Title:	Independent Phase One Planning Forum for HS2
Date & Time	Thursday 16 th May 2019 13:00 – 16:00
	Mary Ward House
	5 - 7 Tavistock Place
	London
	WC1H 9SN
Chair	Independent Chair
Promoter	HS2 Ltd (Senior Project Manager, North)
Attendees:	HS2 Ltd (Head of Programme Interface, Central)
	HS2 Ltd (Senior Town Planning Manager, Central)
	BBV (Main Works Civils Contractor, South)
	SCS (Main Works Civils Contractor, North)
	HS2 Ltd (Lead Architect)
	HS2 Ltd (Phase 1 Town Planning Lead)
	HS2 (Architect, Weston Williamson)
	HS2 Ltd (Programme Director, North Area)
	HS2 Ltd (Head of Town Planning)
	HS2 Ltd (Head of Public Response)
Local Authority	Three Rivers District Council (TRDC)
Attendees:	Aylesbury Vale District Council (AVDC)
	Solihull Metropolitan Borough Council (SMBC)
	LB Camden (LBC)
	Warwick District Council (WDC)
	Northamptonshire County Council (NCC)
	Chiltern District Council & South Bucks District Council
	(CDC&SBDC)
	Buckinghamshire County Council (BCC)
	Hertfordshire County Council (HCC)
	Birmingham City Council (BCC)
	LB Camden (LBC)
	Aylesbury Vale District Council (AVDC)
	Solihull Metropolitan Borough Council (SMBC)
	Birmingham City Council (BCC)
	LB Hammersmith & Fulham (LBHF) Old Oak Common& Park Royal Development
	Corporation (OPDC)
	Staffordshire Council (Staffs CC)
	Chiltern District Council & South Bucks District Council
	(CDC&SBDC)
	Warwickshire Council (WCC)
	Stratford District Council (SDC)

Guests	Network Rail (NR)
	Department for Transport (DfT)
	Weston Williamson (WW)

Item		Action
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1.	Introductions	
2.	Review of notes & actions from last meeting The minutes of the March Planning Forum were agreed.	
	Action: HS2 to place minutes on website.	HS2
	Action. h52 to place minutes on website.	1152
	Outstanding actions	
	The Forum noted the following key outstanding actions. (NB. A full action list is	
	included in slide pack):	
	HS2 Ltd to provide additional information on how the intensified use of	
	construction routes are assessed against the ES (missing action noted	
	above). The response to this action was given under Schedule 17	
	Consents – Feedback and Queries (item 8 in these minutes).	
	• US2 have advised at the EU sub-group that retraspective elaims will not	
	 HS2 have advised at the EH sub-group that retrospective claims will not be passible area the Prolonged Disturbance Scheme is finalized. PC 	
	be possible once the Prolonged Disturbance Scheme is finalised. PG confirmed DfT are still finalising the scheme. Updates on this and clarity	
	on how potential overlap between the Prolonged Disturbance Scheme	
	and the Construction Complaint process is to be addressed to be given to	
	the EH sub-group, when available. Concern was expressed about the	
	delay in publishing the scheme.	
	Action: HS2 to feedback concern about the delay in publishing the	HS2
	Prolonged Disturbance Scheme.	
	Issue draft Planning Forum Note on Noise Barrier CDE after the next	
	Working Group.	
	Action remains on HS2 to issue a draft Planning Forum Note on Noise	HS2
	Barrier CDE (update on noise barrier CDE under item 6).	
	HS2 to respond to issues raised on draft Planning Forum Notes 14 and 15 and issues ravisions for consideration before nort CDE Working Crown	HS2
	and issue revisions for consideration before next CDE Working Group.	1132
	Action remains on HS2 to re-issue Planning Forum Notes 14 and 15.	
	HS2 to issue information regarding ground investigations.	
	SL (WCC) said some information has been received.	HS2
	Action: HS2 to ensure the right information has been provided on GI	
	works.	
	WCC to provide details of non-compliances with vehicle identification	
	requirements. SL (WWC) confirmed this is being addressed between WCC	
	and HS2.	

