

INDEPENDENT Phase 2b Planning FORUM FOR HS2

<p>1</p>	<p>Review of actions log</p> <p>1.1 HS2 Ltd advised that all outstanding actions had been completed, except for one item (from September 2022 meeting) regarding temporary construction activities which will be brought to a future forum meeting.</p> <p>1.2 The Chair requested that HS2 Ltd continue to list any outstanding actions in the action log so that we maintain a record of items that need to be considered at future meetings. In addition, HS2 noted that they propose to create a simple catalogue of substantive presentations made at the Forum meetings on key documents and matters that are critical outputs for the Forum. This can then act as a quick reference document to assist future discussions and avoiding having to repeat material.</p>	
<p>2</p>	<p>Review of Minutes from Previous meeting</p> <p>2.1 The September 2022 meeting minutes were agreed and will be published on GOV.UK.</p> <p>Action: HS2 Ltd to upload the September 2022 minutes to GOV.UK.</p>	<p>HS2 Ltd</p>
<p>3</p>	<p>Bill deposit</p> <p>3.1 HS2 Ltd reiterated their point from the last meeting that there has been minimal progress on the Bill in Parliament, due to recent ministerial changes, which in turn has delayed the appointment of a Select Committee.</p> <p>3.2 HS2 Ltd discussed the timetabling for the Committee stage and the potential impact on the overall timetable of the Bill (this was a concern raised by authorities from the LA pre-meet). It was explained that this was very difficult to forecast, as HS2 Ltd have no control over the process or how many petitions Select Committee will want to hear and their approach to examining the matters that have been raised.</p> <p>3.3 HS2 Ltd also discussed the process and timescale for further engagement with local planning authorities (again this was a concern raised by authorities from the LA pre-meet). HS2 Ltd explained in the absence of a Select Committee they have had to commence engagement and have assumed that a committee might want to take petitions geographically (from South to North), because previous committees have adopted this approach. This approach appears more likely as the changes in Additional Provision (AP1) of the hybrid Bill are predominantly concentrated in the South.</p>	

	<p>3.4 HS2 Ltd advised that they have not been in contact with Cumbria County Council or Lancashire County Council yet, as they are prioritising their resources on the larger scale and time intensive infrastructure petition requests such as Piccadilly station. HS2 Ltd assured the off-route authorities that they will be speaking to them shortly but explained due to the reasons explained previously that is why no engagement has taken place yet.</p>	
<p>4</p>	<p>Petitioning responses - overview of key themes and HS2 Ltd's response</p> <p>4.1 HS2 Ltd provided their initial response to the broad issues raised in petitions (for Schedule 17 & EMRs) that were received against the Bill and Additional Provision 1 (AP1), from six of the local authorities who are members of the Planning Forum (see slide pack for further details).</p> <p><u>Schedule 17 specific</u></p> <ul style="list-style-type: none"> a) Requests for a major/minor split for the appropriate period defined in para 24(5) b) Requests to widen the scope for public engagement under paragraph 18 c) Seeking advance notice for planning submissions (6 months) d) Concern over the definition of temporary in para 3(9) e) Seeking commitments on the packaging of requests for approvals and handling of requests e.g: <ul style="list-style-type: none"> - Determination periods - Agreement of conditions f) Seeking advance notice for planning submissions (6 months) g) Should be a validation process for submissions <p><u>EMR specific</u></p> <ul style="list-style-type: none"> h) That documents such as prior LEMPs should be agreed with the planning authority i) Status/weight of pre-application advice j) That planning authorities will have to monitor HS2 works k) That various aspects controlled by the CoCP should be subject to planning authority approval l) Certain further assessments are required m) Requests for further local authority funding to enable sufficient resource <p>4.2 In response to (a) under the Schedule 17 specific item, MCC disagreed with HS2 Ltd initial response and stated that it did not take into account</p>	

