

HS2

Phase 2a Planning Forum

Wednesday 13th March 2019

Review of previous minutes & actions

Meeting	Date	Item	Action	Status
#6	November	6	Action – HS2 Ltd to provide members with the Schedule 17 presentations that were given to Phase 1 Parish Councils on Act Powers and Consenting.	Ongoing – HS2 Ltd to provide a simplified presentation and will be picked up bilaterally with Phase 2a members.
#6	March	2	Action- HS2 Ltd to review section 5 of January meeting minutes to clarify wording	Ongoing - unable to complete as minuted action did specifically refer to wording in section 5.
#6	March	6	Action – HS2 Ltd to circulate Highway Subgroup ToR & meeting minutes	The 2a Planning Forum mailbox has been added to the Highways subgroup circulation list so the Forum will be forwarded material when available.
#6	March	6	Action – HS2 Ltd to provide the Forum names of the various Subgroups local authority attendees.	Update to be provided during item 11.
#6	March	6	Reoccurring Action (DO NOT REMOVE) – HS2 Ltd to circulate Highway Subgroup meeting agenda and minutes.	No material yet received to 2a planning forum mailbox to forward to members.
#6	March	9	Action – LAs to review revised PFN4: 'Consultation' and send comments to the Planning Forum mailbox.	No comments received to mailbox.
#6	March	10	Action – the DfT to include LA Chief Executives in formal correspondence inviting LAs to become a 'qualifying authority'.	Update to be provided during item 7.
#6	March	13	Action – HS2 Ltd (Commercial Team) to clarify if post-RA SLA includes enforcement activities.	It will not include them as only activities subject of the Phase 2a Information Paper C12: Local Authority Funding and New Burdens will be included. However, a local authority are able to apply for a New Burden under the process documented.
#6	March	7	Action – HS2 Ltd to provide outline programme for utility diversions	Ongoing – to be provided at next meeting (July 17 2019)

HS2

The High Speed (West Midlands to Crewe) Bill - update

Martin Wells, Senior Petition Manager, Major & Complex Agreements, HS2 Ltd
Hybrid Bill Delivery Directorate
May 2019

House of Commons

- Last House of Commons Select Committee public hearing expected to be 15 May 2019
- Next step would be publication of their final Special Report and formally reporting the Bill, allowing it to continue on its passage through the House of Commons
- Next stage is Public Bill Committee, where a Committee of MPs go through the Bill clause by clause and amendments can be tabled and debated. Expected to take place in the first half of June*
- Following that, the next stages are Report and Third Reading on the floor of the House, which are usually taken consecutively on the same day. Again, amendments can be tabled and debated at Report whilst Third Reading is more of a debate stage like Second Reading, though amendments can also be tabled and debated. Expected to take place in the second half of June/early July*
- Government response to the Select Committee's final Special Report and a Command Paper setting out the Government's overview of the case for HS2 Phase 2A and its environmental impacts will be published in advance of Third Reading

** All dates are indicative and are subject to the Parliamentary timetable and progress on the preceding stages etc*

House of Lords

- First Reading in the House of Lords takes place immediately after the Bill receives its Third Reading in the House of Commons (usually the same day), and so is expected to take place in the second half of June/early July*
 - First Reading is a formality (there is no debate), and **the petitioning period in the House of Lords starts from First Reading**, not Second Reading as in the House of Commons
 - The petitioning period will be set in accordance with Standing Orders (SO101A), which stipulates that it should last for a minimum of 25 calendar days
 - Expect the Private Bill Office in the House of Lords to set up a dedicated Select Committee website as in the House of Commons, and to publish petitioning guidance and materials, nearer the time
 - Expect Second Reading and formation of the Select Committee etc to take place in early/mid-July*
 - The Select Committee is not expected to begin substantive petition hearings until the House of Lords returns after the Summer Recess, which is typically the first week of September
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Community Engagement - update

