

INDEPENDENT Phase 2a Planning FORUM FOR HS2

Title:	Independent Phase 2a Planning Forum for HS2	
Date & Time	Wednesday 17th July 2019 10.45 – 13:30 Staffordshire County Council County Buildings Stafford	
Chair	Ted Allett	Independent Chair
HS2 Ltd Attendees:	Paul Gilfedder Martin Wells Terry Stafford Dominic Moore Ann-Marie Stubbs Louise Portelly	HS2 Ltd - Head of Town Planning HS2 Ltd – Senior Petition Manager HS2 Ltd – Senior Engagement Manager, Phase 2a HS2 Ltd –Town Planning Lead, Phase 2 HS2 Ltd – Traffic and Transport Manager, Phase 2a HS2 Ltd – Environment and Town Planning Manager

Local Authority Attendees:	Michael Brown Guy Benson Sarah Mallen Ian Dale Emma Williams John Holmes Anna Miller	Lichfield District Council (LDC) Newcastle-under-Lyme Borough Council (NUL) Staffordshire County Council (SCC) Cheshire East Council (CEC) Cheshire East Council (CEC) Stafford Borough Council (SBC) East Stafford Borough Council (ESBC)
Promoter Attendee:	Becky Shortt	Department for Transport (DfT)
Apologies:	Liam Cowden	Shropshire Council

Item		Action Owner
1.	Pre-meeting for local authorities	
2.	Introductions The Chair invited attendees to introduce themselves.	
3.	Review of notes & actions from last meeting The previous minutes were agreed and will be uploaded to GOV.UK. A list of outstanding actions was circulated: <ul style="list-style-type: none"> Parish Council presentation – a draft has been prepared, this will be picked up bilaterally. Item is now closed. Amendment to wording in section 5 of the May minutes – this was revisited and it has been confirmed that the relevant changes had already been made. Item is now closed 	

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	<ul style="list-style-type: none"> Highways Sub-group – minutes were circulated to Forum members on 11th July. Item is now closed. Highways Sub-group Terms of Reference – to be circulated before the next forum meeting. Action – HS2 to circulate prior to the next forum meeting. Utilities update – See item 3. Item is now closed. Community update – See item 6. Item is now closed. Planning Forum Note 4 – See item 10: no local authority (LA) comments received. Item is now closed. LA to receive further guidance on becoming a Qualifying Authority. Sent on the 24th May. Item is now closed. Post Royal Assent SLA – will enforcement be covered by the SLA? – Email from HS2 Commercial sent out on 11th May. Interface team will be invited to next forum meeting to update on draft SLAs. Action – Draft SLA be circulated prior to the next meeting. Design Panel – Action – HS2 to circulate an email to members clarifying the Design Panel process. 	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
4.	<p>Programme update</p> <p>HS2 provided a high-level overview of the project programme (see slide pack).</p> <p>It was explained that delays had been experienced when onboarding Balfour Beatty, as the environmental costs had not been fixed. HS2 anticipated that this would be resolved by August 2019.</p> <p>HS2 advised of the following milestones:</p> <ul style="list-style-type: none"> Early Environmental Works and Scheme Design – Start Q1 2020 (Winter/Spring). Schedule 17 Early Works – Start in April 2020 with LPA pre-application expected to take place towards the end of 2019. Schedule 17 Early Civil Works – Start late 2019, with LA pre-app commencing in 2021 and Schedule 17 submissions in 2022. Schedule 17 Main Works – Start 2020 with Schedule 17 submissions from 2021 – 2023 <p>ESBC asked when they could expect Schedule 17 submissions associated with pylon works at the Grid Supply Point Connection at Parkgate. HS2 stated that the Schedule 17 submissions would commence between the Early Environmental works and the Early Civil Works, with pre-app</p>	

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	<p>discussions late 2019.</p> <p>SCC queried if Schedule 17 submissions were expected next year then should members be expecting a forward plan of consents? HS2 confirmed that this was correct and work is underway looking at programme in order to prepare the look-aheads.</p> <p>The Chair asked HS2 to clarify the difference between phases 1 and 2 of Early Works. HS2 advised that phase 1 related to highway works and phase 2 captured the remaining works.</p> <p>The Chair asked a question regarding the presented dates of Sched 17 applications for early and main works, with those for main works before those for early works? HS2 agreed to revisit the information presented.</p> <p>Action – HS2 to email members and clarify the programme for the Schedule 17 submissions.</p>	HS2 Ltd
5.	<p>Phase 2a Bill – update</p> <p>HS2 provided an update on the Phase 2a hybrid Bill (see slide pack for more details):</p> <p>House of Commons</p> <ul style="list-style-type: none"> • Final House of Commons Select Committee public hearing was on 15 May 2019 • 302 petitions received, 145 heard by Committee, 119 withdrew/did not appear • The Committee’s final Special Report published on 7 June and the Bill was formally reported, allowing it to continue on its passage through the House of Commons • 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 were published on 24 June in advance of Third Reading • Public Bill Committee (the clause by clause scrutiny of the remainder of the Bill) commenced 25 June and reported the Bill without amendment • Report and Third Reading were passed on 15 July <p>House of Lords</p> <ul style="list-style-type: none"> • First Reading in the House of Lords took place on 16 July • First Reading is a formality (there was 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 has to be a minimum of 25 calendar days. In this case it will run from 17 July to Friday, 16 August • The Private Bill Office in the House of Lords has set up a dedicated Select Committee website as in the House of Commons, and has 	

