

INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

Title:	Independent Phase One Planning Forum for HS2	
Date & Time	Thursday 2 November 2017 14:00 – 16:30	
Location	HS2 Ltd Two Snowhill Queensway Birmingham B4 6GA	
Chair	██████████	Independent Chair
Promoter	██████████	HS2 Ltd
Attendees:	██████████	HS2 Ltd
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	██████████	DfT
Local Authority Attendees:	██████████	Solihull Metropolitan Borough Council (SMBC)
	██████████	Solihull Metropolitan Borough Council (SMBC)
	██████████	Chiltern District Council & South Bucks District Council (CDC&SBDC)
	██████████	Chiltern District Council & South Bucks District Council (CDC&SBDC)
	██████████	North Warwickshire Borough Council (NWBC)
	██████████	Oxfordshire County Council (OCC)
	██████████	Hertfordshire County Council (HCC)
	██████████	Warwick District Council (WDC)
	██████████	Warwickshire County Council (WCC)
	██████████	Birmingham City Council (BCC)
	██████████	Aylesbury Vale District Council (AVDC)
	██████████	Aylesbury Vale District Council (AVDC)
	██████████	Bucks County Council (BCC)
	██████████	Bucks County Council (BCC)
	██████████	Northamptonshire County Council (NCC)
	██████████	South Northants Council (SNC)
	██████████	Cherwell District Council (CDC)
	██████████	Old Oak & Park Royal Development Corporation (OPDC)
	██████████	Warwickshire County Council (WCC)
	██████████	Warwickshire County Council (WCC)
Guests	██████████	Interim Construction Commissioner

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Apologies	<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div>	Three Rivers District Council London Borough of Camden Chiltern District Council Staffordshire County Council
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Item		Action Owner
1.	Introductions	
	Introductions were made.	
2.	<p>Review of notes & actions from last meeting</p> <p>Item #2 March 2017 - Design Panel: HS2 Ltd explained that this action was ongoing because the Forum requested to see minutes of Design Panel meetings where they had discussed Common Design Elements. The Design Team at HS2 Ltd are aware of this outstanding action and an update will be provided at the next Forum meeting if the action has not been completed.</p> <p>Item #5 August 2017 - non-key design elements: HS2 Ltd clarified that they are only committed to engage on key design elements that are included in the table in Information Paper D1, therefore HS2 Ltd are not committed to engage on non-key design elements.</p> <p>SNC asked HS2 Ltd if the pre-application process would include engagement with communities. HS2 Ltd confirmed that it would not be engaging with communities as part of the pre-application process. SNC were concerned with this because it may be perceived by communities that they are being informed of the design rather than engaged.</p> <p>Item #8 August 2017 - Bynoe – HS2 Ltd clarified that 11 recommendations have been addressed including the publication of the Community Engagement Strategy (CES). The Chair asked if there was public information to show a progress report for the Bynoe recommendations. HS2 Ltd said they were not aware this existed.</p> <p>Item #8 August 2017 – National Cycleway – The Chair referred to discussion in the pre-meeting: LAs would like this to be a future agenda item because they are receiving enquiries and inconsistent information from HS2 staff. HS2 Ltd asked LAs if they wanted clarity or a discussion on the topic. The Chair suggested that the LAs lead on the topic so they can pose questions. HS2 Ltd highlighted that they may not be able to answer questions promptly so would have to feedback questions to colleagues.</p> <p>Item #8 August 2017 - Ecology Review Group – WCC gave the update as they attended the last meeting: these were:</p> <ul style="list-style-type: none"> • There were degrees of HS2 protocol vs. conventional processes • Concern that NE chaired meeting as they are also the consenting body 	

