

## INDEPENDENT Phase 2a Planning FORUM FOR HS2

<b>Title:</b>	<b>Phase 2a Planning Forum for HS2</b>	
<b>Date &amp; Time:</b>	<b>Wednesday 16 November 2022 10:30 – 12:00</b> <b>Microsoft Teams (Virtual meeting)</b>	
<b>Chair:</b>	[REDACTED]	Independent Chair
<b>HS2 Ltd Attendees:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	HS2 Ltd - Head of Town Planning HS2 Ltd - Town Planning Lead, (Phase 2a) HS2 Ltd – Head of Early Works (Phase 2a) HS2 Ltd - Head of Phase 2a, Community and Stakeholder Engagement HS2 Ltd – Compliance Manager, Community and Stakeholder Engagement HS2 Ltd - Town Planning Manager HS2 Ltd – Lead Urban Designer HS2 Ltd - Town Planning Assistant HS2 Ltd - Urban Designer and Town Planner HS2 Ltd - Town Planning Administrator

<b>Local Authority Attendees:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Cheshire East Council (CEC) East Staffordshire Borough Council (ESBC) Lichfield District Council (LDC) Newcastle-under-Lyme Borough Council (NULBC) Stafford Borough Council (SBC) Staffordshire County Council (SCC) Staffordshire County Council (SCC)
<b>Promoter Attendees:</b>	[REDACTED]	DfT
<b>Apologies:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	HS2 Ltd – Environment and Town Planning Manager Lichfield District Council (LDC) Newcastle-under-Lyme Borough Council (NULBC) Stafford Borough Council (SBC) Shropshire Council (SC) Shropshire Council (SC)

Item		Action Owner
	<b>Introductions</b> – were made.	
<b>1.</b>	<b>Review of previous meeting minutes and actions</b> Draft minutes of the previous meeting (September) had been circulated so the Chair asked the Forum if any amendments were required. None were highlighted. <b>ACTION.</b> It was agreed they could be published on the GOV.UK website.	<b>HS2 Ltd</b>

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	<p>The Chair noted that the previous minutes were redacted to an extent where the attending organisations and roles on HS2 were blacked out. <b>ACTION.</b> It was agreed that only names should be blacked out before posting on the GOV.UK website.</p> <p>HS2 reviewed the actions log and the following actions were discussed:</p> <ul style="list-style-type: none"> <li>• HS2 Ltd to circulate all subgroup meeting agendas and minutes. (Ongoing)</li> <li>• HS2 Ltd to publish all meeting minutes on GOV.UK. (Ongoing)</li> </ul> <p><u>September Minutes</u></p> <ul style="list-style-type: none"> <li>• Full Construction Update in November – HS2 Ltd to present at Agenda Item 3</li> <li>• The Chair agreed to review how to present data re. ‘S17 Decision Timescales’ charts and get back to HS2 out of the meeting – Completed. Agenda Item 4</li> <li>• HS2 Ltd to update pie chart slide with additional chart, 1<sup>st</sup> to show current situation and 2<sup>nd</sup> showing the overall picture. Also, to provide some context when not delivering on packages – Complete. Agenda Item 4.</li> <li>• All Councils to share their delegated powers/authority with the Forum prior to November’s Forum – Chair to present at Agenda Item 6.</li> <li>• Urban Integration to return in March 2023 – <b>ACTION</b> carried forward.</li> <li>• HS2 Ltd to update slide to represent ‘Complaints’ received going forward – Completed. Agenda Item 9.</li> <li>• HS2 Ltd to update slide (Subgroup Meetings – Update) with date when the minutes were circulated – Completed. Agenda Item 10.</li> <li>• HS2 Ltd to invite ‘Highways’ to present at January 2023 Forum – <b>ACTION</b></li> <li>• HS2 to send invites to members for agreed dates in 2023. – Completed.</li> </ul>	<p>HS2 Ltd</p> <p>HS2 Ltd HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
2.	<p><b>Phase 2a Construction Programme - Update</b></p> <p>HS2 Ltd presented an update on the 2a Early Works Programme, noting that as work progresses Main Works colleagues will be invited to the Forum. Using three previously presented slides with revised dates, HS2 Ltd detailed being out on the route over the past year carrying out the ground investigation programme. This was wrapped up in early 2022 but HS2 will be reprising some more locally based works in early 2023 to pick up areas where HS2 couldn’t gain access previously and new critical areas.</p> <p>Utility diversion has progressed along the route over the year with four completed diversions, a 400kb super grid and three gas diversions. The programme will continue throughout 2022-24.</p> <p>HS2 Ltd thanked members for approving the S17s on one of the major area’s early environmental works.</p>	

