



## INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

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|  | [REDACTED] | <p>Hertfordshire County Council (HCC)<br/>         London Borough of Camden (LBC)<br/>         Solihull Met Borough Council (SMBC)<br/>         West Northamptonshire Council (WNC)<br/>         Lichfield District Council (LDC)<br/>         Buckinghamshire Council (Bucks C)<br/>         Warwick District Council (WDC)<br/>         Warwickshire County Council (WCC)<br/>         Staffordshire County Council (SCC)</p> |
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| Item  |   | Action Owner |        |  |                |   |   |   |  |   |                             |     |
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| 1.  | <b>Introductions</b> – were made.   |              |        |  |                |   |   |   |  |   |                             |     |
| 2.  | <p><b>Review of minutes &amp; actions from last meeting</b><br/>           The minutes of the January Planning Forum were agreed.<br/> <b>Action:</b> HS2 to place minutes on website.</p> <p><b>Outstanding actions</b> were reviewed.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Action</th> <th style="width: 50%;">Status</th> </tr> </thead> <tbody> <tr> <td>HS2 Urban Integration to present again in 6-9 months with more focus on Phase 1.</td> <td>Agenda Item 9.</td> </tr> <tr> <td>Consider referencing the reverse side of the noise barrier in the next update to the Planning Forum Note.</td> <td>To be included in next revision of PFN.</td> </tr> <tr> <td>Consider opportunities within Noise Barrier CDE to replace ‘where appropriate’ with ‘as agreed’ or similar.</td> <td>Updates to Planning Forum Note to replace ‘where appropriate’ with ‘as agreed’ or similar is being considered.</td> </tr> <tr> <td>           Consider how to progress the suggested additional items (handrails, access steps and fencing) as a separate workstream and present to the Forum at a future meeting.<br/><br/>           Common approach to fencing (some high-level outputs) to be on the next Planning Forum agenda.<br/><br/>           Parapet CDE. Withdrawal of a British Standard and the adoption of a Highways         </td> <td>Update under agenda Item 6.</td> </tr> </tbody> </table> | Action       | Status | HS2 Urban Integration to present again in 6-9 months with more focus on Phase 1. | Agenda Item 9. | Consider referencing the reverse side of the noise barrier in the next update to the Planning Forum Note. | To be included in next revision of PFN. | Consider opportunities within Noise Barrier CDE to replace ‘where appropriate’ with ‘as agreed’ or similar. | Updates to Planning Forum Note to replace ‘where appropriate’ with ‘as agreed’ or similar is being considered. | Consider how to progress the suggested additional items (handrails, access steps and fencing) as a separate workstream and present to the Forum at a future meeting.<br><br>Common approach to fencing (some high-level outputs) to be on the next Planning Forum agenda.<br><br>Parapet CDE. Withdrawal of a British Standard and the adoption of a Highways | Update under agenda Item 6. | HS2 |
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|   | <p>England requirement. HS2 looking into the implications of the change on parapet design. Update to be provided at next meeting.</p> <p>Lineside noise barrier CDE design development. Update to be provided at the next meeting.</p>   |  | <p><b>Chair</b></p> |
| <p>Signage strategy for HS2 to brought Planning Forum at a later date.</p>                                      | <p>For later Planning Forum.</p>   |  |                     |
| <p>GSM-R Masts. HS2 to provide a route-based plan of masts for each authority.</p>                              | <p>█ (HS2) explained that all drawings have been sent out with the exception of Three Rivers District Council and Warwick District Council, which will be provided shortly.</p>  |  |                     |
| <p>HS2 to provide a list of HS2 client directors after the meeting.</p>   | <p>Circulated on 13.04.21. Complete.</p>   |  |                     |
| <p>The Chair to set up a meeting to discuss planning consents performance.</p>                                  | <p>The Chair to update at meeting under Item 4.</p>  |  |                     |
| <p>The Chair to set up a meeting on partial decisions and feedback at the next PF.</p>                          | <p>Complete. Meeting took place on 22.04.21.</p> <p>The Chair noted that Three Rivers DC and London Borough of Camden attended to discuss the principle of partial decisions and HS2 agreed to obtain a note from the Department for Transport.</p> <p>It was proposed the note will be shared with TRDC and LBC and once the principle is agreed <b>(Action)</b> the Chair will arrange an additional meeting with a wider selection of authorities to discuss the practicalities of administering decisions.</p> |  |                     |
| <p>BREEAM and CEEQUAL changes. HS2 to re-circulate the email and LPAs to provide comments before 8th April.</p> | <p>Email recirculated on 19.03.21. No comments received.</p>   |  |                     |

