

Phase 2a Planning Forum Agenda Meeting 18th September 2019

Date & Time:	Phase 2a Planning Forum Meeting Wednesday 18 September 2019 10:45 – 13:30 Planning Forum Staffordshire County Council County Buildings 15 Martin Street Stafford ST16 2LE
Independent Chair:	<div style="background-color: black; width: 100px; height: 20px;"></div>

Item		Lead	Time
1	Pre-meet for local authorities	Chair/LA	10:45
2	Introductions	All	11:00
3	Review of previous meeting minutes and actions	All	11:05
4	Project programme update	HS2 Ltd	11:15
5	2a Bill – update	HS2 Ltd	11:25
6	Community engagement - update	HS2 Ltd	11:30
7	Environmental Memorandum - update	HS2 Ltd	11.45
8	Appeals Process Guidance	HS2 Ltd	12:10
9	Class Approval - update	HS2 Ltd	12:20
10	Qualifying Authority Status - update	DfT	12.30
11	Draft Planning Forum Notes <ul style="list-style-type: none"> • PFN11: Site Restoration Schemes • PFN12: Engagement with Statutory Consultees • PFN13: Guidance on Pre Application Engagement 	HS2 Ltd	12:45
12	Sub-group - update	HS2 Ltd	13:00
13	Service Level Agreements – update	HS2 Ltd	13.10
14	Forward Plan and Planning Forum Documents	HS2 Ltd	13:20
15	AOB	All	13:25
	End		13:30

INDEPENDENT Phase 2a Planning FORUM FOR HS2

Title:	Independent Phase 2a Planning Forum for HS2	
Date & Time	Wednesday 18th September 2019 10.45 – 13:30 Staffordshire County Council County Buildings Stafford	
Chair		Independent Chair
HS2 Ltd Attendees:		HS2 Ltd - Head of Town Planning HS2 Ltd – Phase 2a Director HS2 Ltd –Town Planning Lead, Phase 2 HS2 Ltd – Town Planning Advisor HS2 Ltd – Town Planning Advisor HS2 Ltd – Head of Community Engagement, Area North and Phase 2a, HS2 Ltd – Head of Commercial Agreements HS2 Ltd – Commercial Agreements Lead

Local Authority Attendees:		Newcastle-under-Lyme Borough Council (NUL) Cheshire East Council (CEC) Stafford Borough Council (SBC) East Stafford Borough Council (ESBC)
Promoter Attendee:		Department for Transport (DfT)
Apologies:		Shropshire Council Cheshire East Council (CEC) Staffordshire County Council (SCC) Lichfield District Council (LDC)

Item		Action Owner
1	Introductions The Chair invited attendees to introduce themselves.	
2	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"> • Sub-group update – will be covered under Item 12 • Post Royal Assent SLA – will be covered under Item 13. 	

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	<ul style="list-style-type: none"> Design Panel – Action – HS2 to circulate an email to members the Design Panel report that was sent to NuLBC. Highways Sub-group Terms of Reference – to be circulated before the next forum meeting. Complete - email sent on 01/08/2019 HS2 to email members and clarify the dates for the Schedule 17 submissions (Phase 2a Programme). Complete - will be covered under Item 3. HS2 to email members with a list of all the information points and inform of any contact made with parish councils promoting the information points. Complete - email sent on 01/08/2019 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. Complete - email sent on 01/08/2019 [no comments received]. HS2 would check if the SCC had sent comments, but noted subject to any comments would take PFNs 1, 2, 3, 4, 5 and 7 to be settled. Complete - no comments received. The DfT will check that SBC have been sent the email and has been sent to John Holmes (SBC). Complete - DfT confirmed that an email was sent on 25th July. The Chair requested that HS2 improve the design and readability of the slide deck. Complete. 	HS2 Ltd
3	<p>Programme update</p> <p>HS2 provided an updated overview of the project programme (see slide pack).</p> <p>It was explained that the dates shown in the slide pack, are all subject to the date Royal Assent is achieved.</p> <p>HS2 advised that they would like to start pre-application discussions in Autumn 2019 to be on site for the first quarter of 2020.</p> <p>HS2 said that it intends to start as soon as possible. It was noted that undertaking early civil works in a small number of locations would provide an opportunity to test the consenting processes for all involved.</p> <p>HS2 explained that the Early Civil Works (ECW) would start with road-based schemes; two specific schemes were noted Woodend Lane in Lichfield and</p>	

