

## INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

<b>Title:</b>	<b>Independent Planning Forum for HS2 – Phase One</b>	
<b>Date &amp; Time</b>	<b>North Meeting</b> Wednesday - 22 <sup>nd</sup> March 2017 2 Snowhill, Queensway, B4 6GA	<b>South Meeting</b> Thursday - 23 <sup>rd</sup> March 2017 Euston Square Hotel, North Gower Street, London, NW1 2NG
<b>Chair</b>	██████████	Independent Chair
<b>Promoter Attendees:</b>	██████████ ██████████ ██████████	HS2 Ltd HS2 Ltd HS2 Ltd
	North	
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	South	
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<b>Local Authority Attendees:</b>	North	
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	██████████ ██████████	Bucks County Council Bucks County Council
<b>Guests</b>	██████████ ██████████	Atkins Knight Architects

<b>Item</b>		<b>Action Owner</b>
<b>1.</b>	<b>Introductions</b> Introductions were made.	
<b>2.</b>	<p><b>Common Design Elements – Overbridge Parapets</b></p> <p>HS2 Ltd reminded LAs that the Forum will consider common design elements for certain structures (paragraph 4.1.4 of the Planning Memorandum). HS2 Ltd introduced Tom Osbourne from Knight Architects (KA) who presented the currently proposed approach on a common design for overbridge parapets.</p> <p>KA said that the presentation had been well received by the Design Panel. The Chair asked that minutes of that meeting be shared with the Forum so LAs could see the Design Panel’s comments on the presentation - <b>Action</b></p> <p>The presentation proposed that the design consist of a suite of segments designed to respond to different environments. The system will enable designers to choose segments that fit together in a ‘grid-like system’ so that various patterns can be created to suit the environment in which the overbridge parapet is located.</p> <p>North: NWBC asked if translucent materials had been considered to accommodate environments that require mitigation as well as provide opportunity to maximise views. KA explained that the suite of segments provide the opportunity to “play” with the porosity of the wall so that landscapes can be viewed.</p> <p>North: SCC asked KA to explain why 1.5m or 1.8m heights would be used at different locations. KA clarified that the height depended on the user of the bridge and the required standard for that use.</p> <p>North: The Forum discussed the National Suicide Prevention Strategy. HS2 Ltd confirmed that they had not been involved in the development of the strategy but prevention measures are being considered in line with industry standards in the technical specification of the railway.</p> <p>North: SCC said it would be useful to know which locations for bridges identified with a higher risk of suicide and progress discussion from there as to the design required.</p> <p>North: Cherwell DC highlighted that they had an undertaking with HS2 Ltd</p>	HS2 Ltd

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to consider locality and context but said that the presentation did not seem to sufficiently consider the local context. HS2 Ltd explained that the aim of this work with KA was to design “common” elements along the route. HS2 Ltd highlighted that LAs do have grounds under the Planning Conditions Schedule to refuse approvals on the basis of the design. KA said that there is the potential for the concrete mixture to incorporate local aggregates, thereby having a colour that reflects the landscape.

North: NWBC asked if a palette of proposed colours could be produced for LAs to see and share with members. HS2 Ltd are to feed in comments received to the next stage of work.

South & North: The Forum highlighted that they have seen proposed common design approaches for noise barriers and viaducts, so wondered if there was an intention to join up the various designs. KA said that there could be.

South & North: The Forum pointed out that much focus had been given to the experience of people on the bridge but questioned if the experience of people looking at the bridge from footpaths or bridleways had been considered. KA said that the inside was considered primarily as the outside would be viewed at a distance and/or fast travelling vehicle users so the detail would not be visible. KA explained that once the public are looking at the bridge from a distance, the structural form rather than the textures are only visible with the human eye. The Chair noted that by contrast, HS1 focused the design on the external side rather than the internal side. The LAs pointed out that some bridges would be permanently in the view of people from not so far away, and asked for more information on the external appearance.