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|                  | <p>Publishing accessible documents. HS2 to send out a position statement on the matter.</p>  | <p>■ (HS2) noted that this matter had been previously raised by HCC and explained that documents can be provided in an accessible format and invited authorities to advise if the accessibility of documents needs to be improved.</p> <p><b>Action:</b> ■ (HCC) agreed to contact the council IT team to clarify the specific issue relating to accessible documents.</p> | <p><b>HCC</b></p> |
| <p><b>3.</b></p> | <p><b>HS2 Project Update</b></p> <p>■ (HS2 ■ for the central EKFB section) gave apologies from ■ (HS2) and presented the key progress on Phase One:</p> <p>Ecological mitigation works continue whilst noise insulation, archaeology and utility works and small-scale demolitions are underway. For main works, the current key activities are site establishments, piling, noise insulation, ongoing ecological works, ground investigations and detailed design. ■ (HS2) also noted that Mace Dragados Joint Venture has been announced as Curzon Street main works design and build contractor.</p> <p>■ (HS2) drew attention to the launch of the first HS2 tunnel boring machine ‘Florence’ on the 7<sup>th</sup> May and the assembly of the second machine ‘Cecilia’, which is scheduled to launch in June. ■ (HS2) offered local planning authorities the opportunity to visit the launch site.</p> <p>■ (HS2) presented slides for each main works IPT, setting out progress and a broad lookahead. Photographs were shared of phase one construction works and other onsite progress.</p> |  |                   |
| <p><b>4.</b></p> | <p><b>Planning Consents Performance</b></p> <p>■ (HS2) presented charts showing the time taken to determine main works Schedule 17 applications in the last six months. It was noted that around 14% of applications had been determined within eight weeks: 18% had gone beyond 24 weeks, similar to the performance shown at the March Planning Forum.</p> <p>■ (HS2) also presented charts showing Schedule 17 applications awaiting determination. It was highlighted that performance had worsened since the Planning Forum in March. Notably, 28% of the live applications are currently under the eight-week threshold and 56% are between 8-16 weeks.</p>  |  |                   |

