

## INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

<b>Title:</b>	<b>Independent Phase One Planning Forum for HS2 - #66</b>	
<b>Date &amp; Time:</b>	Thursday 24 <sup>th</sup> November 2022  Microsoft Teams Meeting 13:00 – 15:30	
<b>Chair:</b>	[REDACTED]	Independent Chair
<b>Promoter Attendees:</b>	[REDACTED]	<p>HS2 Ltd (Senior Town Planning Manager)  DFT  Arup  HS2 Ltd (Town Planning)  BBV  HS2 Ltd (Town Planning Manager)  HS2 Ltd (Planning Phase 1 Lead)  HS2 Ltd (Town Planning Manager)  HS2 Ltd (Project Director Civils)  HS2 Ltd (Town Planning Manager)  HS2 Ltd (Head of Town Planning)  HS2 Ltd (Head of Public Response)  DFT  HS2 Ltd (Town Planning Manager)  HS2 Ltd (Urban Design)  HS2 Ltd (Town Planning Manager)  LM JV  SCS  HS2 Ltd (Head of Urban Design)  HS2 Ltd (Town Planning)  HS2 Ltd (Town Planning Manager)  HS2 Ltd (Senior Environment Manager)HS2 Ltd (Town Planning Manager)  SCS  BBV</p>
<b>Independent Attendees:</b>	[REDACTED]	Independent Construction Commissioner
<b>Local Authority Attendees:</b>	[REDACTED]	<p>Solihull Metropolitan Borough Council (SMBC)  Aylesbury Vale District Council (AVDC)  Birmingham City Council (BCC)  Warwickshire County Council (WCC)  Hertfordshire County Council (HCC)  Buckinghamshire Council (Bucks C)  North Warwickshire Borough Council (NWBC)  West Northamptonshire Council (WNC)  London Borough of Camden (LBC)  Staffordshire County Council (SCC)  Three Rivers District Council (TRDC)</p>

