

INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

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| Title: | Independent Phase One Planning Forum for HS2 - #68 | |
| Date & Time: | Wednesday 15 th March 2023 Microsoft Teams Meeting 13:00 – 15:30 | |
| Chair: | [REDACTED] | Independent Chair |
| Promoter Attendees: | [REDACTED] | <p>HS2 Ltd (Planning Phase 1 Lead) HS2 Ltd (Head of Highways and Drainage Engineering) BBV DFT Arup HS2 Ltd (Town Planner) BBV HS2 Ltd (Town Planning Manager) BBV HS2 Ltd (Project Director Civils) HS2 Ltd (Town Planning Manager) BBV HS2 Ltd (Head of Town Planning) HS2 Ltd (Head of Public Response) HS2 Ltd DFT DFT HS2 (Urban Design) HS2 Ltd (Town Planning Manager) HS2 (Urban Design) HS2 Ltd (Town Planning Manager) SCS HS2 Ltd (Urban Design) HS2 Ltd (Town Planning Manager) LM JV SCS HS2 Ltd (Head of Urban Design) HS2 Ltd (Lead Architect) HS2 Ltd (Town Planner) HS2 Ltd (Town Planning Manager) HS2 Ltd (Senior Environment Manager) HS2 Ltd (Town Planning Manager) SCS BBV</p> |
| Local Authority Attendees: | [REDACTED] | <p>Solihull Metropolitan Borough Council (SMBC) Buckinghamshire Council (Bucks C) Birmingham City Council (BCC) Warwickshire County Council (WCC) Hertfordshire County Council (HCC)</p> |

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| | | <p>Lichfield District Council (LDC) North Warwickshire Borough Council (NWBC) Buckinghamshire Council (Bucks C) 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) London Borough of Camden (LBC) London Borough of Hammersmith & Fulham (LBHF) Solihull Metropolitan Borough Council (SMBC) Solihull Metropolitan Borough Council (SMBC) Westminster City Council (WestCC) London Borough of Camden (LBC) Stratford-on-Avon District Council (SDC) and Warwick District Council Old Oak & Park Royal Development Corporation (OPDC) Lichfield District Council (LDC) West Northamptonshire Council (WNC)</p> |
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| Item | | Action Owner | | | | | | |
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| 1. | Introductions – were made. | | | | | | | |
| 2. | <p>Review of minutes of the November meeting and outstanding actions.</p> <p>Additions to minutes of the November 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: 45%;">Action</th> <th style="width: 45%;">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>HS2 have collated noise traffic and complaints data. HS2 Independent Commissioner’s comments on 20/10/22 and Planning Forum members’ on 25/11/22 to garner feedback and insight. Suggestion the findings are discussed with the Environmental Health sub group (██████████ (HS2)). Intention is for HS2 to put evidence to their delivery partner through a report used for a basis for further discussion and policy position.</td> </tr> </tbody> </table> | Date | Action | Status | Jan 22 | Prolonged Disturbance Scheme review being undertaken with Feedback to be provided by DfT | HS2 have collated noise traffic and complaints data. HS2 Independent Commissioner’s comments on 20/10/22 and Planning Forum members’ on 25/11/22 to garner feedback and insight. Suggestion the findings are discussed with the Environmental Health sub group (██████████ (HS2)). Intention is for HS2 to put evidence to their delivery partner through a report used for a basis for further discussion and policy position. | DfT |
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| Jan 22 | Prolonged Disturbance Scheme review being undertaken with Feedback to be provided by DfT | HS2 have collated noise traffic and complaints data. HS2 Independent Commissioner’s comments on 20/10/22 and Planning Forum members’ on 25/11/22 to garner feedback and insight. Suggestion the findings are discussed with the Environmental Health sub group (██████████ (HS2)). Intention is for HS2 to put evidence to their delivery partner through a report used for a basis for further discussion and policy position. | | | | | | |