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	<p>the M6 J15. This will be followed by a further package of ECW.</p> <p>The Chair queried the date works would commence if submissions and approvals were due in 2020.</p> <p>HS2 confirmed that they would start works in 2021.</p> <p>Action - The Chair requested the further ECW package to be included in the slide deck prior to email circulation to members.</p>	HS2 Ltd
4	<p>Phase 2a Bill – update</p> <p>HS2 provided an update on the Phase 2a hybrid Bill:</p> <p>The petitioning period in the House of Lords closed on 16 August. 35 petitions have been received.</p> <p>Second Reading of the Bill took place on 9th September. The Bill was passed without a vote and committed to a Select Committee</p> <p>A motion was also passed to ‘carry-over’ the Bill to the new session</p> <p>A motion nominating the Select Committee was tabled for 10 September so was not reached as a result of Parliament being prorogued on 9 September</p> <p>It is expected that the Select Committee to start its hearings when the House returns after prorogation on 14 October. The first week is expected to be opening, teach ins, route tour and any right to be heard challenges. It is expected that there will then be two weeks of substantive petition hearings</p> <p>STB asked if we still on target for Royal Assent at the end of the year.</p> <p>HS2 confirmed that this was correct subject to the Parliamentary timetable.</p>	
5	<p>Community Engagement Update</p> <p>HS2 provided an update on its engagement work (see slide pack for more details).</p>	

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	<p>It was noted that over 130 face to face engagement activities were undertaken and engagement with over 1,000 individual people had taken place.</p> <p>HS2 noted that there has been a big emphasis on extending our presence in the community and increased focus on stakeholders in the wider community.</p> <p>Notable activities:</p> <ul style="list-style-type: none"> • Plain English Crystal Mark received for Property guidance. • Public progress report – Expected to be published in October 2019 • Community Engagement Framework – expected to be published before the end of the year. • Ground Investigations – Site visits with local stakeholders such as Parish Councils to explain why ground investigation are needed. HS2 have also engaged with local landowners and land agents. • Local events – e.g Whitmore & Madeley. The Phase 2 Director, Tim Smart will be given a talk on Tunnelling. • Engagement has taken place with Local charities and community groups to explain the opportunities around CEF & BLEF. • The engagement team spend time with children and young people at the Cheshire East Activity Day to promote the project and its benefits to all. • Information points – 14 in total are all in place. • Members were offered an open invite for HS2 to brief Council member on the project. <p>The Chair queried the status of town planning briefs to Development Control councillors.</p> <p>HS2 explained that they would be happy to create bespoke briefings slide decks for each authority or present in person to councillors, if requested.</p> <p>Action - SCC to send across the HS2 briefing presentation previously presented to councillors for Phase 1.</p>	<p>SCC</p>
6	<p>Environmental Memorandum - update</p>	

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	<p>HS2 provided an overview of the draft Environmental Memorandum (see slide deck).</p> <p>HS2 explained that there were a couple of amendments:</p> <ol style="list-style-type: none"> 1. Ecology Review text – which brings to commitments to have an ecology review group under Phase 1 in line with Phase 2a 2. Key Environmentally Sensitive Worksites (KESW)– are those that have several issues around ecology, landscape or water for example. The NEF recommended that HS2 include a Key Environmental Worksite in a table 5.1 in Environmental Memorandum. <p>The Chair questioned the status of the management plans that the Memorandum requires for KESWs.</p> <p>HS2 explained that Management Plans are a requirement under section 5 of the Environmental Memorandum and HS2 is required to prepare and submit these to the relevant statutory authorities but they are not for approval.</p> <p>The Chair sought agreement on the changes and all members present agreed that they were content.</p>	
7	<p>Appeals Process Guidance - update</p> <p>HS2 provided an update on the Appeal Process Guidance to members (see slide pack for more details). It was noted that no comments had been received from the Forum on the draft document. Therefore, the next step is for the guidance to be published. This is expected to be around the time the appeals regulations come into effect.</p> <p>The Forum was content with this approach.</p>	
8	<p>Class Approval - update</p> <p>HS2 provided an update on the Class Approval document (see slide pack for more details).</p> <p>HS2 noted that two separate rounds of engagement had taken place with members for the Class Approval document, but no comments had been received.</p> <p>HS2 when on to explain the next step in the process would be a statutory consultation, as required by the Bill. This is intended to take place soon after the House of Lords Select Committee report. The reason for this is that the House of Lords decisions could potentially change the document, so it would allow time for any changes that may be required.</p>	

