
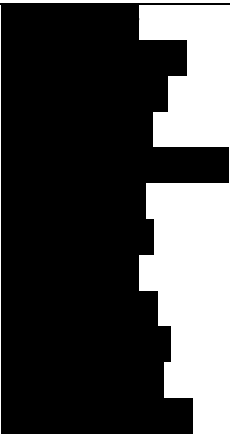



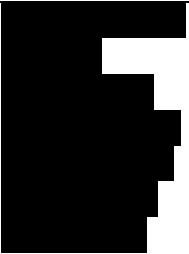


## INDEPENDENT Phase 2a Planning FORUM FOR HS2

### Phase 2a Planning Forum Agenda Meeting 19<sup>th</sup> May 2021

<b>Date &amp; Time:</b>	<b>Phase 2a Planning Forum Meeting</b>  <b>Wednesday 19<sup>th</sup> May 2021</b> <b>10:30 – 12:30 Planning Forum</b>  <b>Microsoft Teams (See calendar invite)</b>		
<b>Independent Chair:</b>	[REDACTED]		
<b>Item</b>		<b>Lead</b>	<b>Time</b>
	Introductions	All	10:30
1	Review of previous meeting minutes and actions	All	10:35
2	2a Construction programme – update	HS2 Ltd	10:40
3	Statutory guidance and Class Approval	HS2 Ltd	10:50
4	Community Engagement	HS2 Ltd	10:55
5	Construction <u>Common</u> Design Elements (CDEs)	HS2 Ltd	11:05
6	Planning Forum Notes <ul style="list-style-type: none"> <li>• Planning Forum Note 6 Lorry Routes</li> <li>• Planning Forum Note 8 Use of the Planning Portal</li> <li>• Planning Forum Note 9 Decision Notices</li> <li>• Planning Forum Note 11 Site Restoration</li> <li>• Planning Forum Note 13 Pre-Application Discussions</li> </ul>	HS2 Ltd	11:35
7	Planning appeal s- update	HS2 Ltd	12:05
8	Feedback from LAs	LAs	12:15
9	EMR compliance	HS2 Ltd	12:20
10	Schedule 17 planning data	HS2 Ltd	12:25
11	Planning Forum Forward Plan and Documents	HS2 Ltd	12:30
12	AOB	All	12:35
	End		

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<b>Title:</b>	<b>Independent Phase 2a Planning Forum for HS2</b>	
<b>Date &amp; Time</b>	<b>Wednesday 19<sup>th</sup> May 2021 10:30 – 12:30</b> <b>Microsoft Teams (virtual meeting)</b>	
<b>Chair</b>		Independent Chair
<b>HS2 Ltd Attendees:</b>		

<b>Local Authority Attendees:</b>		Cheshire East Council (CEC) Shropshire Council (SPC) Stafford Borough Council (SBC) Lichfield District Council (LDC) East Staffordshire District Council (ESC) Staffordshire County Council (SCC) Newcastle-under-Lyme Borough Council (NUL)
<b>Promoter Attendee:</b>		Department for Transport (DfT)
<b>Apologies:</b>		HS2 Ltd

Item		Action Owner
	<b>Introductions</b>  The Chair invited new attendees to introduce themselves.	
<b>1</b>	<b>Review of notes &amp; actions from last meeting</b>  The previous minutes were agreed and will be uploaded to GOV.UK.  All outstanding actions, except the SLA purchase order request and the deferred VR fly-through experience were completed.	