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	<p>published petitioning guidance and materials</p> <ul style="list-style-type: none"> • Second Reading and formation of the Select Committee expected early September • Currently expecting the Select Committee to begin substantive petition hearings early October • Royal Assent expected around the end of the year <p>NUL asked about the critical deadline for the return of a signed letter and a copy of the Planning Memorandum, which will allow the Authority to become a Qualifying Authority. DfT advised that, while the date was not yet fixed, the authorities will have at least one month to sign and return the letter.</p>	
6.	<p>Community Engagement Update</p> <p>HS2 provided an update on its engagement work (see slide pack for more details):</p> <ul style="list-style-type: none"> • Ground Investigations site visits in May/ June for parish councils: Kings Bromley, Colton, Stone Town, Weston and Basford, Hough and Chorlton, Crewe Town. • Summer events concluded on 13 July. Four events - total visitors to stands was 1380. Similar wider public engagement to continue. • Information points to be set up at 14 sites along the line of route - 18 July. <p>HS2 advised that feedback forms are being given to those who attend engagement activities events. The results are expected to be published later in the year once the samples size is more reliable.</p> <p>Action: HS2 to email members with a list of all the information points, and inform of any contact with parish councils promoting the information points.</p>	HS2 Ltd
7.	<p>Community & Environment Fund (CEF) and Business & Local Economy Fund (BLEF)</p> <p>HS2 provided an overview of the CEF and BLEF process (see slide deck). <u>The objectives of the funds are:</u></p> <ul style="list-style-type: none"> • CEF will help enhance community facilities, improve access to the countryside and conserve the natural environment along the line of route. • BLEF will support local economies in areas where businesses collectively may experience disruption from the construction of HS2. <p><u>Who can apply:</u></p>	

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	<p>CEF applications are invited from community-based voluntary organisations, charitable and not-for-profit bodies, social enterprises, schools and Local Authorities.</p> <p>BLEF applications are primarily targeted at organisations which have formal objectives that support the development of local business and tourism.</p> <p><u>Administration:</u></p> <p>For Phase One, the Funds are managed by an independent, existing Grant Management Body, namely Groundwork UK, procured through the Crown Commercial Services Grants and Programme Services Framework.</p> <p><u>Other information:</u></p> <p>There is an assumption that the Phase 2a CEF and BLEF will run and be managed in the same way as the Phase One Funds.</p> <p>£5million allocated and announced in January 2018 for Phase 2a Funding will not be made available for Phase 2a applications or administered until after Royal Assent of the Phase 2a Bill (Expected towards the end of this year).</p> <p>It was recommended that Phase 2a stakeholders look at the Phase One funding programme and Groundwork UK website to see current operation and progress ready for Royal Assent of the Phase 2a Bill.</p> <p>NUL asked if Business Improvement Districts (BIDs) could apply for the BLEF applications. HS2 confirmed that BIDs could apply for BLEF.</p> <p>The Chair sought clarification as to whether costs to employ Groundwork UK were taken from the £40m announced funds or if they were covered separately. HS2 confirmed that the costs were separate and the announced funds were ring fenced for CEF and BLEF only.</p>	
8.	<p>Appeal Guidance to Appeals Process Guidance</p> <p>HS2 stated that the appeal process for Schedule 17 operates differently to the Town and Country Planning Act appeal process. It was recommended that members should read the Phase 1 Appeal Guidance for context, as the Phase 2a appeal guidance is likely to be almost identical.</p> <p>HS2 clarified where the nominated undertaker may lodge an appeal against a local authority's decision on a Schedule 17 approval, where:</p> <ol style="list-style-type: none"> 1. they have refused an approval; 2. they have applied unreasonable conditions, or 3. they have not determined the approval within the 8-week timeframe. <p>Members were informed that the guidance will be made publically available when the Appeal Regulations are statutorily implemented by Government.</p>	