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|  | <p>■ (HS2) noted that delays in determination don't necessarily mean that construction works are delayed. Often there are valid reasons for requests for extended determination periods and HS2 will continue to be flexible in accommodating requests for extensions of time where possible. ■ (HS2) highlighted that recent collaboration on decision making timescales between HS2 and LPAs on large submissions such as the Western Valley Slopes application has worked well.</p> <p>■ (HS2) also shared a Schedule 17 submissions chart, which indicates that the planned number of main works submissions were not achieved in the previous three months. It was noted that the planned submission figures need to be improved upon. ■ (HS2) said that contractors will continue to work with LPAs bilaterally to provide updates on planned submissions.</p> <p>The Chair and ■ (LBC) asked whether appeals are accounted for in the determination periods charts. ■ (HS2) clarified that appealed Schedule 17s are not included in the figures. ■ (HS2) suggested that figures for appeals could be provided. The Chair expressed thanks and asked if the actual figures rather than percentages could be included on the determination periods charts. ■ (HS2) agreed.</p> <p><b>Action:</b> HS2 to provide appeals statistics at the next Planning Forum and update the pie charts with actual figures.</p> <p>■ (WCC) asked if there are trends behind the determination periods statistics, such as size or complexity. ■ (HS2) explained that there are several reasons such as technical complexity, requests for additional information and other package specific reasons. ■ (HS2) said that a conversation about delays would be welcome, noting that delays are not always due to technical planning issues or complexity.</p> <p>The Chair explained that a questionnaire had been issued to LPA's regarding processes for decision making. The findings of the questionnaire had been shared with the LPAs and HS2. The Chair also noted that a meeting had taken place with LPAs to discuss delays in determination. He reported that no correlation could be seen between the LPA decision making processes and the determination periods of Sch 17 submissions.</p> <p>The Chair highlighted that LPAs had raised the increasing politicisation of the decision-making process as an influence in the determination of Sch 17s. It was highlighted that this is putting pressure on officers and is sometimes contrary to the formal decision-making processes adopted by the LPA.</p> <p>The Chair suggested a break-out session with a subset of LPAs in order to work through examples where significant delays had occurred and discuss determination processes in more detail. The aim would be to identify the relative weights of influences on delayed decisions. <b>Action:</b> The Chair to approach LPAs</p> | <p>HS2</p> <p>Chair</p> |
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|           | <p>and arrange an informal meeting with HS2 to discuss determination processes and causes of delay in more detail, before the next Planning Forum.</p> <p>■ (HS2) thanked the LPAs for their feedback regarding the challenges faced around decision-making and welcomed feedback from Forum members via the planned break-out meeting.</p> <p>■ (Bucks C) advised against splitting up large Sch 17 packages as this prevents members seeing the full picture, and explained that community and member engagement is important to the decision-making process. It was also mentioned that the previous use of Community Forums was successful. ■ (Bucks C) welcomed the break-out session to discuss the matter in more detail.</p> <p>■ (HS2) drew attention to the conflation between formal pre-app and engagement with members and the potential impact it may have on decision making. ■ (HS2) explained that planning has a political dimension, however it appears from feedback from officers that the role of members at some authorities has changed recently.</p> <p>The Chair noted that the Act does not direct LPAs to make decisions in a particular way but highlighted that the HS2 planning regime is intended to be a streamlined process and the eight-week period in the Act is the stated target for determination.</p> <p>■ (HCC) said that the Schedule 17 experience in Hertfordshire had been positive and offered to contribute to the discussion at the break-out meeting.</p> <p>■ (WNC) highlighted the need for community engagement for Key Design Elements to be coordinated with the Schedule 17 submission timetable. ■ (Bucks C) also highlighted the importance of early community and member engagement.</p> |  |
| <p>5.</p> | <p><b>Local Authority Feedback and Issues Arising</b></p> <p>■ (WCC), ■ (Bucks C) and ■ (WNC) raised the issue of LPA recruitment and a lack of suitably qualified planners to fill advertised roles. ■ (HS2) offered any assistance HS2 could provide if thought helpful by authorities. ■ (HCC) said that there used to be government incentives to pay for course fees and suggested that DfT could consider this idea.</p> <p>■ (HS2) suggested the HS2 working arrangements with the Environment Agency could be something to consider, whereby an SLA is in place to fund an embedded HS2-wide team to process applications.</p> <p>■ (WCC) said that there have been recent difficulties with the Service Level Agreement process and that WCC were collating a list of issues on behalf of LPAs. ■ (HS2) acknowledged the difficulties and confirmed that HS2 are seeking to work with LPAs to resolve the substantive issues raised.</p>   |  |

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|           | <p>Following some recent bilateral discussions with HS2, ■ (Bucks C) clarified that the local authority flood team is the flood authority for track drainage matters.</p> <p>■ (WNC) and ■ (Bucks C) asked whether it is appropriate to request drainage information from contractors in relation to Plans and Specification requests for approval.</p> <p>■ (HS2) explained that relevant and necessary information to determine a Schedule 17 submission should be provided to the LPA, which could include information to justify the capacity of balancing ponds. ■ (HS2) clarified that technical specialists would be able to explain drainage assumptions where they are relevant but detailed matters (such as modelling) should be dealt with by the Environment Agency.</p> <p>■ (WNC) noted that it is not always the Environment Agency that would be responsible as they deal with main rivers. The local flood authority would deal with other watercourses.</p>  |  |
| <p>6.</p> | <p><b>Common Design Elements and Design Approaches Update</b></p> <p>■ (HS2) provided a summary of progress to date, noting that the Piers and Parapets CDE Planning Forum Notes (15 and 16) were approved by the Planning Forum in December 2020.</p> <p>It was noted that a change is required to PFN 16 in respect of road overbridge parapets. ■ (HS2) explained that this is due to a change in the vehicle impact requirements and the need to change the inner profile of the parapet for use on road overbridges.</p> <p>For live or approved Sch 17 plans and specifications applications, ■ (HS2) confirmed that a departure from the new standard has been obtained, and a change to those designs is not required. ■ (HCC) asked if this also applies to bridges that are under construction. ■ (HS2) confirmed that they are unaffected.</p> <p>■ (HS2) said that HS2 have commissioned full size mock-ups of the overbridge parapet designs which are anticipated to be completed in late June. ■ (HS2) asked the Forum to nominate a working group to review the design and visit the mock-ups. It was confirmed that Planning Forum would continue to be involved in the design process.</p> <p>The Chair asked for clarification regarding the inclusion of the new design in the Parapets CDE Planning Forum Note. ■ (HS2) confirmed that either the existing note would be modified for road overbridges or a new note would be created.</p> <p>The Chair proposed that due to the volume of road overbridges in Buckinghamshire and the Warwickshire districts, it would make sense for those</p> |  |