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2	<p><b>Construction programme (EEW) – update</b></p> <p>HS2 Ltd provided reminded members of the Phase 2a construction programme (see slide for timeframes).</p>	
3	<p><b>Statutory Guidance and Planning Forum Note 17</b></p> <p>HS2 Ltd announced that this month the Secretary of State issued the Statutory Guidance and Class Approval (under Para 5 of Schedule 17), both of which are available on the GOV.UK website. HS2 Ltd thanked members for their contribution and input throughout the process.</p>	
4	<p><b>Community engagement – update</b></p> <p>HS2 Ltd provided an update on three key areas: Strategic activity, Communities and Looking ahead.</p> <p><b>Strategic activity</b></p> <ul style="list-style-type: none"> <li>• Engagement continues to be in line with the latest guidance on COVID-19</li> <li>• Clause 60 consultation report published 13 May</li> <li>• Continued political engagement</li> <li>• CEF/BLEF applications open</li> <li>• Protestor sites established</li> </ul> <p><b>Wider community</b></p> <ul style="list-style-type: none"> <li>• Ground investigation work underway in the north</li> <li>• Tactical links established with Cheshire and Staffordshire police forces</li> <li>• CEF/BLEF community groups presentation (Crewe)</li> <li>• Biodiversity Investment Fund webinar</li> </ul> <p><b>Looking ahead</b></p> <ul style="list-style-type: none"> <li>• Supporting access arrangements for ground investigation work</li> <li>• Government response to Clause 60</li> <li>• Online presentations – ecology, ground investigation and tunnelling</li> <li>• EEW related engagement activity</li> <li>• HS2 website migration</li> </ul> <p><b>Action: HS2 Ltd took an action to provide a briefing on the Biodiversity Investment Fund (BIF) at the next forum meeting.</b></p> <p>The Chair queried if the migration from the commonplace website to the HS2 website also applied to Phase 1 and if the commonplace website would remain.</p> <p>HS2 Ltd confirmed that the website would remain live to redirect visitors to the new HS2 website, it was also confirmed that the change applied to both phases.</p> <p>SPC noted that the context reports provided a useful signpost to key documents and suggested that a link to the new HS2 website (replacing commonplace) should be included for clarity.</p>	<p><b>HS2 Ltd</b></p>

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	<p>HS2 Ltd explained that context reports are a living document and do provide a useful overview.</p> <p><b>Action: HS2 Ltd to consider how the HS2 website can be incorporated into the useful links contained within the context report.</b></p>	<b>HS2 Ltd</b>
<b>5</b>	<p><b>Common Design Elements (CDEs)</b></p> <p>HS2 Ltd introduced Common Design Elements (CDEs) (further information can be found in the slide pack).</p> <p>HS2 Ltd explained that Common Design Elements (CDEs) are high quality repeating design responses which embody the HS2 Design Vision such as Parapets, Viaduct Piers and Noise Barriers. Commonality in these elements provides HS2 with a recognisable route-wide identity as well as allowing the project to benefit from economies of scale and ease of construction and maintenance.</p> <p>HS2 Ltd emphasised that responding to local context is one the requirements of CDE design. Each element is designed with an appropriate level of flexibility in order that they can respond to their setting in an appropriate way whilst still maintaining the benefits of commonality.</p> <p>HS2 Ltd noted that CDEs have been developed by the design teams of HS2's Phase 1 Main Works Civil Contractors with input from the HS2 Independent Design Panel and HS2 Planning Forum workshops, with representatives from Local Planning Authorities along the Phase 1 route.</p> <p>HS2 Ltd reiterated that CDEs are repeated elements of scheme that HS2 propose to use in multiple locations. This is a process that has been used in previous major infrastructure projects.</p> <p>The Planning Memorandum paragraph 4.1.4 states "The Forum will consider common design items for certain structures associated with the railway (such as bridges, acoustic barriers or retaining walls for example). Unless there are particular local circumstances relevant to the grounds in paragraphs 2 and 3 of Schedule 17 to the Bill, there will be a presumption in favour of the approval of such designs when submitted".</p> <p>HS2 Ltd explained that the next steps will require members feedback, with the intention of seeking agreement of the CDEs.</p> <p>NUL noted that the requirement for a consistent design to enable to operational of railway. However, there was uncertainty around how the concrete structures would age when subject to weathering and graffiti.</p> <p>HS2 Ltd advised that they are conscious of those topics. It was explained that the structures have been designed to shed to water and there a graffiti strategy will be in places. HS2 Ltd welcomed engagement from members throughout the CDEs process to achieve a long-lasting design.</p> <p>The Chair noted that graffiti was a major discussion point during the Phase 1 forum meetings.</p> <p>SBC shared NUL concerns around the weathering of the structures and queried what would happen where a parapet is required on a viaduct.</p>	

