

INDEPENDENT Phase 2a Planning FORUM FOR HS2

Title:	Phase 2a Planning Forum for HS2	
Date & Time	Wednesday 17 th November 2021 14:00 – 16:00 Microsoft Teams (Virtual meeting)	
Chair		Independent Chair
HS2 Ltd Attendees:		

Local Authority Attendees:		
Promoter Attendees:		
Apologies:		

Item		Action Owner
	Introductions	
1	<p>Review of previous meeting minutes and actions</p> <p>The minutes of the last meeting were agreed as an accurate record of the meeting, subject to deletion of the first line of the 2nd paragraph under AOB where the minutes said SBC had asked a question and a question had not been asked. ACTION</p> <p>The Forum reviewed actions from previous meetings. The following actions were considered incomplete and would remain on the actions log:</p>	


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	<ul style="list-style-type: none"> • Context Report links on HS2 – in your area website: HS2 explained that work was happening in the background. The Chair asked if the Context Reports were accessible on the Phase 1 website. HS2 said they assumed this was the case but clarified that a Google search locates them (post meeting note: the Phase 1 and 2a context reports are available on gov.uk) • LDC to share examples to determine whether the Biodiversity Investment Fund (BiF) can be used to contribute to existing biodiversity projects: HS2 said they had spoken with LDC who explained that they have asked the HS2 Ecology team for examples and were awaiting a response. The Chair queried with the Forum whether this action had been closed out previously via email exchange. HS2 were unsure so said they would search mailboxes. <p>ACTION</p>	
2	<p>Phase 2a Construction Programme – update</p> <p>HS2 gave an update on the construction programme and made the following key points:</p> <ul style="list-style-type: none"> • A lorry route application for all construction works had been submitted to CEC • The first tranche of Schedule 17s for Early Civils Works (ECW) is planned to be submitted this December followed by the second tranche in February 2023 • The contract for ECW1 (which is primarily highways works) plans to submit Schedule 17s in Summer 2023 followed by ECW2 which is estimated 6-9 months later • The contract for Advanced Civils Works (ACW) plans to submit Schedule 17s in early 2023 <p>The Chair asked the Forum if there were any questions. HS2 highlighted that the SLA with SC was still outstanding and were keen to conclude it: this discussion should happen bi-laterally.</p> <p>HS2 then presented slides on utilities, specifically Non-Contestable Utilities (NCU) on Phase 2a and made the following key points:</p> <ul style="list-style-type: none"> • NCU are works delivered by the Statutory Undertaker • HS2 are pushing consents forward for the National Grid Gas Schemes so that diversion works can start in late 2021 and early 2022 	

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	<ul style="list-style-type: none"> • HS2 explained that the programme is currently being challenged to determine whether diversions are required or whether contracts can combine surveys or land access where there are interfaces • HS2 said that until the Routewide Schedule 17 lorry route submission is approved, the utility companies will submit site-specific Schedule 17 consents <p>CEC asked if some or all the planned utilities works that required approval from the LA would be on the Forward Plan. HS2 said that if the work required Schedule 17 approval then it would be on the Forward Plan. The Chair asked if the quantum of utility works would be reduced as the programme develops. HS2 said that part of the current programme challenge includes the review of utility works identified in the Hybrid Bill to ensure that, post-Royal Assent and in combination with design development and maturity of other HS2 contracts, HS2 still needs to undertake all known utility works. Implicitly, the programme challenge is not likely to result in an increase in utility works.</p>	
3	<p>Schedule 17 – Forward Lookahead</p> <p>HS2 gave a brief update as they had already updated the Forum on planned submissions during the previous item. The next Forward Lookahead will be available in early January</p>	
4	<p>Planning Appeals - update</p> <p>HS2 gave an overview of planning appeals and court cases currently underway or recently determined on Phase 1. The key points were:</p> <ul style="list-style-type: none"> • Hillingdon 2 Court of Appeal (CoA) – the application for Hillingdon to appeal was refused which means LBH are unable to appeal to the Supreme Court which brings that appeal process to a close. HS2 highlighted that it would be useful for Forum members to read the judgement as it provides clarification for how the Planning Schedule is interpreted by the Courts • HS2 highlighted that the ‘validation process’ had been discussed at length on Phase 1 and there was some ambiguity following the CoA judgment on Hillingdon 1. HS2 believes the CoA statement confirmed that there is no validation process • Four more lorry route appeals that had been lodged by Bucks were determined in HS2’s favour, however Bucks have applied to JR some of these decisions 	