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	<p>As the early civils works design phase ends, HS2 will begin civils activities. Since summer 2022 Balfour Beatty have been creating pond habitats along the route, occupying 26-30 sites to construct approximately 100 ponds. Work will continue through the winter into spring 2023 to finish the programme creating ponds where none exist, with aquatic plants and surrounding grassland habitat to attract and translocate newts into new habitats from summer 2023.</p> <p>New year, the focus is on bat and badger habitats. Relevant LAs will have seen S17s for designs of bat houses. Looking at construction season of February-March moving into winter tree planting, possibly 1<sup>st</sup> week of December to continue during 2023.</p> <p>Once established HS2 Ltd will move into a maintenance phase of sites HS2 have created. This programme has 76 sites to create along the route from Litchfield to south of Crewe.</p> <p>The Chair clarified Q1 2021 to Q4 2023 on the slide were calendar year quarters.</p> <p><u>Early Civils Works</u></p> <p>In 2022 HS2 has carried out surveys and designs for highway schemes across some contracts: two early civils works contracts, one at Wood End Lane and Hanchurch and on a basket of schemes along the route.</p> <p>Contractors and designers have surveyed throughout the year. HS2 engaged in stakeholder consultation and, for works at Hanchurch and Wood End Lane, engaged in consenting and pre-consenting activities to hear comments of LAs to incorporate where possible into the scheme.</p> <p>Wood End Lane widening, just north of Litchfield, is currently out to tender, with Balfour Beatty (possibly in February/March 2023) constructing compounds and preparing the way for the widening through 2023/24. HS2 noted the complexity of traffic management but a reworking with SCC to ensure compliance. Good progress has been made.</p> <p>Works at Amchurch Interchange M6 Junction 15, Newcastle-Under-Lime (outskirts of Stoke-on-Trent) currently in the detailed design and looking to award for construction in April-July 2023 until end 2024. Access consultation with National Highways to close this major strategic junction with a view to keeping other lanes open for a prolonged construction period and working alongside residents.</p> <p>Route wide schemes by Kier Construction, sites may begin to come on stream towards the end of 2023: more details to be provided throughout the year.</p>	
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	<p>The Chair asked which authority the interchange was in. HS2 Ltd confirmed Staffordshire Highways: it is on the edge of City of Stoke-on-Trent and provides a major gateway into the city. HS2 Ltd engaged with multiple authorities on it. Sequencing works around Stoke City football games was a major consideration.</p> <p>As there were no further questions, the Chair thanked HS2 Ltd stating it was just what was needed in terms of an update.</p>	
3.	<p><b>S.17 Consents Forward Lookahead – SharePoint and Live Tracker</b></p> <p><b>Schedule 17 Submission Performance – bar chart</b></p> <p>HS2 Ltd gave an update on S17 actual submissions against planned from September to October 22, the current status of November and planned submissions to February 23.</p> <p>HS2 explained changes that had been made to better reflect what was anticipated in terms of submission numbers compared with what was achieved and planned.</p> <p>The Chair queried that there are now 11 planned in the next five months whereas there were 36 planned but not submitted in the previous two months.</p> <p>HS2 Ltd stated the explanatory note details where those anticipated consents have gone (the majority were associated with the ECW2 contract). The consents and pre-app window for those works runs through to Q2 next year: that's where the majority of the ECW2 consents work is now forecast to be happening, hence why the original ones in September/October have shifted outside the window and will be reflected in the next live forward plan.</p> <p>The question is whether the contractor had the resource to produce 15 in September or should HS2 Ltd request a more realistically accurate forecast? HS2 Ltd is working with the supply chain to improve performance on this.</p> <p><b>Schedule 17 Decision Timescales – pie charts</b></p> <p>The two determined in September and October had one within eight weeks and one just outside. The cumulative picture is on the right-hand chart: two out of three requests made were determined within eight weeks: this is good compared to Phase 1.</p> <p>The Chair asked if 8+ weeks means some could be as many as 20 or are they all 8-16?</p> <p>HS2 explained this captures any requests that were not determined within the 8-week period. The cumulative chart will only show the 8+ weeks figures and will not be broken down further as per the 'Awaiting Decision' chart.</p>	