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	 HS2 to circulate protocol regarding protester management. An email outlining HS2's policy was sent to WCC on 17 April but HS2's formal position has not yet been finalized for distribution. WCC noted that the position outlined to them has already been shared with Members so the need for a final position to be issued is now urgent. Action: HS2 to circulate position paper as soon as possible. 	HS2
	 HS2 to issue Information Paper 16 (maintenance of landscaped areas). Action: A hyperlink to IP16 be provided in the slide pack to be issued after the meeting. 	HS2
	 Planning Forum Note 6 (Appendix A). Camden/ Northants CC have provided further comments. Action on HS2 to respond recorded under item 10. 	
	• WCC to provide examples of poor quality Schedule 17 submissions. SL (WCC) confirmed that Schedule 17 documentation has been good. The quality of LTMPs however has been patchy. If the LTMP is poor quality it does not give confidence that the controls in it can be relied on. A lessons learned exercise is being organized through the HS2 interface team. DR (LBC) confirmed that Camden have had the same experience and emphasized the importance of good quality and up to date LTMPs.	
3.	Phase 1 Construction Update (Programme Director, North Area) gave an update on Phase 1-wide milestones and progress.	
	ML noted the briefing given by Example 1 at the January Planning Forum. HS2 continues to work through the project costs and agreeing a baseline for the project. There may be more detail on the outcome of this exercise at the next Planning Forum in July.	
	One of the benefits of HS2 is the introduction of SMEs (Small and Medium-sized Enterprises) into the supply chain. Sometimes this has caused problems as SMEs get used to the standards expected at HS2, but overall the level of SME involvement is a significant improvement over previous projects. The apprentice programme is also working well.	
	Enabling works demolitions and highways and other preparatory works will continue through 2019. At Curzon Street and Old Oak Common the design is going well. Railway systems contracts are on target and good progress is being made on Phase 2a.	
	DR (LBC) asked whether, if any major changes came out of the current baseline review, the Council could be given advanced notice prior to any public announcement. ML confirmed that the intent would be work with LAs in this scenario.	

TA asked if there is any reason why Schedule 17s should not be submitted,
despite there being a delay in issuing of the Notice to Proceed. ML confirmed
there should be no delay to Schedule 17 activity, and discussions with Local
Authorities need to continue.

JB referred to **Example 1** advice that if LAs believe they are going to have too many Schedule 17 submissions to deal with at one time they should raise this with Contractors with a view to evening out the submission programme.

IN (CDC/ SBDC) said Schedule 17 applications had not been received and negotiations are being delayed. IN referred to the motion passed by the Bucks authorities asking for enabling works to be halted and said there was still uncertainty about affordability and design of Colne Valley Viaduct. ML said that the preferred design is included in the current cost baseline but there is contingency to allow for design development.

SC gave an overview of works in progress in areas South, Central and North.

•	In Area North, Curzon St Station design is progressing well and a there
	has been a positive Independent Design Panel meeting. The Schedule 17
	submission is currently planned for September. At Interchange, some
	design changes are being worked through. A number of ecological
	mitigation and highways enabling works are ongoing. MWC are focusing
	on seven priority assets which will be the focus of stakeholder
	engagement during 2019.

- In Area South, temporary reconfigurations of Euston Station have been implemented in preparation for HS2 works and demolition of the Ibis Hotel and the National Temperance Hospital are complete. At Old Oak Common demolitions and other works are ongoing and substation construction works are due to commence shortly. The Station Schedule 17 submission is in preparation and a range of stakeholder engagement meetings have taken place. The Independent Design Panel has endorsed the station design. Utility diversions and related works are ongoing in Hillingdon. Significant archaeological deposits have been found in the Colne Valley area.
- In Area Central, archaeological investigations are ongoing at St Mary's churchyard, near Stoke Mandeville. The Colne Valley Viaduct noise barrier has been discussed with the Independent Design Panel. EK are undertaking a number of further GIs in the Aylesbury Vale area. The Boddington heave trial is commencing shortly, with works scheduled for completion in October.