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	<p>HS2 mentioned that a bi-lateral meeting with CEC had taken place regarding issues to the south of Crewe, which came out of an assurance given to CEC.</p> <p>The Chair asked if the Class Approval document is separate process to Royal Assent, for example if statutory consultation starts after the House of Lords Select Committee report can the Class Approval still be carried over.</p> <p>HS2 noted that this was correct and explained that the statutory consultation has been scheduled in this manner to prevent delays and enable the construction team to start as planned.</p> <p>The Chair sought agreement to finalise the document and all members present agreed that they were content.</p>	
9	<p>Qualifying Authorities status – update</p> <p>HS2 provided an overview of the minor changes which related mainly to typographical errors (see slide pack for more details).</p> <p>No questions or concerns were raised by members.</p> <p>HS2 asked if members are content with these changes, could the DfT send out the draft to the councils to sign.</p> <p>The Chair noted that as not all members were present, an email should be sent out asking for any comments and if no comments were received then it should be taken that they are have no comments.</p> <p>Action – HS2 to email LDC, SCC and SPC seeking comment.</p> <p>DfT thanked members for confirming they intend to become qualifying authorities. It was noted that the next stage is to issue hard copies of the Planning Memorandum and the intention is to give members 4 weeks to sign and return.</p> <p>ESC noted that full council had agreed on 17th September and asked if anything else was need from members before the hard copies were sent out.</p> <p>Action – DfT to check and contact members if anything else is required.</p> <p>CEC asked who have the letters been sent to and was this done by email or post.</p> <p>DfT stated that postal letters had been sent to Chief Executives, which were sent to them from members with the hard copies planned to be sent</p>	<p>HS2 Ltd</p> <p>DfT</p>

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	<p>out by the end of September.</p> <p>Action - The Chair requested that an email is sent to members prior the formal hard copies being sent out, so that members have visibility.</p>	DfT
10	<p>Planning Forum Notes</p> <p>HS2 provided an overview Planning Forum Notes 11, 12 and 13 (please refer to slide pack for more details).</p> <p>Planning Forum Notes 11 – Site Restoration Scheme</p> <p>Planning Forum Notes 12 – Engagement with Statutory Consultees</p> <p>Planning Forum Notes 13 – Guidance on pre-application engagement</p> <p>HS2 noted that Planning Forum Notes 11, 12 and 13 will be circulated to members for consultation after the meeting.</p> <p>The Chair invited HS2 to explain the background on PFN 6 and why it is in limbo.</p> <p>HS2 explained that PFN 6 related to the lorry route approvals and that an issue had occurred on Phase 1, where an application was refused on planning condition grounds. The appeal currently ongoing and with the Secretary of State for a decision, however HS2 will update PFN 6 according to the outcome.</p> <p>PFNs can accessed via the GOV.UK website: https://www.gov.uk/government/publications/hs2-phase-2a-planning-forum-notes-for-local-authorities</p>	
11	<p>Subgroup Meetings</p> <p>Highway subgroup HS2 explained that no meeting had taken place since the Planning Forum, but the next meeting is scheduled for Friday 20th September. A draft agenda for that meeting was presented.</p> <p>Environmental Health Subgroup A meeting took place in June with Environmental Health practitioners. The next meeting is planned for October, with the discussions focused around Section 61 consenting, lessons learnt from Phase 1 and example of EWC implementation for each topic.</p> <p>Water subgroup A meeting took place on September, with discussions focused around Terms of Reference and Memorandum. The next meeting is planned in December and will cover:</p>	