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	<ul style="list-style-type: none"> • LA attendance limited which was not the case for HS2 or the NGOs • Communication around the Woodland Fund needed to improve <p>AVDC highlighted that only those who attended received minutes of the meeting. HS2 Ltd said they would feedback to the Secretariat and ask whether they can be forward to Planning Forum members. ACTION.</p> <p>The Chair asked HS2 Ltd ACTION to programme Ecology Review Group into the Forward Plan slides so that updates can be shared with the Forum.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p>3.</p>	<p>Phase One Construction update – [REDACTED] (Head of Programme Interface, Area South)</p> <p>SC presented slides on behalf of the Phase One Directorate to give members a high-level update on construction.</p> <p>A slide on Design Panels was presented and WCC asked if there was an expectation for senior LPA Officers to attend if [REDACTED] was part of design reviews and if that were the case for HS2 Ltd to consider the forward planning of diaries to ensure those people are able to attend. HS2 Ltd said they would highlight to the Design Team who are coordinating this work. NCC asked what design elements were being referred to in the slide and HS2 Ltd clarified that it was with regard to the main civils design such as viaducts. ACTION. HS2 Ltd to edit slide to ensure message is clear.</p> <p>HCC said that the slide on Area Central was not as detailed as the Area South or North slides. HS2 Ltd said they would work on the detail to be included in the Area updates to ensure the level of detail being presented to members is consistent. ACTION.</p> <p>A slide on resilience briefing was presented and WCC asked how this work had been integrated with the emergency services as they were aware that the police had been involved but not the fire services. HS2 Ltd said that [REDACTED] was the contact at HS2 who could prove clarity on this, his details were shared with members on the slide.</p> <p>[REDACTED] (Senior Town Planning Manager, Area North) presented a slide showing the number of schedule 17 submissions that had been made or approved in each Area.</p> <p>The Chair invited LAs to share their experience of the schedule 17 process. HCC said that communication in Area North seemed much better in comparison to Area Central. CDC & SBDC highlighted that this was not the case with all LAs and should not be assumed. HS2 Ltd responded to say this was not perceived by colleagues but would investigate this. The Chair suggested that LAs volunteer to coordinate perceptions of the schedule 17 process and feedback at the next Forum meeting. ACTION. WDC volunteered to coordinate Area North response, and CDC & SBDC the Area Central response. There was no volunteer for Area South LAs.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>WDC CDC/SBDC LAs</p>

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<p>4.</p>	<p>Handling site-sensitive ecology works requiring schedule 17 approval – Chair</p> <p>The Chair led this item and explained that it had been provoked by earthworks associated with relocation of a badger sett which triggered the question of whether it required schedule 17 approval and the location of the works being made public.</p> <p>The Forum discussed how LAs currently deal with sensitive information because the issue was not unique to HS2.</p> <p>AVDC suggested that HS2 Ltd identify the area within which the sett is to be located but not to pinpoint it specifically. SNC told the Forum that they had pre-application discussion regarding a schedule 17 that impacted a badger sett so they knew early on that the location should not be made public.</p> <p>HCC said that they raised the issue on whether this particularly work in the Chilterns was appropriately determined as <i>de minimus</i> so would not require schedule 17 approval. HS2 Ltd clarified that communication with the relevant LA was entirely proper which CDC & SBDC agreed was the case. Whether it is <i>de minimus</i> is the LPA’s decision.</p>	
<p>5.</p>	<p>Planning Forum Notes – ██████████, Senior Town Planning Manager</p> <p>██████████ introduced a new Planning Forum Note (PFN 11 – Site Restoration) to the Forum which would be shared for their review.</p> <p>CDC&SBDC said that their members suggested that HS2 Ltd should take photographs of a site before works commence. HS2 Ltd said that land condition surveys would take place prior to any works and would check this is included in the surveying. ACTION.</p> <p>HCC asked how this PFN and PFN10 – Indicative Mitigation fit together. Where worksite restoration comprises part of the permanent mitigation for a scheduled work, the appropriate detail will be included in the site restoration scheme and will be included in the final Bringing Into Use application for the scheduled work in question.</p> <p>Planning Forum Note 10 explains the process for submitting and commenting on indicative mitigation proposals. Indicative mitigation will in many cases be proposed on land being used first as ancillary worksites.</p> <p>AVDC said that PFN1 made reference to non-material amendments which they were intending to seek legal advice on because they were not reassured by the process should a non-material amendment be submitted. HS2 Ltd referred to paragraph 21 of Schedule 17 which provides for non-material amendments to be approved.</p>	<p>HS2 Ltd</p>