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	<p>HS2 Ltd stated that once Phase 2a has a similar volume of submissions as Phase 1 they will start breaking it down but currently there's not sufficient volume. HS2 Ltd thanked LA colleagues for all the efforts in helping HS2 achieve this performance.</p> <p><b>Approved S17s in 2022 - bar chart</b></p> <p>The chart breaks the total numbers down by LAs. HS2 Ltd will continue to produce such a slide whilst it's useful. HS2 Ltd explained East Staffs and Shropshire has a small number of consents as works in their areas are largely highways works to facilitate lorry routes. Similarly East Staffs are mainly a power connection route with a limited number of applications.</p> <p>SBC raised a concern that the Forward Plan is not accurate. In October SBC were expecting eight submissions and set aside case officer time for them but they were neither received nor were SBC notified they weren't coming. SBC requested an email be sent if they are not to receive planned applications rather than being left waiting.</p> <p>HS2 Ltd apologised and explained the live forward plan needs to be the mechanism to ensure this doesn't happen. HS2 have begun a weekly look at projected dates and if the dates are getting close and draft submission packs are not being received from the supply chain, that's the point HS2 will start flagging that the dates will not be hit and LAs will not receive the volume of S17 requests indicated. The live forward plan will be updated and HS2 Ltd will send a notification email. <b>ACTION</b></p> <p>The Chair thanked SBC for a point well raised.</p>	HS2 Ltd
4.	<p><b>Planning Appeals (S17) - update</b></p> <p>HS2 Ltd gave an update on the Project's planning appeals and legal challenges, with two self-explanatory slides showing Phase 1 Appeals and Judicial Reviews. A link accessible to members was on the second slide.</p> <p>HS2 Ltd stated that five appeals were progressing through the process. Ministers have confirmed they plan to recover some decisions, so they will be made by Ministers rather than by the Inspectorate. No Judicial Reviews currently, which is good.</p> <p>On the Bromford Tunnel Extension, the Planning Inspector requested additional consultation on some revised plans, currently underway. This appeal and one on Balsall Common are recovered by Ministers. Waiting for them to go through the process.</p> <p>Borrow pits – self-explanatory. These decisions will be made by the Inspector, not recovered by the SoS.</p>	