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| | | | DfT will have to agree position which then needs to be approved by Ministers. [REDACTED] has begun conversations within HS2 about a more flexible approach to mitigation with respect to noise from construction. | Chair |
| 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. Chair updated under Item 4. | | |
| Jul 22 | HS2 to look at providing a presentation updating on early stage mitigation works. | To facilitate at a 2023 Planning Forum | | |
| Sep 22 | Overbridge Parapets PFN 16a and 16b to finalised and circulated to PF for agreement. | Update under Item 6 | | |
| Sep 22 | Lineside Noise Barrier PFN18 to be agreed by PF. | PFN 18 agreed and final version to be formally uploaded | | |
| Sep 22 | Content of Schedule 17 Performance slides to be discussed. | Update at Item 4 | | |
| Nov 22 | Request for PFN7 para 20 to refer to PFN14 instead of PFN16 when mentioning noise. | Action ongoing. Review following issue of revised Statutory Guidance | | |
| Nov 22 | PFN2 Draft has been circulated of proposed changes to other LAs with a view of agreeing comments and issuing to HS2 by mid December. | Note on PFN2 sent to HS2 on 30/1/23. Update at Item 7 | | |
| Nov 22 | HS2 to update PFN16a & 16b to show positioning of security fencing under bridges to minimize the extent of higher parapets with a view to agreeing it at the next PF. | Update at Item 6 | | |
| Nov 22 | 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 | Update at Item 6 | | |

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| | | 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. | | |
| | Feb 23 | BBV to arrange a workshop to engage proactively with LAs. | Workshop held with LAs on 2/3/23 | |
| | Feb 23 | HS2 to review LPAs' proposed changes to PFN2 and respond at the next PF | Update at Item 7 | |
| | Feb 23 | PFN on conditions need to be clearer on the difference between conditions and requests for further details | Update at Item 4 | |
| | Feb 23 | Update on the rail systems (OCS) contract | Action ongoing. Two briefings held so far. To be discussed at a later PF | |
| 3. | HS2 Project Update | | | |
| | The Phase 1 Project update was provided by PG (HS2), showing progress on enabling works, main works & station contracts. | | | |
| 4. | Planning Consents Performance | | | |
| | <p>SA (HS2) presented charts showing the time taken to determine Schedule 17 applications in the last six months. SA noted performance is broadly similar to previous months.</p> <p>SA (HS2) also presented charts showing Schedule 17 applications currently awaiting determination. Aware of those submissions going through significant and detailed modification process, including request for further details on noise and further information. Due to purdah, encourages any opportunity to look at how those could be determined either through delegated powers or special committees, would be welcomed in accordance with the memorandum.</p> <p>JF (HCC) asks whether this agenda item can be removed due to lack of change in the situation and contractors not meeting forward plans. SA (HS2) notes on occasion there is an over ambition from some contractors trying to meet a very constrained program and under pressure to do, intending to make submissions as soon as they can. PG (HS2) if we're not making progress than it is reason to keep having it as the general item as opposed to not. TA (Chair) states the Planning Forum is specifically here to make the planning regime work, and if we're not monitoring it than we can't know how it'sprogressing, so we have to keep monitoring. SA (HS2) open to any suggestions to make it more more useful and informative.</p> | | | HS2 |

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| | <p>SW (LDC) questions whether the forward plans take account for for the submissions that were missed in the previous months. SA (HS2) notes the information is based on the submission of quarterly forward plans by the contractor but as you get towards the end of that quarter period it becomes less accurate and will change, those missed should be shown again provided they are planned within the next quarter.</p> <p>Appeals and Judicial Reviews Update</p> <p>SA (HS2) updated on the five live planning appeals currently awaiting determination. Notes no movement.</p> <p>TH (DfT) recognises that the appeals process is taking too long and not providing an accelerated process. DfT have been working with the Planning Inspectorate and DLUC to make sure that inspectors are allocated promptly so that they can determine more quickly.</p> <p>MB (Bucks C) EKFB have got 2 TCPA appeals, Bowood Lane has a bearing on another current Schedule 17 application. TH (DfT) will look into that if if those details can be shared.</p> <p>Bromford Tunnel East Portal appeal (APP/HS2/18) is now the longest HS2 appeal. This appeal has been recovered for final decision by the SoS. The Waste Lane #2 appeal (APP/HS2/19) is also to be recovered for determination by the SoS; appeal decision awaited. 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. A fifth appeal was 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 will be updated to reflect any decisions. The last update was issued on 16/11/22.</p> <p>https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decisions</p> | <p>DfT</p> <p>DfT</p> |
| <p>5.</p> | <p>Local Authority Feedback and Issues Arising</p> <p>TA (Chair) [REDACTED] (DfT) answered questions on statutory guidance and provided some background and the reasoning for 12 substantive changes and some minor tweaks. Awaits authorities to comment from email sent on 13/3/23. Comment to be given back through proper response to the DfT's consultation, deadline 17/3/23 and not the Planning Forum.</p> | <p>DfT</p> <p>LAs</p> |