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	<p>LPA's internal governance processes such as Planning Committees (as MCC explained that they will take all large infrastructure asset submissions to planning committee).</p> <p>4.3 MCC understood that for KDEs a separate public consultation will be undertaken with the wider public beyond the scope within the hybrid Bill for other Schedule 17 applications. However, concerns were expressed around the design maturity of KDEs and the possibility that the design could be completely different to what an authority are expecting in a Schedule 17 application following HS2's public consultation on a given KDE.</p> <p>4.4 HS2 Ltd explained that public consultation is generally done once and is a balancing act. It was described that if public consultation is undertaken too late it then difficult to make significant changes and the cost to do so is extremely expensive. However, if undertaken too early, there are risks with an immature design and people will not have sufficient information to provide substantive comment on.</p> <p>4.5 HS2 Ltd emphasised that members should not receive a Schedule 17 application without proportionate pre-application prior to the submission. This explains the emphasis placed on collaborative working and effective pre-application discussions, so that both parties have aware of the expectations and have a strong indication of the outcome of a submission.</p> <p>4.6 MCC welcomed the explanation and asked if HS2 Ltd would consider requests directly from the public under the grounds for refusal under Schedule 17.</p> <p>4.7 HS2 Ltd advised if the planning authority supported the concern of the member of the public and adopted them then the nominated undertaker would respond to them as part of the planning process. HS2 Ltd also noted that Government's intention is not to include a legal requirement for public consultation but instead it is for the local Councillors to represent their local communities views, in this case on the design of a HS2 asset.</p> <p>4.8 The Chair questioned whether there is scope to review the wording of Planning Memorandum (PM) to consider if it captures all the information that HS2 Ltd had just presented. The Chair noted that it may be reassuring for members if a more detailed explanation of the approach HS2 will take is captured in the PM, which can then be referred to by all parties.</p>	
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	<p>4.9 HS2 Ltd welcomed MCC’s contributions and the Chair’s recommendation.</p> <p>Action: HS2 Ltd to review the Planning Memorandum and consider if there is scope for revisions to expand the expectations contained with the document.</p> <p>4.10 In response to point (c) MCC highlighted the potential resource implications if a significant change was made to the timing of a Schedule 17 application, which would require additional resources that the MCC would not have forecasted. MCC recognised that HS2 would act reasonably but as this was not noted in the Planning Memorandum there is little reassurance contractors will not be applying additional pressure on limited resources.</p> <p>4.11 HS2 Ltd noted MCC’s comments. It was noted that slippages in the programme were far more likely than the submission of applications ahead of the planned date. It was explained that HS2 could not give a commitment regarding adherence to programme of submissions, as it would restrict the contractors unduly, but did agree to consider the point further.</p> <p>4.12 The Chair noted that communication is vital and having a dedicated person within HS2 Ltd that communicates directly with authorities could assist this process.</p> <p>4.13 HS2 Ltd explained that they do not have an organisational model in place for Phase 2b yet. However, on Phase 1 each contractor has town planners to work closely with and liaise with authorities for Schedule 17 applications and this was an approach HS2 would expect to be taken on Phase 2b.</p> <p>4.14 In response to point (j) MCC raised concerns over the management of LEMPs and authorities being involuntarily compelled to monitor contractors following complaints from the public and the associated additional financial burden on LPA that would result.</p> <p>4.15 HS2 Ltd that the nominated undertaker, a body appointed by Statutory Instrument and in contract with the DfT must not be treated as a standard developer. The nominated undertake will put in place various procedures to ensure the requirements of the EMRs are met and that its contractors behave correctly. However, HS2 Ltd believed that given the scale of the project they have a very good</p>	<p>HS2 Ltd</p>
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	<p>record of works complying with EMRs requirements things will on occasion go wrong but that through its helpdesk HS2 has processes to manage this. HS2 Ltd went to explain that local authorities should direct people’s concerns to the HS2 Helpdesk who are very effective in addressing and closing out enquiries within short time periods. Therefore, there is not a burden placed on local authorities.</p> <p>4.16 The Chair suggested that HS2 should present an item of the HS2 Helpdesk with examples of how it is working in practice on Phase 1.</p> <p>Action: Include an item on the HS2 Helpdesk at a future meeting.</p> <p>4.17 MCC stated that they still had issues with the Environment Statement, the methodologies and results and mitigation proposed.</p> <p>4.18 The Chair requested HS2 Ltd’s timescales on considering revisions to the Planning Memorandum.</p> <p>4.19 HS2 Ltd explained that they would have to discuss this internally and obtain a view before any potential revisions could be considered.</p> <p>Action: HS2 Ltd to circulate Planning Forum Notes from Phase 1 and 2a, that provide guidance on Schedule 17 submission scope.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p>5</p>	<p>Key Design Elements (KDEs) – next steps</p> <p>5.1. HS2 Ltd provided an overview of the accepted and additional KDEs list, which is as follows:</p> <p>Existing KDEs:</p> <ul style="list-style-type: none"> - Crewe Tunnel North Porous Portal - Crewe Rolling Stock Depot - River Dane Viaduct - Trent and Mersey Canal Viaduct - Gad Brook Viaduct - Smoker Brook Viaduct - Manchester Tunnel South Porous Portal - Palatine Road Vent Shaft - Birchfield Road Vent Shaft - Piccadilly Approach Viaduct & Piccadilly Station Viaduct <p>Additional KDEs proposed by Member of the Forum:</p> <ul style="list-style-type: none"> - North Tunnel Portal - Annandale depot 	

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	<ul style="list-style-type: none">- Altringham Road Vent Shaft- Wilmslow Road Vent Shaft- The stretch of embankment between Gad Brook Viaduct and Smoker Brook Viaduct- Viaduct over the River Bollin <p>5.2. HS2 Ltd explained the next steps and advised that they would bring back the item in early 2023 with setting out their decision on each of the additional KDE's proposed by the Forum. .</p> <p>5.3. MCC requested that the existing and proposed additional KDEs are included on the presentation slide for clarity on the entire list being reviewed.</p> <p>Action: HS2 Ltd to include a table showing a list of the existing and proposed additional KDEs that are undergoing review when circulating the slide pack.</p>	HS2 Ltd
6	Independent Design Panel – overview <p>6.1 HS2 Ltd provided an overview of the Independent Design Panel (see slide pack for further information).</p> <p>6.2 The Chair asked how the IDP work with local authorities, specifically how engagement was undertaken i.e. on specific projects or themes.</p> <p>6.3 HS2 Ltd explained that local authorities are always invited to the IDP once they reach design scheme. Local authorities are given an opportunity to speak to provide context on the items within their area and at this stage IDP only provide observations. It was noted that feedback from authorities on earlier phases has been positive. HS2 Ltd did make the legal distinction that the IDP design reviews and Schedule 17 applications are separate processes.</p> <p>6.4 A question was raised on where the Design Handbook and other IDP documents could be obtained.</p> <p>6.5 HS2 Ltd advised that the documents are available online on GOV.UK (see slide pack for links to the following: IDP Design Handbook, HS2 Design Vision and a case study at Curzon Street)</p> <p>6.6 A question was raised in relation to fence design and design consideration.</p>	

