the consultation but the emphasis is on planning authorities.</p> <p>Action. As part of the first round of non-statutory engagement, LAs are asked to review and send through comments (to the Phase 2a Planning Forum email address) within 4 weeks of receiving the guidance for review. Advice is to read alongside the Bill and CoCP so that the synergies can be seen and understood.</p> <p>Action. HS2 Ltd to provide written responses on all comments received and share comments and responses at the January Planning Forum meeting.</p> <p>For the Phase One statutory consultation, a report was published which sets out all comments received and responses provided: the same will be done for Phase 2a. Action. HS2 Ltd to share a link to Phase one report to provide example and context.</p> <p>The Chair confirmed that for Phase One all comments were responded to in some form and all were implemented.</p>	<p>LA's</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>

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	<p>CE commented that the difficulty comes when enforcement is required as the responsibility relies with the LA's and not the Secretary of State.</p> <p>Action. HS2 Ltd to find out if enforcement activities are covered by the SLA. HS2 Ltd confirmed that they is not aware of any instances where the Phase 1 Class Approval has not been complied with.</p>	HS2 Ltd
9.	<p>Phase 2a Planning Forum Programme</p> <p>HS2 Ltd provided an overview of the proposed programme (please refer to slide pack for more detail).</p> <p>At the next meeting in November 2018, information will be provided on the process for LAs to become qualifying authorities. HS2 Ltd emphasised the importance for meeting deadlines with regards to this matter, once the deadline has been reached there is no legal way of making changes.</p> <p>HS2 Ltd confirmed that a tracker will be kept updated so that the current statuses of all the planning documents are shared at every meeting.</p> <p>HS2 Ltd then talked through an overview slide on how engagement is planned with the Forum going forward.</p> <p>The Chair confirmed that holding the Planning Forum meetings every two months was the right frequency, given the current development status of the documents.</p> <p>It was confirmed that there are no deadlines for review of Planning Forum Notes as they can be revised even after Royal Assent. They have a different status to all of the other documents to be discussed in this Forum.</p> <p>There were 12 Planning Forum notes for Phases One, the first 8 covering the fundamentals of the planning process. Therefore it is desirable to review these at Phase 2a Planning Forum as soon as possible.</p> <p>The Phase One Planning Forum notes are published on Gov.uk.</p> <p>Action. HS2 Ltd to share link to the notes.</p> <p>HS2 Ltd confirmed that each LA will be provided with an indicative list of consents to be expected in their areas in the spring and the intention is to discuss these with each LA on a bilateral basis.</p> <p>CE confirmed that this early indication will be welcomed so that budget forecasting can be completed as early as possible.</p> <p>Future meeting dates: The next meeting is to take place on Monday 26th November.</p> <p>Action. SCC to see if the room can be available from 1pm and if Thursdays would be possible.</p> <p>Action. HS2 Ltd to ask James Henderson if he would be available to attend meetings on Thursdays. If so, meetings from Jan 2019 onwards will be on</p>	<p>HS2 Ltd</p> <p>SCC</p> <p>HS2 Ltd</p>

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	<p>Thursdays.</p> <p>Action. Following discussion with James Henderson, HS2 Ltd to send holding invites to Forum members once confirmation on room availability has been received from SCC.</p>	HS2 Ltd
10.	<p>AOB</p> <p>SCC raised a concern which was shared by a SCC Councillor – that communications should be received by Councillors before Parish Councils going forward. SCC to meet 1:1 with the Councillor who raised this concern to find out the specifics behind their request.</p> <p>The Chair said so that it was on record, that although he had been in post as the Phase 2a Planning Forum Chair since January 2018, he had still not received a contract. In July he was informed that a contract would be issued imminently but had still not received anything. HS2 Ltd confirmed that he was working behind the scenes to resolve this issue and apologised on behalf of HS2 Ltd for the delay. The Forum confirmed that they would like it to be noted that the situation was not acceptable and a resolution should be forthcoming as soon as possible.</p>	