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	<ul style="list-style-type: none"> • Strategic walkthrough of key locations of local flood risk along the Phase 2a route. The aim of the scoping exercise will be to map out constraints and opportunities along Phase 2a route that should be taken into account within the ERD design development process that will commence post Royal Assent; • Scoping exercise will be used to develop a risk based approach to consultation with members on the ERD design to map out the need to undertake detailed location specific issues and mitigation via bilateral meetings; • Overview of the drainage infrastructure along the Phase 2a route, based at this stage on the hybrid bill preliminary drainage design, to highlight drainage assets that will come under the ownership of the HS2 Ltd., Highways Authority and/or third party land owners; and • A rolling agenda item to provide a forward look (6/12mths), which will be based on the current programme, any consenting would be associated with the Early Environmental Works/GI packages <p>Heritage subgroup A meeting took place on 26th July.</p> <p>HS2 Ltd presented on the 2a heritage context, the draft Terms of Reference for the sub-group and introduced our Schedule 18 Heritage Agreements.</p> <p>The Terms of Reference have now been agreed.</p>	
12	<p>Service Level Agreements – update</p> <p>HS2 started the item welcoming engagement during the session.</p> <p>HS2 noted that the Phase 1 SLA template would be the starting point with the intention to keep the parts that worked well and where necessary improving the template by incorporating the lessons learnt from Phase 1 and embed them into the Phase 2a SLA.</p> <p>Action - HS2 stated that they would send a draft copy of the Phase 1 SLA template for comments.</p> <p>HS2 also offered to undertake a workshop session and welcomed any suggestions from members, as how best to take the Phase 2a SLA forward.</p> <p>The Chair agreed that this exercise would be useful, as it took many years to agree the Phase 1 SLA and noted there had and this are difficulties.</p> <p>STB queried if the Phase 1 SLA works and what has been the response from</p>	HS2 Ltd

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	<p>Phase 1 members?</p> <p>HS2 noted that there have been difficulties and improvements can be made, especially with invoicing. However, it noted in the last six months it has worked very well. An example of New Burdens was cited, where a member can request for additional money that is not covered under the SLA, provided there is clear evidence as to why this is needed.</p> <p>HS2 explained the Funding Agreements process, where a local authority can claim for a dedicated officer for HS2 activities. It was stated that a local authority can have both an SLA and a Funding Agreement.</p> <p>HS2 explained that there are two schedules that formed the SLA.</p> <p>STB requested that a completed invoice should be sent to members as an example of how to complete an SLA invoice.</p> <p>Action - HS2 agreed that this could be emailed to members.</p> <p>HS2 explained that the would like to get all arrangements in place before the end of the year.</p> <p>HS2 provided an overview of the 'Amended July Formula' related to how pay is calculated. However, it was noted that this process has been quite time intensive for some local authorities has all officer and associated costs need to be provided.</p> <p>The Chair sought clarification on the use of consultants where specialist technical knowledge would be required.</p> <p>HS2 explained that there is a clause in the SLA that allows for the use of consultants but a discussion between HS2 commercial team and the relevant local authority would be required as a cap is in place.</p> <p>HS2 advised that members should undertake discussions around rate setting early to avoid delay and the main contact for this would be Joanne Brown at HS2 Ltd.</p> <p>Action - CEC took responsibility to arrange a meeting between members to discuss the Phase 2a SLA. It was also agreed that an email would be sent to the Chair, members and HS2 to advise when this meeting would take place and whether a workshop with HS2 is required.</p> <p>Action – HS2 to email circulation list to CEC</p> <p>Action – HS2 agreed to circulate an email with a list of generic roles.</p>	<p>HS2 Ltd</p> <p>CEC</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
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13	Forward Plan and Planning Forum Documents HS2 provided an overview of the Forward Plan and Planning Forum Documents (see slide pack for detail). Action - HS2 to update the status of the documents	HS2 Ltd
14	AOB HS2 provided an update on a best practice workshop that was held with Phase 2a member, it was noted that the exercise was informative, with all involved pleased with the content. Action – HS2 to email members with the best practice slides.	HS2 Ltd