North: SNC suggested that the weathering of structures should be considered, particularly on the views from a distance. KA explained that weathering can be worse in designs which use steel coping. SNC said that a design’s local distinctiveness will make it much easier to “sell” to members.

North: SADC said that the Forum should be mindful that if these designs are agreed there is a presumption in favour of their design when they are submitted for approval. HS2 Ltd explained that there is presumption for the common design that is discussed at Forum meetings but there will be opportunity at pre-submission stage to discuss locations where the common design would not be appropriate.

HS2 Ltd said that the MWCCs will be mobilised by the end of summer and it would be their work which considers the local context in the detailed design stage.

South: TRDC asked if the suite of segments would be like a design guide. KA said that it would be more complex than a guide. TRDC also asked if

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	<p>concrete was the only proposed material for the bridge design. KA said that steel was an option but it does not age as well as concrete.</p> <p>South: BCC said that concrete was not appropriate in an AONB because it felt very 1970's and questioned the ageing process. LBB said that this would depend on the maintenance of the structure. The Chair clarified that this maintenance would be the responsibility of the line's owner/operator.</p> <p>South: WCC asked KA if they had any 'real' examples where the proposed segments had been constructed for parapets. KA said they would obtain some examples where this design had been used, and it will feed into the next stage of engagement.</p> <p>South: CDC encouraged KA/HS2 Ltd to engage with local communities on the emerging designs. KA explained that this approach provided this opportunity. HS2 Ltd clarified that Information Paper D1: Design Policy states that there will be engagement on common designs, but that this is likely to be web based.</p> <p>South: AVDC asked how to avoid situations arising whereby contractor's dumb down these designs. KA said that although the rule book is flexible it will also be quite prescriptive.</p> <p>South: LBC asked when the opportunity to discuss where the common design elements would be appropriate. HS2 Ltd said that this would be done on a case-by-case basis during the pre-app submission discussions with the relevant LA.</p> <p>South: WCC asked what the measurements of each segment would be. KA said approximately 175mm.</p> <p><b>Action</b> - HS2 Ltd to circulate the presentation for LAs to consider and feedback comments which will be fed into the next stage of design and engagement.</p>	<p>HS2 Ltd &amp; LAs</p>
<p><b>3.</b></p>	<p><b>Review of minutes and actions from last meeting</b></p> <p>HS2 Ltd said that two changes to the draft January meeting minutes had been requested so the minutes would be amended accordingly prior to their publication on the gov.co.uk website.</p> <ul style="list-style-type: none"> <li>Item 2.2 – NCC said they had been approached by John Grimshaw regarding the cycling scheme. HS2 Ltd said they were of the understanding that he was doing work on behalf of the DfT to inform pathfinder schemes. HS2 Ltd clarified that safeguarding conflicts with the cycle route application submitted to AVDC were eventually overcome by requesting conditions. HS2 Ltd confirmed that information on the pathfinder schemes and feasibility study was</li> </ul>	