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	<p>HS2 Ltd explained that there will be noise barriers on viaducts which in effect, are the same as the parapets.</p> <p>SBC raised concerns over the early designs of the Great Haywood viaduct (shown in 2018/2019), which showed a sudden height increase rather than a gradual increase of noise barrier heights, it was suggested that this appeared disjointed and out of proportion.</p> <p>HS2 Ltd explained that some structures (such as Great Haywood Viaduct) will be covered under Key Design Elements (KDEs) including main viaducts, depot buildings and key ventilation shafts in sensitive areas.</p> <p>The Chair explained that KDEs are limited and fixed at the parliamentary stage, these are listed in Phase 2a Information Paper D1: Design .</p> <p>There are nine KDEs on the line of route for Phase 2a, which will require public engagement, these are:</p> <ol style="list-style-type: none"> <li>1. Kings Bromley Viaduct</li> <li>2. River Trent Viaduct</li> <li>3. Great Haywood Viaduct</li> <li>4. Stone Infrastructure Maintenance Base-Rail</li> <li>5. Whitmore Heath Tunnel – South Portal</li> <li>6. Whitmore Heath Tunnel – North Portal</li> <li>7. River Lea Viaduct</li> <li>8. Madeley Tunnel South Portal</li> <li>9. Madeley Tunnel North Portal</li> </ol> <p>When discussing how members wanted to progress the CDEs discussions, it was agreed that members would extend the invite to design colleagues at their authority to attend the next forum meeting.</p> <p><b>Action: Members to provide HS2 Ltd with contact details for their design colleagues</b></p> <p><b>Action: HS2 Ltd took an action to circulate the Phase 1 CDEs PFN15 and PFN16 with a deadline for comments three weeks before the next Forum meeting.</b></p> <p><b>Action: Members to review the designs in the PFNs and provide any comments prior to the next forum meeting.</b></p>	<p>LAAs</p> <p>HS2 Ltd</p> <p>LAAs</p>
6	<p><b>Planning Forum Notes</b></p> <p>HS2 Ltd provided an overview of Planning Forum Notes (PFNs) 6, 8, 9, 11 and 13, with the intention of seeking agreement at this meeting.</p> <p>It was explained that PFNs are the documents that set out processes for Schedule 17 and provide</p>	

	<p>advice/guidance to the nominated undertaker, contractors, and LA members as to how the planning regime should be implemented (see slide deck for more information)</p> <p>The Chair requested members consent to agree PFNs</p> <p>SPC noted that they had no concerns with the PFNs. However, a point around clarity was raised, specifically the pre-application engagement process and which authority is considered the relevant determining local authority in relation to construction traffic works that cross boundaries.</p> <p>HS2 Ltd replied that the determining authority is the one where the works are located. Therefore, if the works are in Staffordshire but the lorry routes go through Shropshire, in this case the determining authority would be Staffordshire County Council as the planning authority, where the works are located. HS2 Ltd noted that they would have to consider how SPC are involved in the pre-application discussions as a non-determining authority where works do not take place in Shropshire, but lorries pass through.</p> <p>SCC noted that it was important for SPC to be involved and their comments would be taken onboard despite SCC being the determining authority.</p> <p>HS2 Ltd quoted paragraph 7.5.5 Planning Memorandum which reads “In order to assist with the expeditious handling of submissions, where a request for approval is made by the nominated undertaker under the Planning Conditions Schedule, then for information purposes:</p> <ul style="list-style-type: none"> <li>• if the site to which the request relates is on or close to an authority boundary, and is likely to impact upon it, a copy will be sent to the adjacent authority;</li> <li>• if the request relates to lorry routes which pass through the areas of adjoining authorities, a copy will be sent to those adjoining authorities; and</li> <li>• in non-unitary areas, a copy will be sent to the non-determining authority.</li> </ul> <p><b>Action: HS2 Ltd to amend PFN6 to include pre-application discussions with non-determining authorities and add a paragraph within PFN6 which reflects 7.5.5 of the Planning Memorandum.</b></p> <p>NUL queried if they are considered as a statutory consultee for lorry route approvals. HS2 Ltd confirmed that there is no legal requirement for SCC to consult NUL, but it is often the case that the determining authority will consult the Districts if the route goes through their area.</p>	<p>HS2 Ltd</p>
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	<p>SCC explained that on Phase 1 it is usually the District Council consulting the County Council, for example an approval for something that Staffordshire County Council may need to adopt.</p> <p>It was noted that the Early Environmental Works and Lorry route approvals will be submitted separately if movements exceed 24 movements.</p> <p>SBC explained that they have not have sufficient time to review all PFNs. However, SBC expressed that they did not have any concerns with PFN6 subject to the amendment and addition (previously mentioned). It was explained that SBC are likely to have comments on PFN13 and requested an extension of time to comment on PFN13.</p> <p>Members agreed to approve PFN6 (subject to an amendment and addition – see above), 8, 9, 11 and to provide a further 4 weeks for comment on PFN13. There was no objection to the proposal to agree the above PFNs.</p> <p><b>Action: HS2 Ltd to recirculate PFN13 to members for their comments within 4 weeks (from the date the document is circulated).</b></p>	HS2 Ltd
7	<p><b>Planning appeals - update</b></p> <p>HS2 Ltd informed members that there have been several planning appeals and judicial reviews on Phase 1. It and as the drafting of the Phase 1 and Phase 2a planning schedules is essentially identical the outcome of is material to the operation of Phase 2a Schedule 17. HS2 Ltd explained that its lawyers have prepared a digest of appeals which summarises key points for planning authorities. This will be circulated to Forum members.</p> <p><b>Action: HS2 Ltd to circulate appeals digest to Forum members.</b></p> <p>Appeal and Court decisions can be found here <a href="https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appealdecisions#:~:text=The%20HS2%20Act%20requires%20planning,are%20recorded%20on%20this%20page">https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appealdecisions#:~:text=The%20HS2%20Act%20requires%20planning,are%20recorded%20on%20this%20page</a></p> <p>A list can be found below (correct as of 19/05/2021):</p> <p><b>Appeals</b></p> <ul style="list-style-type: none"> <li>• 2x lorry route (LB Hillingdon)</li> </ul>	HS2 Ltd