Terry Stafford, Senior Community Engagement Manager, Phase 2a, HS2 Ltd

2a Community Engagement snapshot – May 2019



Ground investigations – surgery and drop-in, site visits for parish councils

Summer events

Information points along the route

Commonplace sites

Early CEF and BLEF discussions

AP2 engagement

Progress report

HS2

Draft Planning Forum Notes - update

Lizzie Smith, Town Planning Manager, Phase 2a, HS2 Ltd

Draft Planning Forum Notes – recap

- HS2 have been presenting various Planning Forum Notes to local authorities at Phase 2a Planning Forum meetings since **November 2018**
- HS2 have subsequently shared those draft Planning Forum Notes with local authorities for their review and comment
- Once review process complete, local authorities will agree that drafts be made “final”
 - Local authorities agreed that Planning Forum Notes 1, 2 & 3 were final at the March 13th 2019 meeting
- HS2 have instructed their Digital Team to publish these Notes on gov.uk (link to be shared – **HS2 ACTION**)



Planning Forum Notes - status

Title	Status
PFN1: Content of submissions & standard templates	
PFN2: Drawings for plans & specifications approvals	Final versions agreed at 13 March 2019 meeting following two rounds of consultation.
PFN3: Written statements and DAS'	
PFN4: Consultation	Revised version shared with LAs on 10 April 2019 . No LA comments received.
PFN5: Model Conditions	No LA comments received to date following two rounds of consultation.
PFN6: Lorry route approvals	Wording currently being revised in the Phase 1 Note, once clarified, Phase 2 Note will be updated and shared with LAs.
PFN7: Bringing into use approvals	No LA comments received to date following two rounds of consultation.
PFN8: Use of the Planning Portal	Wording currently being revised in the Phase 1 Note, once clarified, Phase 2 Note will be updated and shared with LAs.

Draft Planning Forum Notes

Planning Forum Note 9: Decision Notice Guidance

- Note provides guidance for planning authorities on what should be included in a decision notice for a Schedule 17 request for approval
- For example:
 - the planning authority should reference the relevant paragraph/s in Schedule 17 for the planning matter subject to the approval, refusal or condition
 - where the planning authority refuses or imposes conditions on the approval, they should also reference the relevant grounds from the paragraph/s in Schedule 17



Draft Planning Forum Notes

Planning Forum Note 10: Indicative Mitigation

- Note provides guidance on the process of providing indicative mitigation
- Process for seeking approval for building works and other construction works, does not include requirement to seek approval for associated mitigation
- HS2 acknowledge that when planning authorities are determining a plans and specifications approval for these works, they need to understand the effects being mitigated
- Therefore, the Planning Memorandum requires the nominated undertaker to provide the planning authority with an indication of any mitigation measures it proposes to seek approval for **subsequently** – when a request for approval for a “bringing into use” is submitted



Draft Planning Forum Notes

Planning Forum Note 10: Indicative Mitigation

- Indicative mitigation information is not submitted for approval
- However, the planning authority should provide comments so the nominated undertaker can consider the mitigation design in advance of them being undertaken, or subsequently submitted for approval
- The purpose of this process is to reduce the risk of mitigation being undertaken (usually early in the construction programme) and requested to be modified or the approval refused when the bringing into use approval is submitted (usually later in the programme)



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Process for becoming a Qualifying Authority - update

Amanda John, Policy Advisor, HS2 Phase 2a Environment Team , DfT

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Draft Construction Arrangements Class Approval - update

Paul Gilfedder, Head of Town Planning, HS2 Ltd

Matters ancillary to development

Paragraph 4 of Sch 17 requires the approval of matters ancillary to development:

- a) handling of re-useable spoil or topsoil;
 - b) storage sites for construction materials, spoil or topsoil;
 - c) construction camps;
 - d) works screening;
 - e) artificial lighting;
 - f) dust suppression;
 - g) road mud control measures.
- Approval of how matters are managed during construction.
 - Approval of text link to the CoCP



Class approval

Paragraph 5 of Schedule 17 “The Secretary of State may for the purposes of paragraph 4 make a class approval of arrangements relating to the ancillary matters”