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		<p>London Borough of Camden (LBC)          London Borough of Hammersmith &amp; Fulham (LBHF)          Solihull Metropolitan Borough Council (SMBC)          Westminster City Council (WestCC)          London Borough of Camden (LBC)          Stratford-on-Avon District Council (SDC)          Lichfield District Council (LDC)          West Northamptonshire Council (WNC)</p>
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Item		Action Owner																		
1.	<b>Introductions</b> – were made.																			
2.	<p><b>Review of minutes of the September meeting and outstanding actions.</b></p> <p>Additions to minutes of the September Planning Forum were presented and their inclusion into the minutes was agreed. Minutes were agreed.</p> <p>Outstanding actions were reviewed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 50%;">Action</th> <th style="width: 40%;">Status</th> </tr> </thead> <tbody> <tr> <td>Jan 22</td> <td>Prolonged Disturbance Scheme review being undertaken with Feedback to be provided by DfT</td> <td>Review with LPA representatives arranged for 25/11/22 for feedback on initial recommendations. Review to be completed 2022</td> </tr> <tr> <td>Mar 22</td> <td>HS2 to arrange for a future presentation on the fencing design approach</td> <td>Deferred from PF#65 to take place in 2023</td> </tr> <tr> <td>Mar 22</td> <td>HS2 to arrange a discussion session with LPAs regarding the position on SLAs and on timesheet scrutiny.</td> <td>Two of the three sessions have been held. Final session scheduled for 30/11/22</td> </tr> <tr> <td>Jul 22</td> <td>TA (Chair) asked all Phase 1 LPAs (email 7 June) to provide confirmation that they have processes for ensuring timely Schedule 17 decisions.</td> <td>TA (Chair) issued a chasing email on 23/11/22 requesting updates from LPAs on the request for a Sch17 process. Not all LPAs have replied and they are urged to do so. TH (DfT) noted there was senior attention on this point and reiterated the request for LPAs to respond.</td> </tr> <tr> <td>Jul 22</td> <td>Chair/HS2 to consider a workshop or questions to be put to LPAs and vice versa regarding MWCCs' strengths and weaknesses, to identify areas for improvement.</td> <td>TA (Chair) discussed with PG (HS2) and were not able to develop a practical response that would achieve useful outcomes. It is not currently proposed to take this exercise</td> </tr> </tbody> </table>	Date	Action	Status	Jan 22	Prolonged Disturbance Scheme review being undertaken with Feedback to be provided by DfT	Review with LPA representatives arranged for 25/11/22 for feedback on initial recommendations. Review to be completed 2022	Mar 22	HS2 to arrange for a future presentation on the fencing design approach	Deferred from PF#65 to take place in 2023	Mar 22	HS2 to arrange a discussion session with LPAs regarding the position on SLAs and on timesheet scrutiny.	Two of the three sessions have been held. Final session scheduled for 30/11/22	Jul 22	TA (Chair) asked all Phase 1 LPAs (email 7 June) to provide confirmation that they have processes for ensuring timely Schedule 17 decisions.	TA (Chair) issued a chasing email on 23/11/22 requesting updates from LPAs on the request for a Sch17 process. Not all LPAs have replied and they are urged to do so. TH (DfT) noted there was senior attention on this point and reiterated the request for LPAs to respond.	Jul 22	Chair/HS2 to consider a workshop or questions to be put to LPAs and vice versa regarding MWCCs' strengths and weaknesses, to identify areas for improvement.	TA (Chair) discussed with PG (HS2) and were not able to develop a practical response that would achieve useful outcomes. It is not currently proposed to take this exercise	<p><b>DfT</b></p> <p><b>HS2</b></p> <p><b>LPAs</b></p>
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			forward.		
	Jul 222	HS2 to update and issue appeals digest following JR decisions.	Issued 16/11/22	HS2	
	Jul 222	HS2 to look at providing a presentation updating on early stage mitigation works.	To facilitate at a 2023 Planning Forum		
	Sep 22	HS2 to remind MWCCs on the need to provide details of optioneering/design development as part of Sch17 consent applications.	MWCCs and Planning Managers briefed on this point – action complete	HS2	
	Sep 22	Overbridge Parapets PFN 16a and 16b to finalised and circulated to PF for agreement.	Update under Item 7		
	Sep 22	Lineside Noise Barrier PFN18 to be agreed by PF.	Update under Item 7. [PFN 18 agreed and final version to be formally uploaded]		
	Sep 22	Content of Schedule 17 Performance slides to be discussed.	To keep under review but to maintain the current level of reporting in the interim.		
	Sep 22	Request for LPAs to raise with HS2 any particular needs for a 1.8m high parapet to be designed responding to equestrian use.	No further comment received by HS2 – update under Item 7		
	Sep 22	HS2 requested LPAs provide any further specific feedback regarding the Helpdesk online feedback form.	No further comment received by HS2		
	Sep 22	HS2 to circulate Information Paper regarding land disposal	Issued 23/11/22		
<b>3.</b>	<b>HS2 Project Update</b>				HS2
	<p>The Phase 1 Project update was provided by DE (HS2), showing progress on enabling works, main works &amp; station contracts.</p> <p>BT (WCC) asked whether LPAs could have access to the progress of all tunnel boring machines. AR (TRDC) noted that some already were. HS2 to investigate.</p>				
<b>4.</b>	<b>Independent Construction Commissioner Update</b>				
	<p>MW (ICC) gave an overview of key construction related issues that have been raised with him. He noted that 2022 had been busy but the number of issues is plateauing and has fallen a small amount. The key issues are predominantly traffic, road closures, diversions, traffic behaviour and noise. Doesn't expect this trend to alter over the next year although there will be peaks associated with certain construction activities.</p> <p>MW (ICC) highlighted that site management issues are very prominent such as</p>				