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	<ul style="list-style-type: none"> <li>• 2x lorry routes (Align and SCS) non determination</li> <li>• 5x lorry route (Bucks)</li> <li>• 5x lorry routes (Align and EKFB) – non determination</li> </ul> <p><b>Judicial Reviews</b></p> <p><i>JR1: Colne Valley Wetland APP/HS2/1 (LB Hillingdon)</i></p> <p><i>JR2: SCS Lorry Routes APP/HS2/5 (LB Hillingdon)</i></p> <ul style="list-style-type: none"> <li>• Sch 17 consent granted on appeal 28 July 2020.</li> <li>• Hearing at High Court 10 February; determined in SoS's favour</li> <li>• LBH have applied to the CoA</li> </ul> <p><i>JR3: Colne Valley Viaduct APP/HS2/7 (LB Hillingdon)</i></p> <ul style="list-style-type: none"> <li>• Sch 17 consent granted on appeal 18 November 2020.</li> <li>• LB Hillingdon's application for judicial review of the appeal decision has been refused on the papers.</li> <li>• LBH had until 19 March to request an oral hearing. It did not do so.</li> </ul>	
8	<p><b>Feedback from LAs</b></p> <p>NUL informed the forum that they felt the process was working well.</p>	
9	<p><b>Schedule 17 planning data</b></p> <p>HS2 Ltd introduced the purpose of Schedule 17 planning data.</p> <p>HS2 Ltd quoted Planning Memorandum 4.1.3 which read -  <i>"The Forum will meet regularly to assist with the effective implementation of the planning provisions in the Bill. In order to help co-ordinate and secure the expeditious implementation of those planning provisions"</i>.</p> <p>HS2 Ltd explained in order to fulfil its role in assisting the expeditious implementation of Schedule 17 the Forum needs to understand how the regime is performing:</p> <ul style="list-style-type: none"> <li>• To enable informed discussions with all members having a clear understanding of what is happening.</li> <li>• Intention to spot trends and address them.</li> <li>• Will give DfT visibility of performance against commitments.</li> <li>• Enable both NU and planning authorities to learn lessons and improve.</li> </ul> <p>Members were also informed that Schedule 17 planning data would be shown at the next meeting and will then become a standing item at future forum meetings.</p>	
10	<p><b>Forward Plan and Document Tracker</b></p> <p>HS2 Ltd provided an overview of the over the next three months at the Phase 2a Planning Forum.</p> <p>HS2 Ltd requested to agree PFN13 at the next forum and delay GSMT masts to September.</p>	



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	<p>The Chair advised that it would be helpful to keep the GSMT masts item, until the agenda has been formulated and then a collective decision to delay or keep the item can be made.</p> <p><b>Action – HS2 Ltd advise if there is sufficient time at the next meeting to include the GSMT – masts item</b></p>	<b>HS2 Ltd</b>
<b>11</b>	<p><b>AOB</b></p> <p>HS2 Ltd asked if members were content with a blue line to show the extent of HS2 works (as these applications under the Act are not the same as those under TCPA).</p> <p>Members all agreed that they would prefer a red line boundary as it would maintain consistency with other applications.</p> <p>The Chair sought members interest on a pre-meeting prior to the next forum meeting. All members all agreed that a pre-meeting would be beneficial.</p> <p>HS2 Ltd advised that the Phase 2b Western Leg Planning Forum is scheduled for 30<sup>th</sup> June 2021.</p> <p>CEC informed HS2 Ltd that key members were not included on the Phase 2b forum list. CEC to send a list of key members to HS2 Ltd to update the distribution list.</p>	<b>CEC</b>
	Meeting concluded at 12:30pm	