4.	Network Rail Works	
	(Network Rail) gave a presentation of the powers under which	
	Network Rail's works are undertaken.	

	For NR works both inside and outside HS2 Act Limits, permitted development rights under Part 8 (Class A) of the General Permitted Development Order (2015) are available, as a result of Schedule 32 of the HS2 Act. Exercise of Part 8 rights are subject to the works being covered by the HS2 Environmental Statement, and compliance with the HS2 Environmental Minimum Requirements, including Undertakings & Assurances. Part 8 rights do not apply to works that are scheduled works as defined in the HS2 Act. Within HS2 Act Limits, where Part 8 rights do not apply and the works are authorized by the HS2 Act, approvals of detail will be sought as required under Schedule 17. For NR works outside HS2 Act Limits and not covered by the HS2 Environmental Statement, the normal planning regime applies and planning permission will be required, where necessary. Permitted development rights may be applicable providing the works do not meet the test for an extension to EIA development.	
	JC (BCC) asked for an update on Calvert Box and East-West Rail. Action: NR to provide update on status to BCC.	NR
	DR (LBC) asked for NR's legal advice in respect of ongoing works in the Euston throat area.	
	Action: NR to provide advice to LBC.	NR
5.	Compliance with Undertakings & Assurances SC gave a presentation summarizing how HS2 manages compliance with undertakings and assurances (U&As).	
	 Every U&A has a named HS2 owner. This is the person best able to advise, co-ordinate or assure commitment compliance delivery, for example a subject matter expert. All Contractors are contractually bound to comply with the U&As in the Phase One Register. Contractors and HS2 liaise on delivery where contractor scope of works may impact a U&A. Contractors must evidence compliance. 	
	As an example, U&A 64 (which relates to management of traffic during construction, having regard to the needs of vulnerable road users) was used to illustrate the process. When designing, implementing and maintaining temporary traffic management contractors must comply with U&A 64 and evidence how this is being done.	
	HS2 has supported contractors by defining the relevant standards and it employs a dedicated compliance team to assure that temporary traffic management is deployed and maintained correctly. The Route-wide Traffic Management Plan also sets requirements that help to meet this U&A such as the need to employ appropriately trained, competent and qualified personal.	

Concerns about compliance with a U&A can be raised by anybody and reported to the HS2 Helpdesk. This ensures that the incident or complaint is recorded and managed correctly. Local authorities all have a named point of contact within the Interface teams, to whom they can raise any concerns.	
EC (NCC) asked how to find out who the named HS2 owner is for a U&A. SC asked for details of the U&A in question to be provided and HS2 will advise who the point of contact is.	
TA asked if HS2 have an Undertakings & Assurances team who maintain the spreadsheet of all U&As and how Phase 1 wide U&As are managed. SC said that South, Central and North Areas all have U&A managers who manage and record evidence of compliance from contractors.	
JB said that all LAs should have an Interface Manager with whom they should liaise about any U&A.	
SL asked how many checks had been undertaken in WCC and said that elected Members need to have comfort that HS2 is monitoring compliance effectively as there was evidence that the process is not working seamlessly. ML said that the first line of defence is the contractors' self-assurance. HS2 then assure the works, the level of assurance undertaken depending on the level of risk and the complexity of the issue.	
TA suggested that WCC liaise with HS2 on the issue causing concern. Action: WCC/ HS2 to liaise bilaterally to establish the traffic management issue causing concern and the assurance level being applied to ensure compliance	HS2/ WCC
SL (WCC) also said that the LTMPs were not necessarily robust and are not giving confidence as documents of sufficient quality that can be relied on. ML pointed out that the supply chain is still getting up to speed on the higher standards required on HS2 compared to those required by other clients.	wee
DR (LBC) asked that there is a public update of the status of compliance with undertakings & assurances to give reassurance to the public that compliance is being managed. SC asked that if any LA believes there is evidence of non- compliance please can these be flagged to HS2.	
SL (WCC) referred to a U&A to BMW, the terms of which are unknown to the Council. SC confirmed that some U&As (such as the one referred to) are confidential to the beneficiary of the U&A.	
In response to a query from JC (HCC), SC said that DfT do hold HS2 to account on how compliance with U&As is being managed.	
IN (CDC & SBDC) said that what had been expected was an update on route-wide U&As and their status. TA said that he would like to have a dialogue with HS2 to agree how the status of compliance with route-wide U&As should be reported.	