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	<p>intrusive lighting and the positioning of facilities on site. MW urged contractors to review their compounds from the public perspective and to proactively respond to complaints.</p> <p>JF (HCC) asked if MW could attend more HS2 Planning Forums and sought clarity on the role of the ICC. MW said he would be happy to attend more Forum meetings.</p> <p>It was noted that a low number of cases have been appealed to the Construction Commissioner. Those cases that are referred to him are complex and often involve a monetary value. It was possible that the low number of cases reaching the ICC is a reflection of the effectiveness of the complaints process managed by HS2.</p> <p>EL (NWBC) questioned if there was any verification of HS2's reporting of satisfaction amongst complainants. MW (HS2) noted that the ICC process was in place to allow those complainants unsatisfied with HS2's response to request independent clarification. Moreover HS2 has its own mechanism to ensure a clear complaints process is followed.</p>	
<p><b>5.</b></p>	<p><b>Planning Consents Performance</b></p> <p>MD (HS2) highlighted that reporting slides had been amended to include acknowledgement that determination timescales were driven by a number of factors. MD (HS2) noted that Planning Forum working groups were held in 2020/21 to look into the reasons behind consent delays and the conclusions reported by the Chair. Reasons for delay, where they have arisen, continue to include those identified at those workshops and HS2 and LAs need to continue to address those issues in order to ensure the process is as efficient as possible.</p> <p>MD (HS2) presented charts showing the time taken to determine the main works Schedule 17 applications in the last six months. MD noted performance is broadly similar to previous months.</p> <p>MD (HS2) also presented charts showing Schedule 17 applications currently awaiting determination. These show a slight improvement but higher proportion of applications in the 25+ weeks determination period. MD (HS2) requested that where LPAs ask for further information to be provided, that information is strictly relevant to the application that is being determined.</p> <p>MD (HS2) also shared a chart showing actual numbers of Schedule 17 submissions vs. planned submissions shown in quarterly forward plans. MD (HS2) noted that most of the shortfall is due to one contractor.</p> <p>MD (HS2) presented an update on the status of appeals with five appeals currently awaiting determination.</p> <p>JF (HCC) made a proposal that local authorities could sit in on contractors'</p>	

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	neighbouring pre-application meetings to ensure consistency across the route. PG (HS2) noted the suggestion, however thought that this is unlikely to lead to any significant changes in how contractors operate.	
<b>6.</b>	<p><b>Local Authority Feedback and Issues Arising</b></p> <p>TJ (Buck C) noted that EKFB had shared with LPAs their programme for Bringing into Use submissions. DW (WNC) asked if there could be a PF wide discussion regarding the strategy for BiU applications. MD (HS2) noted that any changes to the process for BiU would be informed by PFN7 and any proposed changes should be promoted as a change to this PFN. HS2 need to reach a position where mitigation proposals are agreed well in advance of BiU submissions in order to avoid programme delays.</p> <p>DW (WNC) noted that PFN7 para 20 makes reference to PFN16 when mentioning noise. THs should be amended to refer to PFN14. HS2 to amend.</p> <p>EL (NWBC) noted that PFN2 was written in 2016 and we now have more experience with the Sch 17 process. There are disparities between contractors on levels of information provided and LPAs will propose revisions to PFN2. PG (HS2) said HS2 would be happy to consider any proposed amendments to PFN2. TA (Chair) noted that LPAs have begun their review of PFN2 and are looking to propose changes to clarify the content that is included in support of Sch17 applications. EL (NWBC) has circulated proposed changes to other LPAs with a view of agreeing comments and issuing to HS2 by mid December.</p> <p>VC (BCC) noted that there is no Planning Forum note that specifically relates to the discharge of conditions in relation to Sch17 consents and questioned whether a proforma could be created. PG (HS2) noted that to date contractors have dealt with such submissions through an exchange of letters and information but happy to have a discussion about developing a standard process. The existing Non-Material Amendment proforma could be adapted for this purpose. HS2 to consider the matter and confirm their view.</p>	<p><b>HS2</b></p> <p><b>LPAs</b></p> <p><b>HS2</b></p>
<b>7.</b>	<p><b>Phase 1 Planning Forum Notes</b></p> <p>MD (HS2) updated on the amendments made to PFN18 (noise barriers) which was reissued as a draft on 3<sup>rd</sup> November 2022. There were no further comments and PFN 18 was agreed. HS2 to formally upload PFN18.</p> <p>MD (HS2) reiterated the position with PFN16a and 16b regarding parapets and road overbridge parapets. Updated versions were circulated in July. At PF#65, a discussion regarding green verges was aired with a follow up workshop between Bucks C and EKFB to be held on 3<sup>rd</sup> October. From HS2's perspective, the green verge issue should not be holding up agreement to the CDE related to road overbridge parapets as the issues are separate.</p> <p>However MD (HS2) highlighted that the positioning of security fencing under</p>	<b>HS2</b>