- handling of re-useable spoil or topsoil;
 - storage sites for construction materials, spoil or topsoil;
 - works screening;
 - artificial lighting;
 - dust suppression;
 - road mud control measures.
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- But not construction camps
 - LPAs maintain enforcement powers
 - Ensures protection of the environment



Class approval – engagement and next steps

- Draft 2a Class Approval prepared on the basis of the draft Phase 2a CoCP.
 - Drafts shared with the Forum:
 - Sept 18
 - Jan 19
 - No comments received
 - As no changes to the CoCP have come out of Select Committee HS2 is proposing no changes to the draft class approval
 - Paragraph 5 of Schedule 17 requires that a statutory consultation is undertaken before the class approval is made.
 - Programme for this is not yet fixed.
 - Statutory consultation for Phase One Class Approval took place after the House of Lords Select Committee reporting.
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Phase 1 Class Approval Consultation documents

Phase 1 Class Approval statutory consultation:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/579280/high-speed-rail-bill-draft-class-approval.pdf

Phase 1 Class Approval consultation Government Response:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/601541/hs2-government-response-to-consultation-on-draft-class-approval-web-version.pdf



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Bilateral Meetings & Schedule 17 Consents Numbers

Dominic Moore, Phase 2 Town Planning Lead, HS2 Ltd

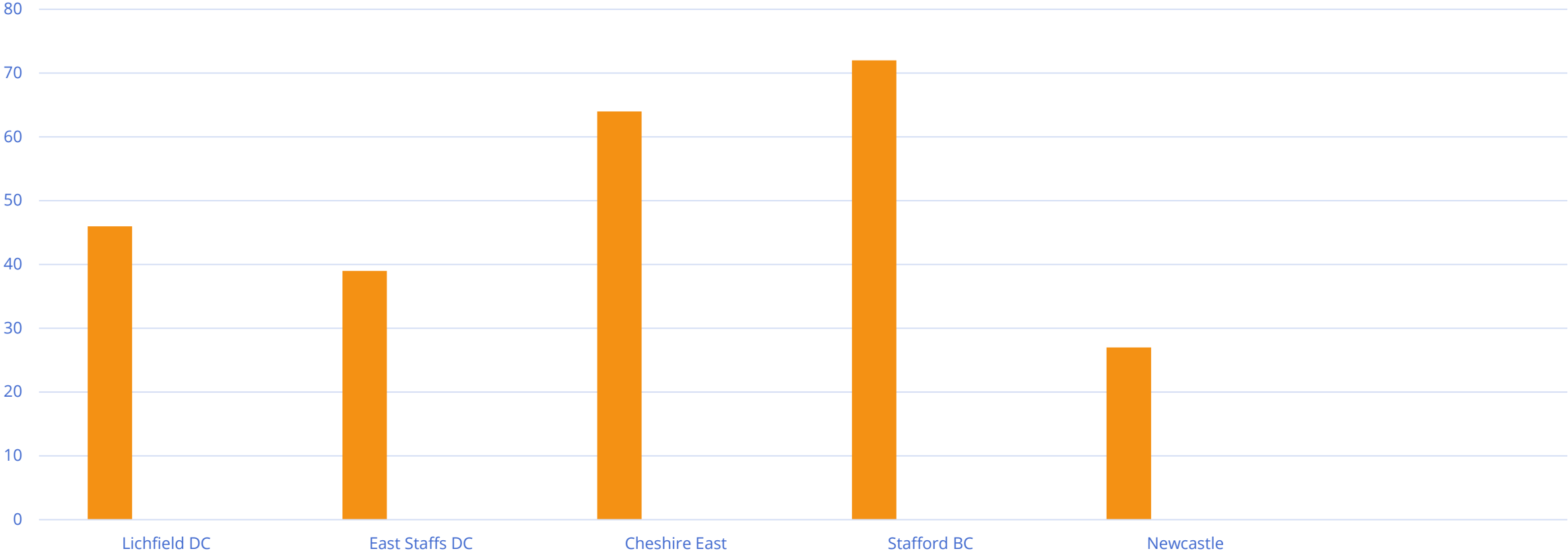
Timeframes

- High-level Works Numbers, April 2019 (see bar chart on next slide)
 - Number of works does not equate to number of consents. Not all works require planning approval and a process of packaging consents need to be undertaken
- LPA Bi-lateral Meetings, on-going
- Formal appointment of Early Works Contractors - June 2019
- Beginning of Pre-application discussions - Autumn 2019
- HS2 Phase 2a Royal Assent - December 2019 (expected)
- First Schedule 17 submissions - Spring 2020