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	<p>expected from DfT, and once published a link would be circulated.</p> <ul style="list-style-type: none"> <li>• Item AOB – SCC said that it would be useful to discuss the Community Investment Fund at a future meeting. HS2 Ltd said that the Chair of the CEF/BLEF, Cathy Elliot, would be attending the May meeting.</li> <li>• Item 4 – North &amp; South: HS2 Ltd said that SLA discussions with LAs were underway and 2-4 weeks from completion. The Chair said that the issue of timing was discussed during the pre-meeting because LAs were not assured that the SLA would be in place before 1<sup>st</sup> April.             <ol style="list-style-type: none"> <li>1. SCC and WCC highlighted to the Forum that colleagues had received inconsistent information during bilateral meetings with the commercial team. For instance, it has been said by HS2 Ltd that a £250 daily cap would apply, similar to the MoU but understood this may not be correct.</li> <li>2. SCC explained that not all LAs, like themselves have in-house technical officers. SCC have external Highway Officers who charge them for reimbursement and there is not any scope to negotiate their pay rates. They will not do the work if they are not paid their fees.</li> <li>3. SCC asked for a clear position regarding the 15% indirect cost. SNC said that HS2 Ltd’s response on this point was that it would be discussed bilaterally.</li> <li>4. The Forum asked if they could continue to claim reimbursement under the 2016 MoU until the SLA has been agreed and was formally in place. HS2 Ltd explained that the MoU cannot be extended so work carried out after the 31<sup>st</sup> March cannot be reimbursed under the 2016 MoU. HS2 Ltd will feedback to relevant colleagues on whether retrospective payments can be reimbursed once the SLA is in place. The Chair highlighted that the opportunity for LAs to be reimbursed retrospectively to 1<sup>st</sup> April must surely exist, because the MoU is due to expire and the project is committed to funding LAs in accordance with IP C13.</li> <li>5. Some LA’s pointed out that they had not yet had bilateral discussions with the Interface team from HS2.                 <p><b>Action</b> – HS2 Ltd will feedback to colleagues in the Interface team and clarify consistent positions on the points made.</p> </li> </ol> <p>South: HS2 Ltd explained that LA’s need to provide evidence of pay rather than just stating what they pay contractors. HS2 Ltd need such evidence to satisfy internal governance requirements.</p> <p>South: LBHF pointed out that HS2 Ltd’s proposed rates were well below their current agreement with Thames Tideway, so they were not planning to sign the agreement. Although OPDC are the determining authority in their case, they would be consulted as Highway Authority. HS2 Ltd clarified that there is no mechanism in place to reimburse Highway costs other than the SLA so they need to sign it in order to be reimbursed.</p> </li> </ul>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
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	<p>South: The Chair highlighted that LAs have the opportunity to demonstrate their costs. HS2 Ltd need to confirm that LAs' time/costs will be reimbursed retrospectively.</p> <ul style="list-style-type: none"> <li>Item 4 – HS2 Ltd explained that the draft ToR had been circulated by the Chair. The Chair said that a meeting with Julie King, Community Engagement Director, HS2 Ltd, was in the diary to discuss the Planning Forum's objectives and CR.</li> <li>May 2016 – South: BCC asked why only two LAs were going to be representatives on the IAP. HCC proposed that LA representatives from urban and rural settings were on the Panel. The Chair suggested that LAs send HS2 Ltd a group response to the e-mail that was sent to them from Mike Lyons on 15<sup>th</sup> March.</li> </ul>	
<b>4</b>	<p><b>Independent body – Construction Commissioner</b></p> <p>As mentioned above, an e-mail had been sent to Planning Forum members from [REDACTED] – Programme Director, Area North on 15<sup>th</sup> March asking for two LA representatives to sit on the Independent Advisory Panel.</p> <p>The Chair noted that the matter of the IAP had been raised at the Forum for some time, but the deadline given to LAs to appoint representatives was tight. HS2 Ltd said they could extend the deadline if requested.</p>	
<b>5.</b>	<p><b>Planning Forum ToR - draft</b></p> <p>The Chair had circulated a first draft to start discussion. HS2 Ltd said they had been considering the purpose of Planning Forum as to whether it should be a route wide meeting whereby wider issues are discussed or whether it should be more focused to planning consents now that the project has moved into delivery.</p> <p>HS2 Ltd asked for any comments on this first draft to be e-mailed to the Forum mailbox so HS2 Ltd a revised version could be circulated before the next meeting in May - <b>Action</b></p> <p>North: SCC asked HS2 Ltd to consider the amount of officer time required to attend the Subgroups.</p> <p>The Chair proposed that Planning Forum use the same approach as on Crossrail whereby wider issues are discussed. SCC agreed with this approach.</p>	LAs & HS2 Ltd
<b>6.</b>	<p><b>Draft Appeal regulations guidance</b></p> <p>HS2 Ltd told the Forum that the Appeal regulations had been laid in Parliament and will come into effect on 27<sup>th</sup> March 2017.</p> <p>HS2 Ltd presented slides to explain what the guidance on the appeals process would include:</p> <ul style="list-style-type: none"> <li>Written representation – as per Schedule 17;</li> </ul>	

