

INDEPENDENT Phase 2a Planning FORUM FOR HS2

Title:	Independent Phase 2a Planning Forum for HS2	
Date & Time	Wednesday 13th March 2019 11.00 – 13:30 Staffordshire County Council No. 1 Staffordshire Place Stafford ST16 2LP	
Chair	Ted Allett	Independent Chair
Promoter Attendees:	Paul Gilfedder Reiss Graham Iain Andrews Dominic Moore Nick Hilton Lizzie Smith Simon Knight	HS2 Ltd - Head of Town Planning HS2 Ltd – Town Planning Advisor HS2 Ltd – Head of Community Engagement HS2 Ltd – Town Planning Lead, Phase 2 HS2 Ltd – Project Director, Phase 2a HS2 Ltd – Town Planning Advisor HS2 Ltd – Head of Petition Management & Technical Teams
Local Authority Attendees:	Craig Jordan ? John Holmes Ian Dale Emma Williams	Lichfield District Council (LDC) Stafford Borough Council (SBC) Cheshire East Council (CEC) Cheshire East Council (CEC)
Promoter Attendee:	James Henderson	Department for Transport (DfT)
Apologies:	Sarah Mallen Ian Dale Anna Miller Liam Cowden Guy Benson	Staffordshire County Council (SCC) Cheshire East Council (CEC) East Staffordshire Borough Council (ESC) Shropshire Council (SC) Newcastle-under-Lyme Borough Council (NUL)

Item		Action Owner
1.	Pre-meet for local authorities The Chair and the LAs held a brief 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 The wording of section 5 of the previous meeting minutes is to be reviewed for clarity. Action. There were no other comments on the minutes.	HS2 Ltd

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	All previous actions were reported as completed or an update would be provided during the meeting.	
4.	<p>Phase 2a Bill – update</p> <p>SK (HS2 Ltd) provided an update on the Phase 2a Bill (please refer to slide pack for more details):</p> <ul style="list-style-type: none"> • Additional Provision 2 (AP2) was deposited on 8 February • Key changes related to design refinements, utilities and highways works including some items that petitioners required and those directed by the Select Committee. • AP2 petitioning period will end on <u>15 March</u> • The Additional Provision Environmental Statement (AP ES) and Supplementary Environmental Statement (SES) are subject to a consultation. The consultation period will end on <u>29 March 2019</u> <p>SK explained that the AP ES and SES consultation is unlike a normal HS2 Ltd consultation, as HS2 Ltd will not produce a response to the consultation responses received. The purpose of the AP ES and SES consultation is to inform Parliament's consideration of the Bill at the Third Reading stage. It was also explained that Parliament's Independent Assessor will produce a summary of the responses received during the AP ES and SES consultation and they have to provide their report in advance of Third Reading.</p> <p>SK explained that the report by Parliament's Independent Assessor would breakdown comments received into generic issues and/or geographical issues to the extent that they rise above the individual cases.</p> <p>SK then detailed the next steps for the AP2 programme:</p> <ul style="list-style-type: none"> • Aim is for the Select Committee to resume its hearings in late March (25 March) • Expect the sessions before the Easter Recess to be limited to briefings, site visit and any 'right to be heard' challenge hearings • Easter Recess is 5 April – 22 April inclusive • After the Easter Recess (23 April), the expectation is (subject to seeing the petitions received) that they will start with the in-principle case for Parkgate, the proposed new power supply connection • Expect to then hear the petitions in the same order as before, working through the route south to north, with route wide petitions (e.g. environmental NGOs, utilities etc.) at the end • Expect Select Committee to publish a third, final report at the end of their hearings • Aim is for Select Committee to complete its hearings and report the Bill by June • Select Committee stage will be followed by Public Bill Committee and Report/Third Reading 	

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	<p>The Chair asked if any petitions had been received on AP2 and if any Local Authority petitions had been received.</p> <p>SK confirmed that 10 petitions have been received so far but none of these were from Local Authorities.</p>	
5.	<p>Community Engagement update</p> <p>IA provided an update on HS2 Ltd's engagement work noting that their engagement activities fell into four categories:</p> <ol style="list-style-type: none"> 1. To inform 2. To respond 3. To involve 4. To consult <p>IA also highlighted the key Phase 2a engagement activities which were:</p> <ul style="list-style-type: none"> • AP2 related engagement - letters were sent to anyone directly impacted and follow up engagement was also undertaken, especially for those with low awareness of HS2, for example in areas where works are proposed for the Handchurch and Parkgate power supply. • Tailored surgery style events – it is the intention to undertake further surgery style events. • Ground investigations programme • Route-wide newsletter – such as that mailed out to 20,000 addresses up to 1km of the route. • Commonplace websites [www.hs2instaffordshire.co.uk and www.hs2incheshire.co.uk] <p>The Chair asked if the target date for Royal Assent was still anticipated for the end of the year. SK replied that December 2019 was the expected Royal Assent date.</p>	
6.	<p>Phase 2a Sub-group update</p> <p>RG provided the Forum with an overview of the planning memorandum, and terms of reference regarding sub-groups, as well as an update on the activity of the sub-groups (please refer to slide pack for more details).</p> <p>Heritage Sub-group</p> <ul style="list-style-type: none"> • Terms of Reference to be based on Phase 1 • First meeting to take place in June / July 2019 • Propose to meet twice a year (additional meetings as needed) 	