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	<ul style="list-style-type: none"> The appeal lodged relating to the refusal of a lorry route application by SMBC is awaiting a decision An appeals digest document is being updated by lawyers to cover the recent appeals and will be circulated to the Forum in due course 	
5	<p>Disqualification Guidance – update</p> <p>HS2 recapped what a Qualifying Authority is, referring to paragraphs 13(1) and (3) of Schedule 17. The key points were:</p> <ul style="list-style-type: none"> The Planning Memorandum contains the undertakings which Qualifying Authorities should take into account in the handling of planning matters The Disqualification Guidance is a DfT document The process gives the Minister powers to disqualify a Qualifying Authority There are five stages in the Disqualification process <p>For further detail please refer to the slides.</p> <p>The Chair asked if the document sets out guidance in the circumstances where a LA has pending Schedule 17s and/or Appeals and an Order is made to disqualify them. HS2 said this was not explicitly addressed in the legislation or Guidance.</p>	
6	<p>Feedback from LAs</p> <p>The Chair asked LAs if they had any feedback for HS2. SCC said they had a combined Traffic Liaison Group and the Phase 2a contractor had not been in attendance so asked if HS2 could follow this up. HS2 said they would highlight this to relevant colleagues. ACTION.</p>	
7	<p>Planning Forum Note 18 – Minerals & Waste</p> <p>HS2 presented slides which included the following key points:</p> <ul style="list-style-type: none"> PFN18 provides guidance to LAs on matters relating to the disposal of waste and spoil and the excavation of bulk materials from borrow pits These works are subject to approval under paragraph 7 These works will then be restored in accordance with an approved restoration plan under paragraph 8 A draft of the document will be circulated to LAs for their review HS2 plan to agree the document as final at the meeting in January <p>For further details please refer to the slides.</p>	

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	<p>The Chair highlighted that there was not an equivalent PFN on Phase 1 and queried this rationale with HS2. HS2 explained that the nature of the works on Phase 1 did not yet require such a Note although this was subject to discussion with the Phase 1 supply chain.</p> <p>NULBC asked if the County Level would handle these submissions as a mineral's application. HS2 clarified that they would, like the TCPA process.</p> <p>CEC said they wanted to understand what they are expected to manage in terms of minerals and waste and if there was an update to the technical appendices of the Environmental Statement for Waste. CEC explained that they were in the process of developing their Waste Development Plan so require information as to how much waste they should anticipate in the Plan, including that arising from the Crewe Tunnel. HS2 said they would take this question as an action but explained that it may be difficult to obtain specific numbers as this information may not be available until the tunneling contractor is on board. ACTION.</p>	
8	<p>Community Engagement</p> <p>HS2 presented slides which included the following key points:</p> <ul style="list-style-type: none"> • The complaints procedure had been updated on the HS2 website • Face-to-face meetings are now being offered for members of the community to ask questions to the Community Engagement team and Subject Matter Experts (SMEs) • MP briefings are being offered to all on the line of route • Contractors are planning to offer briefings to Parish Councils for works in their area • The Community Engagement Strategy has been updated to reflect changes in working and feedback from the local community <p>For further detail please refer to the slides.</p>	
9	<p>Subgroups - update</p> <p>HS2 presented slides which included the following key points:</p> <ul style="list-style-type: none"> • Highways Subgroup – next meeting scheduled for 21st November 2021 (post-meeting note: this date was misread, the next meeting is scheduled for 4th December 2021) • Environmental Health Subgroup – next meeting scheduled for 1st December 2021 • Flood Water & Drainage Subgroup – next meeting scheduled for December but specific date TBC • Heritage Subgroup – next meeting scheduled for 7th December 2021 	

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	<ul style="list-style-type: none"> The annual meeting with Highways Subgroup and Phase 2a Parish Councils is scheduled to take place on 25th November 2021. HS2 explained that this meeting was developed out of the Select Committee report 	
10	<p>Planning Forum Forward Plan</p> <p>HS2 presented slides which contained a forward look of agenda items and invited LAs to suggest items. Please refer to the slide for further detail. HS2 also proposed dates to LAs for meetings in 2022, these were:</p> <ul style="list-style-type: none"> January 19th 2022 March 16th 2022 May 18th 2022 July 20th 2022 September 21st 2022 November 16th 2022 <p>The Chair said January 19th 2022 should be the next Forum meeting date but asked LAs to consider the other dates. ACTION.</p>	
11	<p>AOB</p> <p>HS2 said that there had been eight applications for CEF and BLEF and four applications were planned to be awarded. Only one has been made public but more information regarding the others would be available over the coming weeks.</p>	
	END	