	Action: TA to discuss reporting on route-wide U&As with HS2.	TA
6.	Common Design Elements of Weston Williamson gave a presentation on the development of the noise barrier CDE since the Local Authority Working Group held on 25 April.	
	Following comments and discussion at the Working Group, the noise barrier CDE has been refined with a view to simplifying and rationalizing it to a smaller number of family elements: vertical barrier, cranked barrier, height transitions, transition to ground, exposed posts and concealed posts. Textured panels can be provided where required in response to the particular local circumstance. The material has been selected and is now proposed to be concrete. A number of images were shown giving an indication of the appearance of the various elements, in different contexts.	
	The Phase 1 authorities having previously agreed that AVDC would take the lead in coordinating their comments on the CDE proposals, TA suggested that HS2 and AVDC arrange a meeting to discuss the latest refinements. This was agreed by the Forum. A meeting date was arranged for 21 May at AVDC's offices. Action: HS2 and AVDC to progress CDE proposal and agree future actions. [Post meeting note: a meeting was held on 21 May at AVDC's offices and a note of actions arising circulated].	HS2/ AVDC
7.	Bringing Into Use and Approval of Mitigation MD gave a presentation outlining the Bringing Into Use (BIU) consent requirements under Sch17 paragraph 9, and the means by which planting mitigation is approved. The BIU process is currently set out in Planning Forum Note 7.	
	Paragraph 9 requires that in qualifying authorities no scheduled works above ground, or depots, can be brought into use without the approval of the local authority. The local authority must grant approval if it considers there are no reasonably practicable measures which need to be taken into account for the purposes of mitigating the effect of the work or its operation on the local environment or local amenity.	
	MD explained that the final mitigation scheme for a scheduled work is likely to comprise details already approved under different provisions of Schedule 17, at previous stages of the project. Examples might include mitigation earthworks previously approved under paragraph 3 and site restoration schemes agreed under paragraph 12 (or the equivalent provision of Schedule 16 where land has been acquired temporarily for construction purposes under Schedule 16).	
	The Planning Memorandum (paragraph 7.5.2) explains the process for HS2 submitting indicative or outline information on mitigation proposals, prior to the details it intends to submit subsequently under paragraphs 9 or 12. This process is dealt with in Planning Forum Note 10.	
	MD suggested the existing PFN 7 be reviewed and guidance on the details to be	