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	<p>AVDC said with regard to indicative mitigation, they were receiving smaller features and it would be more informative to see proposals in context of wider mitigation so may need to revisit this PFN in the future when more information is available.</p> <p>HS2 Ltd proposed that PFNs 10, 6, 1, 8 and 3 are now agreed by the Forum and could be made available on gov.uk. This was agreed. It was noted that if necessary the Forum can revisit them in the future.</p> <p>SNC highlighted that there was some confusion that had arisen out of PFN1 (Contents of schedule 17 submissions) regarding the location plan. HS2 Ltd said that the location plan is equivalent to the red line boundary.</p>	
<p>6.</p>	<p>Community Engagement</p> <p>Community Engagement Strategy – ██████████, (Senior Engagement Manager, Area North)</p> <p>██████ apologized on behalf of ██████████ (Community Engagement Director) for her not being in attendance at the meeting.</p> <p>██████ presented slides to the Forum on the Community Engagement Strategy (CES) which is the document that provides the overarching strategic view of community engagement.</p> <p>The slides included information on the Local Delivery Plans (LDPs) which have been developed to enable the public to find out what is happening in their area.</p> <p>The Chair asked the Forum if they had reviewed the CES. NCC said that the CES struggles to bring out the differences between different phases of engagement. HS2 Ltd responded that the LDPs pick out these differences.</p> <p>NCC asked if works sites were going to be branded as HS2. HS2 Ltd said they would be branded but the detail would depend on the contract area.</p> <p>AVDC asked if the LDPs would be shared with LAs for comment. HCC added that they had met with ██████████ and ██████████ in August but it did not seem to be an opportunity to provide feedback. HS2 Ltd said that the documents are in development and there would be an opportunity for LAs to comment on their content. ACTION.</p> <p>The Chair asked HS2 Ltd if there was a formal tracker for comments. HS2 Ltd confirmed there was not because the documents are not static and will continue to be reviewed as the project evolves. CDC highlighted that they have knowledge about their communities which HS2 should utilize.</p> <p>WCC said that the impression was that these documents were HS2 territory only and that LAs were not being involved at the level they should be, so</p>	<p>HS2 Ltd</p>