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	<p>HS2 Ltd explained that the Inspector writes a recommendation setting out their reasoning. Ministers in making their decision either agree with that recommendation, in which case their decision notice is quite short, or if they go against the Inspector's recommendation they will set out their reasons why.</p> <p>HS2 had received two such recovered decisions: on a new pond in Hillingdon Ministers made a decision against the Inspector's recommendation, and on a lorry route decision in Hillingdon Ministers agreed with the Inspector.</p> <p>The Chair confirmed with HS2 Ltd that when Ministers give their decision they do publish the Inspector's report as well.</p> <p>Bowood Lane Bridge – appeal relating to a design of an over-bridge in Buckinghamshire, in particular the provision of green verges on that bridge. The current status is that Buckinghamshire has provided their statement of evidence running to several hundred pages, and HS2 Ltd were finalising their response this week. Bucks have a further opportunity to respond, with possibly a decision before December.</p> <p>All the appeal and JR decisions can be viewed at the website (link on the slide) if members want to go back and look at previous decisions or court judgements/cases. Some are quite illustrative in terms of clarifying how the law should be interpreted so they are a useful resource to look at if you have time, although there is some quite dense legal text and legal debate on judgements.</p> <p>The Chair requested questions and made an IT observation that the link on the 2<sup>nd</sup> slide was active even on our computer screens and advised members to click and save it.</p>	
5.	<p><b>Decision Making Processes - discussion</b></p> <p>The Chair led a discussion on how to improve S17 decisions. He described how previously on Phase 1, meetings were held to try to identify factors leading to long determination times, particularly for S17 submissions. One the Chair followed up on was to write asking authorities to consider setting out their determination process. Nearly all Phase 1 authorities had delegated authorities to officers to different extents for HS2 works. One LA had put their process into a flow chart and the Chair asked other authorities to consider putting theirs into a flowchart.</p> <p>On Phase 2a, LAs had been asked to exchange their delegated authorities for determining HS2 submissions. Three had done so (see attached self-explanatory slides):</p> <ul style="list-style-type: none"> <li>• Stafford Borough council</li> <li>• Lichfield District council</li> <li>• East Staffordshire Borough Council</li> </ul>	

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	<p>The Chair invited elaboration/discussion.</p> <p>The Chair asked of ESBC, if any one ward councilor can ask that it goes to planning committee? Also, what level of public interest might prompt officers to refer it to planning committee, e.g., is it one officer or a team decision?</p> <p>ESBC stated one Councillor can request it goes to committee. He/she will inform the committee chair of the public interest.</p> <p>The Chair hoped the LAs who had shared encourages other LAs to do the same. He suggested further discussion in a future meeting, including what level of concern triggers going to planning committee and the percentage of submissions it involves.</p> <p><b>ACTION</b></p> <p>HS2 observed that it would not be 'usual' for a Scheme of Delegation to refer to S17 matters as these are bespoke to the HS2 planning regime, therefore a revision to an existing scheme of delegation would be required in order to incorporate a bespoke approach for HS2 matters. It is this action which HS2 are hoping to encourage in instances where it would benefit the determination of S17 matters in accordance with the EMRs.</p> <p>The Chair stated he was unsure whether it's all LAs that can only amend delegated authorities once annually and invited Stafford, Litchfield and others to elaborate or make observations.</p> <p>SBC – as Stafford, so far (ponds) determining under delegated power. When it comes to bridges etc. they're likely to go to committee.</p> <p>CEC– have quite a similar scheme of delegation. Can go through the chair of committee to change scheme of delegation twice per year. Members like to keep an element of control. Hard to change the constitution – it was changed just before applications started coming through for HS2.</p> <p>HS2 Ltd asked, when a committee deadline is missed by a day, if there's a four-week delay until the next? If so, is there a different way of doing things, like committee meeting more regularly, or a decision via correspondence?</p> <p>LDC, in consultation with the chair and deputy chair and a lot of people coming and going, response times is an issue. Committees in Birmingham were held two-weekly to accommodate some slippage. It's not possible with a 4-week meeting cycle and an agenda two weeks before.</p> <p>HS2 Ltd suggested that delegated decisions will become more difficult for LAs when applications are larger and more difficult to deal with: a 4-week meeting cycle could cause delays and asked how difficult it would be to retrofit a shorter cycle?</p>	<p><b>ALL LAs</b></p>
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	<p>The Chair asked if meetings could be held in between the 4-week cycle for just HS2, or if the frequency of meetings was too difficult to change.</p> <p>HS2 Ltd asked if a member decision could be made in conjunction with the chair.</p> <p>LDC have main planning committees for major applications, and 'under' committees for smaller ones. With Litchfield there is an element of flexibility for people dealing with applications. A large viaduct may be down for a committee decision so target a certain meeting, then at week 3 may bounce it to the next one. SDC's delegation allows for senior offices to think an application semi controversial so aim for committee and the committee then delegate it.</p> <p>SBC have a meeting every three weeks. Large scale applications go to their own committee meetings. Possibly in future SBC could take HS2 to those meetings. <b>ACTION</b> SBC to take that away and ask.</p> <p>The Chair thought the discussion was very positive and showed some flexibility and suggested revisiting it in a couple of meetings time. <b>ACTION</b></p>	<p><b>SBC</b></p> <p><b>ALL</b></p>
6.	<p><b>Feedback from Local Authorities</b></p> <p>The Chair asked the LAs if they wished to raise any matters?</p> <p>SBC stated some LAs had received an email from ARUP regarding some upcoming applications for gates and fences. ARUP asked the LAs to accept a lighter touch submission for such minor works, not in accordance with the PFN, so it wouldn't have a written statement. SBC had queried whether they could do that, noting it needs to be in accordance with the PFN that says the design statement is necessary, and a written statement is required every time.</p> <p>HS2 Ltd noted a few instances with very small applications on Phase 1 and Crossrail, when a long letter describing the proposals was used and why it was a bit disproportionate to produce a full written statement. One application was to move a pre-approved door a few feet along a wall that did not necessitate a full written statement. It is possible to do this – there is no legal reason why not if it is appropriate to the level and size of the application. If it's very minor works it can be done if the planning authority considers it reasonably proportionate for those works. However, if it's proposed and the LA isn't comfortable with it, the default is to fall back on having the written statement.</p> <p>HS2 Ltd advised that if ARUP sought alternative submission packages, to point out that the says PFN it had to be agreed with the LAs. A response from LDC suggested they had an issue with the streamlined approach so HS2 Ltd advised Arup to submit as the PFN</p>	