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|           | <p>authorities (which had participated in the previous working group) to take part in the working group. ■■■ (WNC) also volunteered to take part. The Chair invited others to volunteer via email.</p> <p>■■■ (HS2) explained that the lineside noise barrier CDE work is ongoing and that HS2 are seeking to share some progress imminently. ■■■ (HS2) asked the forum to nominate a small working group to review the design.</p>  |                   |
| <p>7.</p> | <p><b>Planning Forum Notes Update</b></p> <p>■■■ (HS2) explained that following the publication of the revised Statutory Guidance by DfT in May 2021, HS2 had reviewed the Phase One Planning Forum Notes to identify any required changes.</p> <p>■■■ (HS2) said that in November 2020 a list of PFNs was shared with Planning Forum, with some early assumptions on the potential changes required. It was proposed that some PFNs could include generic text regarding the revised Statutory Guidance and but others require more detail on specific matters. ■■■ also noted that since then Planning Forum has also agreed PFN 17 (Information for Decision Making), which provides more guidance around the changes made in the revised Statutory Guidance.</p> <p>It was noted that PFN 3 (Written Statements and Design and Access Statements) and PFN 6 (Lorry Routes) would be updated to include specific text around the content of submissions / definition of lorry routes. Five PFNs would be updated to include a generic paragraph regarding ‘further information’ and the guidance in Annex 1 to PFN 17, namely:</p> <ul style="list-style-type: none"> <li>• PFN 5 (Model Conditions),</li> <li>• PFN 7 (Bringing into Use Approvals),</li> <li>• PFN 11 (Site Restoration Schemes),</li> <li>• PFN 13 (Guidance on Pre-Application Engagement) and</li> <li>• PFN 14 (Operational Noise from the Railway and Altered Roads).</li> </ul> <p>■■■ said that it is proposed that the remaining seven PFNs are unaffected by the changes to the Statutory Guidance and therefore do not need any update.</p> <p><b>Action:</b> HS2 to circulate the tracked changed PFNs with proposed updates for comment. LPAs to provide comments by Friday 18th June 2021.<br/><i>Post meeting note: PFNs circulated for comment on 28.05.21.</i></p> <p>■■■ (Bucks C) asked whether the proposed changes to PFN 6 (Lorry Routes) affects the ability for multiple routes to be applied for. ■■■ (HS2) and ■■■ (HS2) confirmed that the change only affects the way routes are described not the ability to apply for multiple routes. ■■■ (LBC) welcomed the change and confirmed that the wording changes to PFN 6 are helpful when a route has multiple accesses.</p> | <p>HS2 / LPAs</p> |



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| <b>8.</b> | <p><b>Appeals and Judicial Reviews Update</b></p> <p>■ (HS2) provided an update on appeals and judicial reviews. It was explained that there are five live appeals, as follows:</p> <ul style="list-style-type: none"><li>• <i>APP/HS2/9 SCS lorry route (LB Hillingdon)</i> - Appeal submitted 13 February for non-determination. Awaiting decision from PINS.</li><li>• <i>APP/HS2/10-14 (Bucks Council)</i> - Appeals submitted 15 March for four lorry routes (Align and EKFB) for non-determination / refused. Awaiting decision from PINS.</li></ul> <p>Delays in PINS determination of these appeal is a cause for concern.</p> <p>Judicial Reviews:</p> <p><i>JR2: SCS Lorry Routes APP/HS2/5 (LB Hillingdon)</i> - Sch 17 consent granted on appeal 28 July 2020. Hearing at High Court on 10 February and its decision issued 13th April - LB Hillingdon's application dismissed. LBH have appealed to the Court of Appeal. ■ (HS2) summarised the outcome of the High Court judgement and urged LPAs to read the decision in relation to the application of conditions, significant effects, and the material status of the HS2 EMRs.</p> <p>■ (HS2) highlighted that appeal and judicial review decisions have been uploaded here: <a href="https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decision">https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decision</a> and that an updated Appeals Digest had been circulated to Planning Forum on 20th May.</p> <p>The Chair clarified that Judicial Reviews consider whether the inspector acted lawfully when making a decision and they do not seek to repeat the decision-making process. The Chair also noted that the JR2 High Court decision refers to the role of the Planning Forum and Planning Forum Notes and the role they play in the operation of the HS2 planning regime.</p> <p>The Chair also explained that all Qualifying Authorities are invited to Planning Forum and that LB Hillingdon would be approached as a member of the Forum to seek their participation at meetings.</p> <p>■ (Bucks C) said that the Council have a different interpretation of the judgement and that Forum members should consider the outcome for themselves. The Chair noted this.</p> <p>■ (HS2) confirmed that time spent reading appeal and judicial review decisions is chargeable activity under the Service Level Agreement.</p> |  |
| <b>9.</b> | <p><b>Urban Integration</b></p> <p>■ (HS2 Head of Urban Integration) provided an update on the urban integration workstream. It was explained that the work is addressing the HS2 Design Vision and seeking to ensure that the design of HS2 infrastructure</p>  |  |