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	<p>Environmental Health Sub-group</p> <ul style="list-style-type: none"> • First meeting to take place in June 2019 • Propose to meet every four months <p>Water Sub-group</p> <ul style="list-style-type: none"> • First meeting to take place in Summer 2019 • Ad-hoc meetings as necessary • Meetings will focus on protective provision process <p>Highways Sub-group</p> <ul style="list-style-type: none"> • Already established - five meetings have taken place to date • Regular meetings every two months • Terms of Reference agreed <p>ID (CEC) and JH (SBC) queried attendance at the Highways Sub-group as they were not aware of the outcome of these meetings.</p> <p>JH asked if the members could be provided with copies of the Highways Sub-group agenda and minutes. PG advised that the minutes were published online on the gov.uk website and confirmed that HS2 Ltd would circulate the Highways minutes to the Planning Forum.</p> <p>PG also advised that Phase 2a sub-groups will be on the next agenda when HS2 Ltd will update on any activities.</p> <p>JH asked if HS2 could share minutes and agendas with local authorities prior to sub-group meetings, in case input was required. PG stated arrangements were already in place with the Highway Local Authority representative but would check if District Councils could be added to the highways sub-group circulation list for information.</p> <p>ACTION – HS2 Ltd to circulate previous Highways sub-group minutes, Terms of Reference and subgroup agendas prior to their meetings for the awareness of the Planning Forum.</p> <p>ID queried whether HS2 were requesting nominations from members to attend the sub-groups. PG said that this was not the case as HS2 already has the relevant contacts through the informal engagement meetings that have already taken place with the relevant specialists from the local authorities.</p> <p>The Chair asked HS2 to provide members with a list of attendees for each sub-group. Action</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
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	<p>RG advised that Parish Councils were invited to the Highways Sub-group for an annual extraordinary meeting and that the first such meeting was planned to take place in June/July 2019.</p> <p>JH raised concerns that Districts were not involved, and ID expressed that communication within authorities was not always instant, so in some situations they may not be aware of activities until too late.</p> <p>JH (DfT) referred to the Sub-group's Terms of Reference and confirmed that the Extraordinary meetings of the Highway Sub-group involved Parish Councils <u>and</u> District Councils.</p> <p>The Chair noted it would be good practice to circulate the Terms of Reference for each sub-group to the Forum for the members' awareness.</p>	
7.	<p>Phase 2a Consenting numbers</p> <p>DM (HS2 Ltd) provided an overview of how the consenting numbers for Phase 2a would be determined. It was stated that early environmental works are likely to take place from spring 2020.</p> <p>DM noted that the process of estimating the number of Schedule 17 consents that will be needed is indicative. It was explained that HS2 Ltd would look to define consenting packages to make the process of obtaining consent from Local Authorities as efficient as possible. Examples of early environmental Schedule 17 applications were listed and consisted mainly of newt ponds and bat roosting structures.</p> <p>DM advised that HS2 Ltd would be in contact with Local Authorities to arrange bilateral meetings, to provide an overview of the Schedule 17 planning regime and the early environmental works consenting numbers.</p> <p>DM also stated that it is expected that contractors for the early environmental works will come on board in the coming months and further meetings would be arranged with Local Authorities to review the consenting packages. It was HS2's intention that Local Authorities should have no surprises as pre-application discussions will have taken place.</p> <p>DM noted that the experience of work done around the early environmental works consenting process on Phase 1 has been positive and LDC agreed with HS2's interpretation of the process.</p> <p>The Chair queried when other early works were going to happen. NH (HS2 Ltd) confirmed that the early environmental works were planned to commence in spring 2020. With other early works, such as some of the major off route highways commencing towards the end of 2020.</p>	

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	<p>The Chair also queried utility diversions. NH stated that utility diversions will not take place in 2020: it would more than likely be 2021. NH offered to bring an outline programme to a future meeting to provide an indication of when these packages would be coming forward. Action.</p> <p>Members agreed that this would be very helpful.</p> <p>CEC raised concerns around current resources and managing workload around consenting packages. NH stated this should be considered by HS2 and Local Authorities when discussing consenting packaging. From a HS2 perspective the works need to be practically organised so that Local Authorities can determine the Schedule 17 applications effectively, therefore the discussion regarding Local Authority resourcing needs to happen to ensure workloads are properly programmed.</p> <p>The Chair noted that this approach was sensible, as members were unlikely to want to receive multiple applications for similar works in the same location.</p> <p>EW noted that one of their concerns related to how consents were packaged and advised that the approach mentioned would assist in members meeting the prescribed timescales. DM noted this concern and offered to work closely with CEC.</p>	HS2 Ltd
8.	<p>Code of Construction Practice & demolition</p> <p>PG provided an overview of the changes related to the Code of Construction Practice (CoCP) and recapped that AP2 sought to dis-apply sections of the Building Act 1984 which related to consents, counter notices and how demolitions were managed (please refer to slide pack for more details).</p> <p>A draft of these additions to the Draft Phase 2a Code of Construction Practice were circulated to Forum members on 27 February and requested final comments by 4th April 2019 via 2aplanningforum@hs2.org.uk</p> <p>There were two proposed additions to the CoCP to increase the level of control:</p> <ul style="list-style-type: none"> • Demolition section at the end of Chapter 5 General Requirements • Template added as annex 4 <p>PG stated the changes could be found in Chapter 5 (contents 1.1.2 & 1.1.3) which detailed the following:</p> <ul style="list-style-type: none"> • Requirement to submit a Demolition Plan to the relevant local authority for consultation at least six weeks before commencing demolition. 	