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	<p>HS2 advised members that the draft guidance would be shared with the Forum for review and any comments should be sent to the 2a Planning Forum mailbox within 4 weeks. Action</p> <p>NUL queried whether the appeals regulations would be such that a planning authority could approve an application after an appeal has been made if agreement could be reached with the NU? HS2 advised NUL that legal advice would need to be sought on this, but recommended that NUL include this within their comments on the draft appeal guidance.</p>	HS2 Ltd
9.	<p>Fee Regulations update</p> <p>HS2 informed members that Schedule 17 disapplies the existing planning fee regime and allows the Secretary of State to make a provision about fees for requests for approval.</p> <p>The Phase 2a Fee Regulations will be statutorily implemented by Government. They will be based on the High Speed Rail (Phase One) Fee Regulations (2017).</p>	
10.	<p>Environmental Minimum Requirements (EMRs)</p> <p>HS2 reminded members of the EMRs and reiterated that there had been two changes; related to demolition and lorry routes. HS2 noted that members had been consulted on these changes.</p> <p>Members were advised that the updated version of Code of Construction Practice and the EMRs change log had been published on the GOV.UK website.</p> <p>HS2 advised that unless any changes were requested in the House of Lords, it was proposed that no further engagement on the EMRs would take place. Therefore, the final version would be published upon Royal Assent of Phase 2a hybrid Bill.</p> <p>The Chair sought agreement and all members were content that the EMRs can be taken a final and no further engagement was necessary.</p>	
11.	<p>Planning Forum Notes</p> <p>HS2 provided an overview of progress to date on the Planning Forum Notes (please refer to slide pack for more details).</p> <p>HS2 noted that members were consulted on PFNs 1, 2, 3, 4, 5 and 7 and no comments had been received. Therefore, HS2 sought agreement to finalise these at the meeting. The Chair sought agreement and all members were content that the PFNs 1, 2, 3, 4, 5 and 7 can be taken as final.</p> <p>SCC advised that Highway's comments had been sent on PFN 6 related to</p>	

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	<p>the lorry route approvals. HS2 would check if these had been received, but noted subject to any comments would take PFNs 1, 2, 3, 4, 5 and 7 to be settled.</p> <p>The Chair noted that indicative mitigation had been discussed further at the Phase 1 Planning Forum and queried if the PFN had been changed. HS2 confirmed that indicative mitigation had not been changed.</p> <p>SCC gave their apologies and left the meeting.</p> <p>The Chair asked where the PFNs could be found. HS2 advised that they could be accessed via the GOV.UK website: https://www.gov.uk/government/publications/hs2-phase-2a-planning-forum-notes-for-local-authorities</p>	HS2 Ltd
12.	<p>Subgroup Meetings</p> <p>Highway subgroup HS2 noted that an extraordinary highway meeting took place on the 6th June, which was a recommendation that came out of the Select Committee report. The meeting was attended by HS2, Parish Councils, Highway Authorities and Highways England.</p> <p>The most recent Highway subgroup meeting took place on 16th June: the main discussions were focused around lorry routes.</p> <p>Environmental Health Subgroup A meeting took place on 12th June with Environmental Health practitioners and discussions focused around Terms of Reference and identifying future agenda items. It was explained that meeting would focus on implementation, S61 consenting and Environmental reporting around noise and air quality.</p> <p>Water subgroup A meeting is to be scheduled late Summer 2019.</p> <p>Heritage subgroup The first meeting is scheduled on 25th July and will cover Terms of Reference and Heritage Agreements. HS2 noted the main topic of discussion would be around the Phase 2a Bill and legal arrangements where the Bill seeks to disapply Listed Building Consent.</p>	
13.	<p>Forward Plan and Planning Forum Documents</p> <p>HS2 provided an overview of the Forward Plan and Planning Forum Documents (see slide pack for detail).</p>	
14.	<p>AOB</p>	

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	<p>DfT provided an update on the Qualifying Authorities process, explaining that an email was sent out to all members on 3rd July seeking an expression of interest to become a Qualifying Authority. The DfT stated that responses had been received from all members except Shropshire. The DfT advised that this email was not the formal letter, but explained that the formal letter would be sent out in September, subject to the petitioning and parliamentary timings.</p> <p>It was advised that members should respond to the email sent on 3rd June by the end of July, as it would initiate the DfT sending out the Planning Memorandum.</p> <p>The Chair noted that SBC did not receive the expression of interest email sent on 3rd July. The DfT will check that SBC have been sent the email and will copy to John Holmes (SBC). Action</p> <p>The Chair requested that HS2 improve the design and readability of the slides. Action.</p>	<p>DfT</p> <p>HS2 Ltd</p>
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