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|                   | <p>responds to the wider area character and integrates with its wider physical, socio-economic and policy context. ■ (HS2) explained that this is being undertaken by commissioning Urban / Context Integration Studies to explore connectivity, public space, development and regeneration opportunities that sit outside the HS2 infrastructure works schedule.</p> <p>■ (HS2) explained that the urban integration workstream explores what HS2 can deliver and the benefits it can bring to the immediate context, within the limitations of HS2 funding and powers. It also looks at what HS2 can enable and where other partners could help to realise wider benefits or plan for future investment in associated infrastructure, buildings, public realm or economic development.</p> <p>■ (HS2) set out that Urban Integration Studies have been commissioned in urban areas where HS2 impacts larger population, areas with complex interfaces between the rail infrastructure and its context, areas with significant land take or potential land surplus and areas with ambitious growth or regeneration potential.</p> <p>■ (HS2) shared progress on the studies taking place in the following areas:</p> <ul style="list-style-type: none"> <li>• East Birmingham Corridor</li> <li>• Coventry – Kenilworth Corridor</li> <li>• Lichfield – Handsacre Corridor</li> <li>• EKFB design integration</li> <li>• Old Oak Common</li> </ul> <p>■ (HS2) explained that the LPAs have been / will be engaged with via specific meetings or Schedule 17 pre-app.</p> <p>The Chair asked how the urban integration work interacts with the work carried out on landscape design / local authority master planning (e.g. OPDC). ■ (HS2) explained that colleagues work closely with each other, and the urban integration studies supplement landscape design activities.</p> <p>■ (WNC) queried whether engagement had taken place on the studies around Brackley and Edgecote. ■ (HS2) explained that a new client-side colleague had recently taken responsibility for this area of work and that SNC should be engaged. ■ (WNC) asked how the DfT cycle work in rural areas ties into the studies. ■ (HS2) said that the cycle work is being considered as part of the urban integration workstream.</p> <p>The Chair asked why Euston is excluded from the urban integration studies. ■ (HS2) clarified that this work is being led by the Euston master development partner.</p> |  |
| <p><b>10.</b></p> | <p><b>Helpdesk and Community Engagement Update</b></p>  |  |

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|                   | <p>█ (HS2 █) could not attend, however the usual slide pack was shared at the meeting. The slides provided statistics on the number of enquiries and complaints received on Phase One, broken down by topic, as well as figures for the HS2 complaints referral process.</p> <p>█ (HS2) asked the Forum to provide any questions on the slides after the meeting via email.</p> <p>█ (HCC) said that HS2 press releases often don't acknowledge the need for Schedule 17 approval and requested that they better reflect the planning status prior to construction. It was also suggested that press releases might better be made post-consent. █ (HS2) agreed and acknowledged that the planning status of designs needs to be made clear in press releases and that it has been raised with HS2 colleagues.</p> <p>█ (HCC) asked on behalf of WCC whether there was any information available on the recently published Parliamentary and Health Service Ombudsman (PHSO) report. The Chair confirmed that a note had been received from HS2 on the matter. <b>Action:</b> HS2 to circulate the note and link to the PHSO report following the meeting.</p> | <p><b>HS2</b></p> |
| <p><b>11.</b></p> | <p><b>Forward Plan / AOB</b></p> <p>The Chair noted that Planning Forum will take place on the following dates in 2021:</p> <ul style="list-style-type: none"> <li>• 22nd July</li> <li>• 30th September</li> <li>• 25th November</li> </ul> <p>The Chair suggested that partial approvals, planning consents performance and common design elements are items which will be covered at the next meeting.</p> <p><b>AOB</b></p> <p>█ (HCC) asked if updates from the Planning Forum sub-groups could be provided at future Planning Forum meetings. The Chair proposed that one update could be on the next Planning Forum agenda.</p>   |                   |
|                   | <p><b>End</b></p>  |                   |