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	<p>LAs do not know where they stand. WCC referred to the recent letter that was circulated to LAs regarding funding in respect of new burdens. HS2 Ltd clarified that they do not expect LAs to take on the burden of engaging with communities. WCC added that the tone of the letter was unhelpful.</p> <p>The Chair asked HS2 Ltd to clarify whether work for the engagement plans which involved the LA would fall under the SLA. HS2 Ltd clarified that if an Officer is invited to a meeting then that is considered a burden but if a LA invites a meeting with HS2 Ltd then that will not be covered. The Chair suggested that HS2 Ltd and LAs clarify before each meeting whether time would be reimbursable under the SLA.</p> <p>Public Response – [REDACTED] (Senior Public Response Manager) & [REDACTED] (Head of Public Response)</p> <p>The Public Response team introduced themselves to the Forum and presented slides to explain what work has been done so far on the Complaints Process and work to come.</p> <p>HS2 Ltd emphasized that they are talking to the Residents Commissioner to ensure they are working within the scope of the 10 commitments given in the Residents Charter.</p> <p>WDC said the message given has been that LAs should direct complainants to the HS2 Public Enquiries desk. HCC pointed out that if the complainant's first point of contact is the LA that still places a burden on them and how would a LA know a complaint has been dealt with by HS2 Ltd.</p> <p>HS2 Ltd said it would like to see technology in the future to allow a LA to transfer complaints to the HS2 helpline. LAs were concerned their technology would not allow this to occur.</p> <p>CDC & SBDC said they had directed a member of the public to the helpdesk for enquiries regarding schedule 17 but the HS2 responder was not aware what schedule 17 was, so the person came back to the LA. Evidently, the level of knowledge is limited and this concerned the LA. ACTION. HS2 Ltd said they would look into this internally because they had not predicted that the public would contact the helpdesk on schedule 17s.</p> <p>HS2 Ltd went on to say that in the new year they would be sending out complaints/enquiries reporting information. HCC asked if the data could show cross-border public enquiries. The Chair suggested that he share what Crossrail used for categories of reporting. The Public Response team said they would circulate the draft categories for LA feedback to be sent to planning.forum@hs2.gov.uk within 3 weeks. ACTION.</p> <p>The Public Response team said they would come back to Planning Forum in March to report back. ACTION.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>PR Team</p>
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<p>7.</p>	<p>Interim Construction Commissioner – [REDACTED]</p> <p>[REDACTED] presented the leaflets that has been printed for LAs to take away and distribute at will. LAs were invited to e-mail the Construction Commissioner to request further copies if needed.</p> <p>[REDACTED] informed LAs that his third report had been published on gov.uk and reiterated that he (together with [REDACTED] would be happy to meet with LAs if requested.</p> <p>The deadline for LAs to apply to sit on the Independent Advisory Panel was the 10th November and LAs should contact Public Enquiries to apply.</p> <p>BCC asked what the process was should a claim be for more than £10,000? Gareth advised that the person should contact the HS2 helpline in the first instance, whether the claim was for more or less than £10,000.</p>	
<p>8.</p>	<p>Engagement with statutory consultees – [REDACTED] (Senior Town Planning Manager)</p> <p>The item was deferred to the January meeting due to time constraints but HS2 Ltd agreed to circulate slides that had been prepared. ACTION.</p>	<p>HS2 Ltd</p>
<p>9.</p>	<p>HS2 Updates</p> <p>Project updates – [REDACTED], Act Powers and Planning Lead, HS2 Phase One Sponsor Team, DfT</p> <p>[REDACTED] presented slides to the Forum, the main updates being:</p> <ul style="list-style-type: none"> • Schedule 17 Planning Appeals Guidance, Schedule 25 Traffic Regulations Orders Guidance and Schedule 27 Noise Appeals Guidance were due to be published at the end of the month • Road Safety Fund currently with the SoS for decision • [REDACTED] appointed as Director General, High Speed Rail and Major Projects • Policy document will be drafted to clarify the SoS powers to remove the qualifying status for a LA – this will be circulated for LA comment in due course <p>The Chair highlighted that HS1 requested the disqualification of a LA. The request was turned down on the basis of it being ‘too late’, even though HS1 argued that it would set an important precedent for future projects.</p> <p>Forward Plan – [REDACTED] (Senior Town Planning Manager)</p> <p>HS2 Ltd presented a slide showing which PFNs were considered final enough for publishing. He also asked the LAs if any additional PFNs would</p>	

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	<p>be beneficial.</p> <p>HS2 Ltd informed the Forum that the January 11th meeting was being held at Camden's Council Chambers.</p> <p>HS2 Ltd highlighted that the first Phase 2a Planning Forum was due to take place the following week.</p>	
10.	<p>AOB</p> <p>The Chair said that the format of future pre-meetings has been discussed between LAs and they had scheduled a meeting on the 4th January (a week in advance of the next Planning Forum).</p> <p>HCC said they have had problems receiving big documents from HS2 Ltd and expected it was down to IT restrictions. BCC raised the same issue.</p> <p>ACTION. HS2 Ltd to feedback to IT.</p>	HS2 Ltd