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	<ul style="list-style-type: none"> <li>• determination by non-statutory means;</li> <li>• recovery of appeals; and</li> <li>• call-in requests for approval.</li> </ul> <p>HS2 Ltd said the draft guidance would be circulated at least 4 weeks before the next Forum meeting.</p> <p><b>Action</b> – HS2 Ltd to circulate slides to the Forum for their information</p>	HS2 Ltd
<b>7.</b>	<b>Planning Forum Notes</b>	
	<p>- Decision notices on requests for approval</p> <p>HS2 Ltd had drafted guidance in the form of a PFN as requested by the Forum to ensure consistent decision notices were issued by LAs. The draft was circulated to the Forum on 7<sup>th</sup> February and comments requested by 10<sup>th</sup> March. The guidance included example text for granting approval and set out what a decision to refuse or condition should include.</p> <p>North: SNC asked that HS2 Ltd clarify what the reference should be in terms of the description of the development. HS2 Ltd said that the description of development would be clarified during the pre-submission discussion stage.</p> <p>The Forum discussed whether the guidance should refer to a s73 in the context of a schedule 17 request. HS2 Ltd confirmed that, in the unlikely event that an application were made under s73, it would be under the TCPA therefore the LAs standard decision notice should be issued.</p> <p>South: AVDC highlighted that their decision notices including standard wording to highlight to the applicant the opportunity to appeal the decision and asked HS2 Ltd if they had considered an equivalent.</p> <p>South: The Forum suggested inserting a standard footnote on every PFN to refer the reader to the Statutory Guidance. <b>Action</b> – HS2 Ltd to consider proposal.</p> <p>HS2 Ltd said they would circulate a revised PFN taking into consideration LA's comments. If no further comments were proposed this version would be considered final.</p> <p>- Indicative Mitigation</p> <p>HS2 Ltd said they would draft a PFN to explain to LAs how to respond to indicative mitigation information when it is provided for information at the plans and specifications stage of a HS2 works submission. HS2 Ltd said that the draft PFN would be circulated at least 4 weeks before the next Forum meeting and it will be discussed at the May meeting.</p>	HS2 Ltd

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	<p>The Forum suggested that HS2 Ltd consider the formatting of the Planning Forum webpage to ensure it is clear where the final PFNs are located – <b>Action.</b></p>	<p>HS2 Ltd</p>
<p><b>8.</b></p>	<p><b>Enabling works &amp; forward plan template</b></p> <p>HS2 Ltd presented a proposed template of a forward plan look-ahead, which will be issued to LAs every quarter.</p> <p>North: SADC suggested that the Parish Council which the proposed works are located within are included on the table.</p> <p>North: Cherwell DC said it would be useful for the County Authority to see the forward plan for the District.</p> <p>South &amp; North: The Forum suggested that the location include the grid-reference or more specific location description. The Chair thought that may be unnecessary as this was not the actual Schedule 17 submission.</p> <p>South: AVDC said this template would be very helpful to the LA and that they were working with pre-submissions currently. AVDC emphasized that they need information as early as possible so that they are able to constructively consider submissions. HS2 Ltd explained that this information is driven by the contractors and acknowledged that the level of information so far has been limited.</p> <p>South: HCC asked HS2 Ltd if a similar look-ahead would be done for Schedule 4 consents. HS2 Ltd clarified that only a planning consent look-ahead template for Schedule 17 consents was proposed, in accordance with the Planning Memorandum.</p>	
<p><b>9.</b></p>	<p><b>HS2 Updates</b></p> <p><b>Parliamentary process</b></p> <ul style="list-style-type: none"> <li>• The HS2 Bill received RA on Thursday 23<sup>rd</sup> February 2017 and has been published on legislation.gov.uk.</li> <li>• Planning Fee and Appeal Regulations will be in effect from 27<sup>th</sup> March 2017 and can be preyed against for 19 days beyond that date.</li> <li>• The DfT published its response to the Class Approval Consultation on Tuesday 21<sup>st</sup> March.</li> <li>• The Class Approval will be made formally in the next few days in the form of a planning direction and LA Chief Executives and SPOCs will be e-mailed.</li> </ul>	