EEW Works Numbers

EEW Works Numbers



Next Steps

- Refinement of works numbers into consents packages – May 2019
- Confirmation of Packaging Strategy – June 2019
- Introduction to EEW Contractors – Summer 2019
- Pre-submission discussions on early works with each planning authority as design develops – Summer - 2019
- Best practice workshop - TBC



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HS2 Project Update

Amanda John, Policy Advisor, HS2 Phase 2a Environment Team , DfT



Project update

Phase One

- ▶ Enabling works continuing up and down the route; detailed design and pre-application discussions / Schedule 17 submissions ongoing.
- ▶ Woodland Fund: fund reopened to applications in March 2019.
- ▶ Community & Environment Fund/Business & Local Economy Fund: recently passed two mini milestones - 150 applications and £4m approved awards (some soon to be published).
- ▶ Cycling: The Minister recently announced an extra £23m for Sustrans to spend on cycling – including on projects along HS2 route.

Phase 2b

- ▶ Preparation is underway for consulting on a set of design refinements later this year.

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Phase 2a Forward Plan & Documents Tracker

Paul Gilfedder, Head of Town Planning, HS2 Ltd

Forward Plan

	Jan-19	Mar-19	May-19	Jul-19	Sep-19	Nov-19
1.	Planning Forum Notes 5 to 8 (draft 1)	Schedule 17 Statutory Guidance - final update	Planning Forum Notes 5 to 8 - final update	Fees Regulations - update	Planning Forum Notes 11, 12 & 13	Phase 2a Planning Forum 2020 Lookahead
2.	Fee and appeal regulations - update	Consenting Numbers	Becoming a qualifying authority - update	Appeals Guidance (draft 1)	Appeals Guidance - update (response to comments)	Planning Forum Notes 11, 12 & 13 - update
3.	EMRs - any changes coming from Commons process	Planning Forum Notes 1 to 3 - final update	Class Approval - update	EMRs - final update	Becoming a qualifying authority - update	
4.		Planning Forum Note 4 - HE amendments	Planning Forum Notes 9 & 10	Planning Forum Notes 9 & 10 - update	Class Approval Statutory Consultation - update	
5.		Phase 2a Subgroups		Community & Environment Fund (CEF) and Business & Local Economy and (BLEF)		
6.				Indicative Utility Works Programme		

Subgroup Meetings - update

	Highways	Environmental Heath	Flood Water & Drainage	Heritage
Key HS2 Contacts	Peter Tomlin	Caroline Richards/Laura Setright	Jason Small	Helen Wass/Chris Jordan
Next Meeting Date	6 th June (extraordinary annual meeting)	12 th June 2019	Late summer	25 th June 2019 (TBC)

- Invitee lists for the Subgroups will be circulated after today's meeting



Planning Forum Documents Status

Title	Status
Environmental Minimum Requirements	Confirmed at May 2018 meeting that the Forum have no comments. Assuming no changes other than Building Act CoCP change and anything coming from Select Committee process.
Appeals Regulations	Principles for the regulations presented at July 2018 meeting. No comments received from the Forum. Lawyers have been instructed to commence drafting.
Appeals guidance	Programmed to share first draft at July 2019 meeting.
Fee Regulations	Principles for the regulations presented at July 2018 meeting. No comments received from the Forum. Lawyers have been instructed to commence drafting.
Schedule 17 Statutory guidance	No comments from Forum following consultations after Sept 2019 and an 2019. Confirmed at March 2019 meeting that the Forum have no further comments.
Class approval	No comments from Forum following consultations after Sept 2018 and Jan 2019. May 2019 agenda item.

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End