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	<p>bridges to minimize the extent of higher parapets needed to be captured in PFN16b. HS2 to update this PFN accordingly and circulate it to members with a view to agreeing it at the next Planning Forum.</p> <p>DW (WNH) questioned the process for determining whether a 1.8m parapet is required in the case that a bridge is used as a bridal way and how this can be reflected through the PFN. HS2 to review and respond on this point as part of any further update to PFN16a and 16b.</p>	<p><b>HS2</b></p> <p><b>HS2</b></p>
<b>8.</b>	<p><b>Helpdesk Update</b></p> <p>SG (HS2) noted a slight drop in Helpdesk calls in October. 96 complaints were received during October, primarily on Phase 1. Traffic and Transport remains the most common reason to complain. No escalations to the ICC or to the Step Two internal review process were recorded during October.</p> <p>SG (HS2) noted that any complaints directly to the ICC that have not previously been put to the Helpdesk are passed to HS2.</p>	
<b>9.</b>	<p><b>Appeals and Judicial Reviews Update</b></p> <p>MD (HS2) updated on the five live planning appeals. Regarding Bromford Tunnel East Portal appeal (APP/HS2/18), there has been a brief period of public consultation on the revised drawings that were produced at the Inspector's request. This appeal has been recovered for final decision by the SoS.</p> <p>The Waste Lane #2 appeal (APP/HS2/19) is also to be recovered for determination by the SoS; appeal decision awaited.</p> <p>The two currently live Borrow Pit appeals (APP/HS2/20 WCC Borrow Pit No.2 and APP/HS2/21 WCC Borrow Pit No.1) are awaiting determination.</p> <p>Another appeal has been submitted in September (APP/HS2/22 – Bowood Lane Bridge) and is with PINS for determination. Statements of case have been exchanged.</p> <p>There are no currently live judicial reviews.</p> <p>Details of all appeals and JR decisions are available on the Planning Forum gov.uk website and the appeals digest is to be updated to reflect the latest decisions. An updated version was issued on 16/11/22.</p> <p><a href="https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decisions">https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decisions</a></p>	
<b>10.</b>	<p><b>Forward Plan / AOB</b></p> <p>Dates for future 2023 Planning Forums were proposed as follows:</p>	

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	<ul style="list-style-type: none"><li>• 2<sup>nd</sup> February</li><li>• 8<sup>th</sup> April</li><li>• 8<sup>th</sup> June</li><li>• 3<sup>rd</sup> August</li><li>• 5<sup>th</sup> October</li><li>• 7<sup>th</sup> December</li></ul> <p>The Chair said these dates might change, in agreement with HS2, to better accommodate senior Directors' attendance. He will give an update on proposed new dates in February.</p> <p>Presentations to be allocated to a future Planning Forum include:</p> <ul style="list-style-type: none"><li>• Early construction sites and the mitigation measures focusing on the progress and effectiveness of the advance planting mitigation</li><li>• Rearranged fencing strategy presentation</li><li>• Further signage strategy presentation</li></ul> <p>AOB</p> <p>MD (HS2) announced he is leaving HS2 as the Phase 1 Planning Lead in December. Forum members recorded their thanks to MD for his valued input to Planning Forum deliberations.</p>	<b>Chair</b>
	<b>End</b>	