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	<p>requires. So again, if LAs are uncomfortable, to respond to Arup who will do as they would normally for any other S17.</p> <p>The Chair suggested the important thing is that the information the LA needs to determine it is there. If necessary, amend a proposed long letter and retitle it 'written statement'.</p> <p>The Chair thanked SBC for raising the question. No other feedback.</p>	
<b>7.</b>	<p><b>Planning Forum Notes (PFNs) - update</b></p> <p>HS2 Ltd gave an update noting that the noise barriers PFN was 'in obedience', thus the table was now up to date and would be circulated as part of the slide pack. HS2 Ltd confirmed that all the PFNs on the Gov.uk website were up to date.</p> <p>The Chair noted 'in obedience' understates a lot of work that went into PFN 14, that further discussion would be held the following week and it could make progress.</p> <p>The Chair noted Phase 1 is more contractor driven and not all contractors will be using the designs in the PFN. It could be more straightforward on Phase 2a with a DDP.</p> <p>The Chair thanked HS2 Ltd. He said it was a very helpful slide and requested that when circulated it has hotlinks to each the PF note. <b>ACTION</b></p>	<b>HS2 Ltd</b>
<b>8.</b>	<p><b>Community Engagement Snapshot</b></p> <p>HS2 Ltd presented self-explanatory slides in the style of those used for Phase 1 Planning Forum, as agreed at September's Forum. Numbers are relatively low so far but may well increase as construction starts building.</p> <p>The Chair noted that these being largely auto generated it will be increasingly useful.</p> <p>HS2 Ltd explained numbers will increase as activity does and the public becomes more aware of what's going on. HS2's Public Response Team will present to future 2a Forum meetings as they are much closer to the detail. <b>ACTION</b></p> <p>HS2 Ltd presented an update on Community Engagement over the last couple of months, the key points were:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Activity</b> – A route-wide injunction applies to all land HS2 either possesses or has access to and requires an annual update. HS2 will add new land subsequently acquired. New Secretary of State for Transport is Mark Harper and the Minister for Rail with the Portfolio for HS2 is Hugh Merriman,</li> </ul>	<b>HS2 Ltd</b>