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	<p><b>Project updates</b></p> <ul style="list-style-type: none"> <li>• HS2 Ltd has appointed a new CEO, Mark Thurston.</li> <li>• The latest Residents Commissioner Report was published on the 2<sup>nd</sup> March 2017 at - <a href="https://www.gov.uk/government/publications/hs2-residents-commissioner-report-6-march-2017">https://www.gov.uk/government/publications/hs2-residents-commissioner-report-6-march-2017</a></li> <li>• The CEF/BLEF funds are open for applications to be made</li> </ul> <p>The Chair asked if the Planning Memorandum would be amended to reflect Royal Assent. HS2 Ltd clarified that it would not be amended as LAs signed the final version before the Bill was enacted. The same applied for Crossrail’s Planning &amp; Heritage Memorandum.</p> <p><b>Forward plan</b></p> <p>HS2 Ltd presented an up-to-date tracker for the Planning Forum Notes and clarified that the Indicative Mitigation PFN would be sent to LAs in April for them to comment on.</p> <p>The Chair asked if the PFNs were numbered and if so make it clear on the gov.uk webpage.</p> <p>The Forum asked that the May agenda include the Complaints Process as an item. <b>Action</b> – HS2 Ltd said it should be possible and would take it back to colleagues.</p> <p>North: SCC asked HS2 Ltd if someone could come and explain the Complaints Process to their highway’s officers as they need to understand procedure to advise the public. HS2 Ltd said that the advice given should be that the complainant contact the HS2 helpline.</p> <p><b>Subgroup updates</b></p> <p>Environmental Health Subgroup</p> <ul style="list-style-type: none"> <li>• Next meeting scheduled 30<sup>th</sup> March</li> </ul> <p>Highways Subgroup</p> <ul style="list-style-type: none"> <li>• Next meeting scheduled 29<sup>th</sup> March</li> </ul>	<p>HS2 Ltd</p> <p>HS2 Ltd</p>
<p><b>10.</b></p>	<p><b>AOB</b></p> <p>North: CDC raised that Heritage Subgroup shared information with LAs via SharePoint but not all LAs were able to access it due to internal IT restrictions. HS2 Ltd clarified that there was no intention to generally share information this way.</p> <p>North: NCC said that although gantries are not included in Schedule 17, the Forum would be interested in understanding their design. HS2 Ltd explained that Railway Systems have not yet procured that contract but would add it to the Actions Log to track - <b>Action</b></p>	<p>HS2 Ltd</p>

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	<p>North: WDC asked if HS2 Ltd had considered travelers accessing land acquired by HS2 Ltd. WDC asked if there was someone at HS2 Ltd to speak with regarding this issue. <b>Action</b> – HS2 Ltd said they would ask if someone in the property team could discuss this with WDC.</p> <p>North: WDC asked when a leaflet with the complaint process would be available to give to residents. WDC noted that the Residents Commissioner stated that leaflets were available at local events. <b>Action</b> – HS2 Ltd to feedback to colleagues.</p> <p>North: SADC asked if there was any further update on the Planning Portal submissions. The Chair suggested a brief update on this at the next meeting. <b>Action</b> – HS2 Ltd said they would look at proposed agenda and include item.</p> <p>South: HCC asked when they can expect a Context Report. HS2 Ltd said the timing would depend when the first request for approval is programmed to be submitted to the LA.</p> <p>South: ██████████ (BCC) said it was his last meeting and would be succeeded by ██████████. He was thanked for his contributions to the Forum’s deliberations.</p>	<p>HS2 Ltd</p> <p>HS2 Ltd</p> <p>HS2 Ltd</p>
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