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| | <p>JF (HCC) requests an item on how the EIA regulations apply when we get a Schedule 17 due to the time lapsed since the HS2 ES went through Parliament from when baseline data was collected, noting that the EIA regs have since been updated. TA (Chair) adds there's been a few instances recently, when what happens when there's a new significant effect and then how do the EIA regs kick in. PG (HS2) a future forum agenda to go through how it works, both the application of the EIA regs and the general principles of EMS.</p> | <p>HS2</p> |
| <p>6.</p> | <p>Update on CDEs & Updated PFN16a and 16b</p> <p>MS (HS2) updated on the amendments made to PFN16 (Parapets) which has been re-drafted as 16a & 16b. The new PFNs are largely agreed but have been held up by four technical issues - green verges, optimisation of the security arrangements to minimise the extent of higher parapet, crash testing and brideways. Constructive workshops held with the Planning Forum Design Group (22/2/23 and 7/3/23). Governance issues with some of the proposals shown at the workshops mean some things have to be withdrawn. Target to finalise new PFNs at the May PF (25/5/23).</p> <p>Looked at two ways to minimise the extent of higher parapet. Option 1 - optimise fence positions to minimise the extent of higher parapet (position for Phase 1 CDE). Option 2 – continue lower parapet past the fence positions subject to TVRA will be withdrawn from Phase 1 CDE. Option 2 needs to go through governance and remains an opportunity to implement on Phase 2a and 2b but too late for Phase 1 as it affects assets already designed.</p> <p>The current PFN offers 2 parapets heights - 2.125m over the extras 2 tracks, 1.8m above the step above off line curb and then 1.5m high outside the HS2 security perimeter. Additional piece of information the British Horse Society have asked for 1.8m high parapets to brideways.</p> <p>DW (WNC) notes there is a possibility for the lower parapet so the 1.8m requirement with the society is not a fixed requirement, it's a negotiable requirement. MS (HS2) acknowledges other ways of working around it so we don't always have to default to a 2.125m high parapet, but think a 1.8m high unit is too much to manage.</p> <p>MB (Bucks C) asks when availability of these units is going to be we'd like the opportunity to use them on in this particular package now. MS (HS2) acknowledges clarity needed on this from contractors, understatnds that manufacturing of the 1.5m and 2.125m units. TA (Chair) notes the testing done and the length of previous discussions, and that changes would increase costs and concrete.</p> <p>DW (WNC) understands that all overbridges will have the new parapet form apart from those where they've already been put in place. New designs coming forward will be built out with the new designs. MS (HS2) contractors are submitting applications for bridges with the parapet design in a 'cloud' to show a CDE will be implemented when agreed, this has already been done in Solihull.</p> | <p>HS2 Design Group</p> |