	submitted at BIU stage be updated, together with any other improvements the Planning Forum suggests.	
	HCC suggested including a process for ensuring how comments from Local Authorities on indicative mitigation are passed on and actioned by follow-on contractors. TA suggested that LAs could facilitate this by including such comments as Informatives on Schedule 17 decision notices.	
	IN (SBDC/CDC) said that in her view the HS2 Act was not satisfactory as it does not provide a sufficient guarantee that mitigation would be delivered. As a consequence, without a legal guarantee regarding the delivery of mitigation planting there was considerable uncertainty as to how the Colne Valley Viaduct Schedule 17 submission could be dealt with. HS2 responded that the Act does provided LAs certainty that satisfactory mitigation will be delivered, through the BIU consent that is required before the railway can be opened.	
	TA pointed out that the opportunity to petition against any alleged inadequacy in the HS2 Act had passed. PG noted that the planning regime is fixed by an Act of parliament - SBDC/CDC were in effect asking for a change to the HS2 Act, and to the planning regime which the Council has signed up to as a qualifying authority.	
	Action: HS2 to draft an update to PFN 7 and circulate to the Forum for comment, including the point made above.	HS2
	Action: LAs to review Planning Forum Notes 7 and 10 and make any suggestions for changes to HS2.	LAs
8.	Schedule 17 Consents – Feedback and Queries Security fencing BN (AVDC) asked whether the requirement for high security fencing around rural balancing ponds can be relaxed, given the intrusive visual impact. MD said he was aware that the feasibility of a derogation to the relevant fencing standard was being considered in the context of the balancing pond near Wendover Dean viaduct. Action: HS2 to clarify if a derogation of the relevant fencing standard can be agreed.	HS2
	<u>Construction Camps</u> JF (HCC) asked what elements of a construction camp are for approval under Schedule 17. MD said that given that temporary facilities do not require plans & specifications approval and that all 'construction arrangements' listed in Schedule 17 paragraph 4 were subject to the Class Approval other than construction camps, HS2's view is that where there is residential accommodation in a worksite (such as is planned at the Chiltern tunnel south portal site) it is the details of the residential element only that is for approval.	
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consequence and ancillary to the residential element should also be subject to approval under paragraph 4.	
DP (WDC) said HS2 had previously written to the Council to the effect that the matters for approval in construction camps were wider than being suggested by MD.	
[Post meeting note : it has subsequently been confirmed that the communication from HS2 referred to was consistent with the position outlined by MD, albeit the Council does not agree].	
Action: HS2 to provide a note summarising the Sch 17 approvals required for construction camps and clarify any previous advice by HS2 on this matter.	HS2
Schedule 17 Package Size DP (WDC) referred to the test submission process being trialled by BBV. She reiterated a point made at previous Planning Forums that if a package is too big for the Planning Portal it is generally likely to be too big to deal with in one piece and should be split up.	
TA referred to the advice advice gave gave at the March Planning Forum that contractors should listen to LAs and revise packages so that they were of a manageable size.	
MD said that BBV had trialled a means of transmitting documents but it appeared not to have worked and alternative arrangements need to be looked at.	
Highway Condition Survey Documentation SM (Staffs CC) said that she had been told highway condition survey information came in a fixed format and that the Council would have to pay if it wanted it in a different format, which was unacceptable.	
ML confirmed that HS2 should use all reasonable endeavours to provide the documentation in a useable format and would work with SM to try to resolve the issue. TA noted the issue had been raised at the Highways Sub-group.	
Intensification of Construction Routes MD outlined how the intensified use of construction routes is assessed against the Environmental Statement:	
 Significant effects criteria are defined in the Scope and Methodology Report (and associated addendum) which forms part of the Environmental Statement: 	
• Contractors use these criteria to assess the proposed works for compliance with the ES. HS2 Ltd. assures these assessments prior to a	
 Schedule 17 submission being made. In the event that a new significant effect appeared likely, a range of mitigation measures could be considered, depending on the issue, in order to bring the impacts back within the scope of the ES. 	