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	<p>who was Chair of Select Committee. Various introductions happening with key people. Mark Thurston appeared at the Transport Select Committee.</p> <ul style="list-style-type: none"> <li>• <b>Wider Community</b> - Last month a tour of Phase 2a was conducted with the new Residents Commissioner Stuart Jackson showing him some key pinch points and challenging areas. Running public webinars on the community and business funding streams, giving people a better understanding of how to apply, what may be successful and where to get further information. HS2's Land and Property to deliver a webinar on the process on how HS2 acquire and possess land for members of the public to attend. Balfour Beatty and Kier (contractors) to deliver updates on their schemes.</li> </ul> <p>Attended five events with 550 individuals over the year, approximately 80% of attendees had not previously attended events or drop-ins.</p> <p>Published most up to date posting newsletter to 19,000 addresses. To deliver 1:1s engagements in November, using 10 venues, 3 completed.</p> <ul style="list-style-type: none"> <li>• <b>Look Ahead</b> – Engagement regarding activity around junction 15 and Wood End Lane. Further face to face engagement, more public webinars, supporting colleagues on HS2's education team delivering the EPIC STEM engineering workshops in secondary schools – age 14–19-year-olds along the line of route.</li> </ul> <p>There being no questions the Chair thanked HS2 Ltd and stated he liked the way the report is set out under the three above headings.</p>	
9.	<p><b>Subgroup Meetings – update</b></p> <p>HS2 Ltd presented a slide which included items that had been discussed at meetings as well as dates of previous and planned meetings for the following Subgroups:</p> <ul style="list-style-type: none"> <li>• Highways</li> <li>• Environmental Health</li> <li>• Flood Water &amp; Drainage</li> <li>• Heritage</li> </ul> <p>HS2 Ltd stated they added a 'minutes circulated' row to close out the action. Only Highways have circulated their minutes, but Environmental Health and Floodwater &amp; Drainage have drafts prepared for circulation ahead of their next meetings. Next meeting dates have been checked and any changes made on the final row.</p>	

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	<p>HS2 Ltd flagged up the Annual Extraordinary Meeting of the Highways Sub-group due on 28<sup>th</sup> November.</p> <p>Chair asked what was extraordinary about the meeting, and if it included members. HS2 Ltd explained that it was a Select Committee request relating to parish council involvement in the Highways Subgroup. It was agreed the best way for the Government to respond to the subcommittee was to hold an extraordinary meeting annually to be attended by line of route parish councils. The next is the fourth meeting.</p> <p>There being no questions the Chair thanked HS2 Ltd.</p>	
<b>10.</b>	<p><b>Planning Forum Forward Plan</b></p> <p>HS2 Ltd presented a slide showing future agenda items for meetings to be held in January, March and May 2023. The agenda for the next meeting in January 2023 includes the usual standard items and presentations on the Highways Subgroup and the SLA Review. The March meeting to include a follow-up discussion on Decision Making Processes.</p> <p>January item 4, mentioned at September's meeting: noting contracts have not been awarded as yet, it may move along the forward plan depending on the status of each contract at that time.</p> <p>No other items for future Forums were suggested. <b>ACTION</b></p>	<b>HS2 Ltd</b>
<b>11.</b>	<p><b>AOB</b></p> <p>The Chair informed the meeting that HS2 Ltd had been scheduled to give a SLA presentation at this meeting but there is currently a review of the SLA process. This item will be added to the Forum agenda once this review is completed (January 2023?).</p> <p>The Chair advised that two of the three planned SLA reviews/workshops had been completed. He suggested Members, or anyone in their LA with hands-on experience of time sheets and making claims, and any frustrations or whether all going smoothly, it would be appreciated by HS2 colleagues undertaking this review if LAs would attend the final one on 30<sup>th</sup> November.</p> <p>There being no other business, the Chair thanked everyone for attending, wished everyone a Merry Christmas, and closed the meeting.</p>	
<b>12.</b>	<b>END</b>	

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