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| | <p>The performance of the transition units from Road Overbridge Parapet to H4a Vehicle Restraint System was not ideal. Working on a revised design but not available yet. Progress the CDE on the basis of the current design. When the revised design becomes available the PFN can be updated.</p> <p>Green verges - adequate depth required for for the growing medium. The build up is as off the peg for simplifying maintenance and the additional 65mm height. Principles agreed with Bucks C and shared with WNC, Solihull have had no objections.</p> <p>MB (Bucks C) asks for a note to be add on the fill of the soil material to be used. DW (WNC) proposes that the procedure for that will be through the discussions around the highway Schedule 4. PG (HS2) we need to have a think about where that control sites either Schedule 17 or in Schedule 4 or both or neither.</p> <p>TA (Chair) notes that graffiti is not an issue to be covered in the Planning Forum.</p> | <p>WNH</p> <p>HS2 LAs</p> |
| <p>7.</p> | <p>PFN2 Proposed Revision</p> <p>SA (HS2) PFN2 agreed in 2016 sets out drawings to be submitted for approval for plans and specifications applications, relevant to Schedule 17 paragraphs 2, 3, 7 and 21 (non-material change). A collective understanding about baseline level of information and revision to PFN 2 would assist timely determinations by providing greater clarity for contractors and LPAs with a reflection of current process and any subsequent HS2 contracts. After previous feedback this has led to changes on details required for plans and drawings however, some of the requested changes have not been made.</p> <p>On these changes, MB (Bucks C) and SA (LDC) raised their appreciate the changes but note some aspects of these changes still not being included which would be useful for LPAs to help determination. SA (HS2) helps clarify EL (NWBC) question about materials on earthworks, which would instead be covered by site restoration at a later stage whereas a building or structure would. Separatley TA (Chair) suggests that the default should be for contours and you can agree otherwise in a pre app and clarity of PFN2s purpose. SA (HS2) confirms that its a list of drawings for plans and specifications approval.</p> <p>HS2 will circulate a draft revised PFN2 following this meeting for further comments to then seek a further discussion based on comments received and then look for potential discussion around agreement to the proposed revisions.</p> | <p>HS2</p> |
| <p>8.</p> | <p>PFN13</p> <p>PG (HS2) notes the importance of effective pre application discussions to assist timely decision making when formal submissions. Planning Forum Note 13</p> | |

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| | <p>which sets out guidance on how pre application engagement should be undertaken and the guidance in that note as a guardian for contractors. When Phase 2A prepared its PFN13 it enlarged it, so as well as having guidance for the contractors but also for the LPAs as well.</p> <p>PG (HS2) we feel it might be helpful and useful now to adopt a similar wording for LPAs in the Phase 1 PFN13. We propose to circulate a link to the Phase 2A PFN13 and give Forum members opportunity to look at that additional text on guidance to LPAs in the pre app process and to let us know if you have any concerns, comments or any additions that we can consider.</p> <p>TA (Chair) acknowledges the importance of pre app welcomes the fact to start a discussion around this.</p> | <p>HS2 LAs</p> |
| <p>9.</p> | <p>Consultees</p> <p>PG (HS2) identifies the non responses from consultees in as timely manner (internal, statutory, and non-statutory) as being one of the causes of delay, pushing up our average termination area. Responses from consultees to Schedule 17 often raise matters which would be material to TCPA applications but are not material to Schedule 17 requests for approval. Part of the role of authorities is to consider any request for approval on the basis of the relevant matters and grounds in Schedule 17.</p> <p>TA (Chair) ask if the principals set out are ok to members. JF (HCC) notes her experience of quick responses from consultees. DW (WNC) no issues with the principles but feels there are practical issues that this throws up. PG (HS2) acknowledges we don't live in a perfect world, but feels these fundamental principles are ones to work to even if sometimes realities and changes between final pre app and submission.</p> <p>TA (Chair) asks for the status of any existing PFNs on consultation. PG (HS2) notes any references within PFNs are quite light touch and don't fully address the principals. If members are comfortable with these principles, then we could look at this and how this was set for Phase 2.</p> | <p>HS2 LAs</p> |
| <p>10.</p> | <p>Helpdesk Update</p> <p>SG (HS2) noted an increase in Helpdesk calls in February to a more normal amount after a quiet December. 125 complaints were received during February, primarily on Phase 1. Noise and Vibration and Traffic and Transport are the most common reason to complain. No escalations to the ICC or to the Step Two internal review process were recorded during February.</p> <p>Jf (HCC) and DR (LBC) raise concerns about calls to helpdesk not being actioned, automatic responses not being actioned or responded to, and how HS2 classify urgency. SG (HS2) notes these comments, will take these points for training, and how to implement bespoke reference numbers and is happy to</p> | |

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| | discuss this separately with DR. | |
| 11. | <p>Forward Plan/ AOB</p> <p>Dates for future 2023 Planning Forums are as follows:</p> <ul style="list-style-type: none"> • May 25th • July 20th • September 21st • November 23rd <p>PG (HS2) Next Planning Forum we will have items on PFN2 and PFN13 plus an update to the Consultation PFN with a look to close out CDE's. HS2 will have a think about future agenda items.</p> <p>TA (Chair) offered to chair a call on the statutory guidance reponse if LA members wanted.</p> <p>DW (WNC) final forum ahead of his retirement. Thanks given for his input into the forum.</p> | HS2 |
| | End | |