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	<p>6.7 HS2 Ltd explained that they advise their contractors to incorporate fences and other mandatory items within the early design of the scheme, so that they are not considered as an afterthought.</p> <p>6.8 MCC sought clarity on the governance structure of the IDP.</p> <p>6.9 HS2 Ltd explained that it is a completely transparent process and all relevant documents including the governance of the are on GOV.UK (IDP Handbook 2002 HS2 IDP Handbook without Appendices .pdf (publishing.service.gov.uk))</p> <p>6.10 MCC requested a forward plan of IDP engagement with local authorities</p> <p>6.11 HS2 Ltd explained that for the detailed work once pre-application discussions start between HS2 and local authorities, that element of the programme will be fixed. It was explained that HS2 are not at that stage yet and forward plans will not have been created until a design partner is onboard.</p> <p>6.12 HS2 Ltd suggested that it would be useful to invite the IDP to explain their roles in further detail at a future forum meeting.</p> <p>Action: HS2 Ltd to invite the Independent Design Panel to explain the role of the IDP in further detail.</p>	HS2 Ltd
7	<p>Overview of the Environmental Memorandum</p> <p>7.1 HS2 Ltd provided an overview of the draft Environmental Memorandum, which relates to environmental aspects of design and construction (see slide pack for further information).</p> <p>7.2 HS2 Ltd agreed to a suggestion by MCC that LA comments on the draft document should be discussed and collated at the next local authority pre-meet (chaired by the Independent Chair) scheduled on 7 December 2022.</p> <p>7.2 HS2 will provide details of feedback received at the next meeting and a response to comments and details of next steps will be presented to Forum later in 2023.</p>	

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	<p>Action: HS2 Ltd to circulate the SharePoint spreadsheet to allow for collective comments that is used for sub groups</p>	HS2 Ltd
8	<p>Qualifying authority status</p> <p>8.1 HS2 Ltd provided an overview of the purpose and process to become a qualifying authority (see slide pack for further details).</p> <p>8.2 HS2 Ltd expected the decision for local authorities to become a qualifying authority or not, is at least 18 months away. However, it explained that local authorities will have obtain a full council decision and steps should be taken my members to arrange this if they want to sign the Planning Memorandum to become a qualifying authority.</p> <p>8.3 The Chair welcomed the overview and requested that precise timescales were shared (once known) and the item revisited closer to the time.</p>	
9	<p>Sub group update</p> <p>9.1 HS2 Ltd provided an overview of the themes covered at each sub group meeting since September 2022 (see slide pack for further details)</p> <p>9.2 HS2 Ltd presented a live programme of upcoming sub group meetings for 2023.</p> <p>9.3 MCC requested that HS2 Ltd produce a table of all the documents (and their status) HS2 intend to circulate either through the Planning Forum or sub group, so that local authorities have an awareness of the documents coming forward.</p> <p>Action: HS2 Ltd produce a table of all the documents (and their status) HS2 intend to circulate either through the Planning Forum or sub group.</p>	HS2 Ltd
10	<p>Planning authority feedback and matters Feedback from pre-meets with Chair</p> <p>10.1 The Chair confirmed that a pre meeting had taken place with local authorities in October. He confirmed that all the matters raised from the pre meeting had already been discussed at this meeting of the forum.</p>	

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	<p>10.2 The next pre-meet will take place on 7th December 2022. It was agreed that the start of the meeting be put back 1 hour to 3pm to avoid and overlap with the Transport Sub Group Meeting.</p>	
11	<p>Overview of content for future meetings Planning authority feedback and matters</p> <p>11.1 HS2 Ltd explained some of the items that will be covered at the next forum meeting in January (see slide pack for further details). It was noted that an indicative programme for 2023 agenda items would be presented to members at the next meeting.</p>	
12	<p>Arrangements for the next meeting on 11 January</p> <p>12.1 It was advised that the next meeting will be online only, but it was hoped that the Forum would be conducted in a hybrid format twice a year from 2023, which would provide further opportunities for Forum members to meet in person.</p> <p>12.2 HS2 Ltd advised that all meeting invites for 2023 have been sent to members.</p> <p>12.3 The Chair welcomed any offers from members to host a hybrid 2b Planning Forum at a local authority venue for a future meeting.</p>	
13	<p>AOB</p>	
	<p>END</p>	<p>12:20</p>