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	<ul style="list-style-type: none"> • The measures relating to these themes in the Demolition Plan will be drawn from relevant sections of CoCP. • Requirements in para 1.1.2 ensure that the matters that could be addressed through section 82(1)(j) are always covered. • 1.1.3 reflects the requirements of 82(1) (a) to (i). <p>The Chair invited HS2 to explain why the disapplication has been sought for Phase 2a. PG explained that the decision resulted from the imposition of a demolition counter notice by a Phase 1 authority which promoted a review of the controls.</p> <p>PG reiterated that the changes did not reduce the Las' control. Instead, the controls remain the same, but the process is slightly different.</p> <p>The Chair asked would this effect HS2 Phase 1. PG explained that as the EMRs for Phase 1 were fixed, HS2 could not retrospectively change them and therefore local authorities could still serve counter notices.</p>	
9.	<p>Planning Forum Notes – update</p> <p>LS (HS2 Ltd) provided a recap of the Planning Forum Notes (PFN) noting that they were a series of notes which provide detailed guidance on the various types of Schedule 17 requests for approval that will be submitted to the local planning authority.</p> <p>LS reminded members that eight PFNs have been circulated and no comments had been received. As such, it was assumed that members were content with those PFNs. Members agreed that they were content with the PFNs.</p> <p>LS explained that HS2 would like to start the process of finalising the PFNs and publishing them on the HS2 website. It was made clear that members could still request amendments to the PFNs and HS2 Ltd would take them through the formal process again. The Chair emphasised that this was a two-way process and that either party could request to do this.</p> <p>LS explained that PFN 4 was shared with statutory consultees' bodies, the Environmental Agency, Canals and Rivers Trust and Historic England. One comment was received from Historic England who wanted a definition on what constituted 'a site of archeological or historic interest' and for this to be included in PFN 4.</p> <p>Legal advice was sought, and it was decided that the wording should be changed to make reference to the National Planning Policy Framework for the purposes of defining 'a site of archeological or historic interest'.</p>	

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	<p>The Chair noted that Planning Forum Notes 1 – 3 are agreed as final and a further 4 weeks will be allowed for comments on Planning Forum Notes 4 – 8. Action.</p>	LAs
10.	<p>Draft Schedule 17 Statutory Guidance</p> <p>LS clarified that the Schedule 17 Statutory Guidance would be published by the Department for Transport [DfT] on behalf of the Secretary of State.</p> <p>The draft Schedule 17 Statutory Guidance details how Schedule 17 works in practice and outlines the key difference to the process and controls between the Bill and the Town and Country Planning Act.</p> <p>LS noted that the draft Schedule 17 Statutory Guidance was shared in September and no comments have been received from members. It was requested that this item should be finalised and if any changes were required a further consultation with members would be undertaken.</p> <p>The Chair and members agreed that the Schedule 17 Statutory Guidance could be agreed as final.</p>	
11.	<p>Project update</p> <p>JH (DfT) provided a brief update on all phases.</p> <p>Phase One</p> <ul style="list-style-type: none"> • 5 February: latest designs for Old Oak Common station unveiled. • 6 February: construction teams named that will be awarded contracts to deliver London terminus and Old Oak Common. <p>Phase 2a</p> <ul style="list-style-type: none"> • 8 February: AP2 deposited before Parliament. • March: route wide newsletter issued by HS2 Ltd • Qualifying Authority process: expect to formally write to authorities in April/ May inviting them to confirm if they intend becoming a Qualifying Authority. <p>Members requested that Chief Executives were included in the mail listing for Qualifying Authorities. DfT took this as an action. Action.</p> <p>Phase 2b</p> <ul style="list-style-type: none"> • Working towards consulting on potential further changes on 2b this year including some to facilitate Northern Powerhouse Rail. 	DfT
12.	<p>Forward Plan and Planning Forum Documents</p> <p>LS provided an overview of the Forward Plan and Planning Forum Documents [see slides pack for more detail].</p>	

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13.	<p>AOB</p> <p>EW queried an HS2 action in relation to post Royal Assent SLAs and whether they covered enforcement activities by local authorities.</p> <p>The item had been removed from the actions log but has since been added, as no outcome had been determined.</p> <p>HS2 Ltd would take this as an action and consult the Commercial team for a response on this item. Action.</p>	HS2 Ltd
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