• HS2 would be happy to provide a briefing to the Planning Forum and/or	
bilaterally on the process for assessing compliance of works with the ES	
generally or, if there is a concern as to whether a specific work or	
proposal is within the extent of the effects assessed in the ES, a briefing	
on the assessment undertaken for those works could be provided.	
SL(WCC) referred to a Sch 17 lorry route submission in which predicted large	
goods vehicle (LGV) numbers were indicated that caused a concern in relation to	
ES compliance. The application was since withdrawn by HS2. MD said that this	
application contained a mistake in the predicted vehicle numbers which was not	
picked up in pre-submission checks for which HS2 apologised.	
TA said his understanding is that the test is not whether the number of vehicles	
assumed in the ES is exceeded, but to ensure that no new significant	
environmental effects arise. MD confirmed that this is the test.	
SM asked what assurance is available from HS2 that works subject to a Schedule	
17 are compliant with the significant environmental effects in the ES. PG said that	
the Environmental Minimum Requirements require HS2 to ensure compliance with the ES. HS2 and its contractors assure that this is the case before making a	
submission. Internal compliance notes are not part of the Schedule 17	
submission.	
DR (LBC) asked that while LGV numbers are not formally part of Schedule 17	
submissions what monitoring regime is in place to ensure that LGV numbers	
written in LTMPs are not exceeded.	
PG said that LGV numbers are not part of a Schedule 17 submission. The LGV	
numbers included in LTMPs are indicative and are not binding. The constraint is	
to ensure that LGV numbers that would cause a significant environmental effect	
are not exceeded.	
Action: PG said it would be helpful for HS2 to clarify for LAs how vehicle	HS2
monitoring is managed.	
MD noted that estimates of LGV numbers were agreed to be included in	
Schedule 17 submissions at the request of the LAs. They are provided to give an	
indication of the likely number of vehicles using a route, but it is not appropriate	
to use the LGV numbers given as an upper limit unless justified by the grounds in	
Schedule 17.	
Action: It was agreed that a fuller briefing on this subject (including the	HS2
mechanism for monitoring vehicle numbers) will be included on the agenda for	
the July Planning Forum.	

9.	Community Engagement and Helpdesk Update	
	SG gave a Community Engagement and Helpdesk Update.	
	Area Local Engagement Plans are in place in Old Oak Common, Kilburn, Northolt,	
	Northants and Birmingham. The remainder are due to be issued in the next few	
	months.	
	A round of roadshows at numerous locations start on 25 May.	
	SG asked that if any LA would like to meet the Helpdesk personnel, they should get in touch.	
	The March Local Authority report has been issued and the reporting format will change from April. The March complaints statistics for Phase 1 are similar to those in February.	
	The Forum noted that the LA complaints report does not itemise traffic-related complaints specifically. SG said that a breakdown of this information will be provided in future reports. Complaints will be categorised according to the construction issues itemised in the Code of Construction Practice.	
	DR (LBC) asked how lessons learned about complaints will be applied. SG said the questions and complaints from the public are used to help project teams prepare answers to 'Frequently asked Questions' for future works.	
	DR (LBC) said that the Council is looking forward to seeing more detailed information in future reports on complaints by topic area and how long it is taking to react to them.	
10.	Planning Forum Notes Update MD summarised the status of draft Planning Forum Notes:	
	 Draft PFN 6 (Appendix A: conditions on lorry route approvals). Further 	
	comments have been received from LB Camden and NCC (action from	
	last Planning Forum)	
	Action: HS2 to issue response to comments received.	HS2
	 Draft Planning Forum Notes 14 and 15 (Pier and Parapet Common Design 	
	Elements)	
	Action: HS2 to update and re-issue in response to comments received and design development work.	HS2
	 Draft Planning Forum Note 16. 	
	Action: HS2 to issue response to comments received.	HS2

11.	Forward Plan/ AOB	
	Post-Schedule 17 Role of the Independent Design Panel (IDP)	
	MD said that the intended role of the IDP after Schedule 17 submissions was:	
	 For Stations; HS2 aims to continue with design panels post scheme design and into detail design. It is intended that there will be an average of two IDP Review Meetings or IDP Chair's Briefings per year per station, subject to programme. For MWCC Key Design Elements and assets the IDP has previously commented on, it is not intended that there will be further reviews after the relevant Schedule 17 application is made. In both instances HS2 will continue to monitor and track design panel recommendations and brief the panel on any significant scheme changes post-Schedule 17 submission. 	
	MD confirmed that where the IDP had reviewed a design, the Schedule 17 submission would contain the designer's response to the comments made.	
	The following agenda items were agreed for the July and September Planning Forums:	
	 July 2019 (Snow Hill) Common Design Elements update. Schedule 17 feedback Briefing on assessment of intensification of use of construction routes. 	
	September 2019 (London)	
	Common Design Elements update.Briefing on Arts Programme	