

Document Number:	HS2-HS2-ER-MRC-000-000007
Meeting Date:	23 May 2013
Meeting Location:	Business Suite, One KX, Cromer Street
Meeting Title:	Route wide planning forum (South)
Zone/Area References:	N/A
GIS/Land Registry Reference:	N/A
HS2 Ltd Contact Person:	[REDACTED]
Stakeholder:	Local Authority
Topic Keywords:	Planning Forum, Local Authority

Chair	[REDACTED]	Independent Chair
Promoter Attendees:	[REDACTED]	Town Planning Manager, HS2 Ltd London Planning Manager, HS2 Ltd Country Planning Manager, HS2 Ltd Planning Liaison HS2 Ltd Bill Manager, DfT
Local Authority Attendees:	[REDACTED]	LB Camden LB Camden LB Brent Westminster City Council RB Kensington & Chelsea LB Islington LB Ealing LB Hammersmith & Fulham South Northants District Council South Northants District Council Warwickshire County Council Hertfordshire County Council Greater London Authority

Item		Action/ Owner
1.	Introductions	
	Introductions were made.	
2.	Review of notes of last meeting & actions arising	
2.1	The notes of the last meeting were agreed as an accurate record.	
2.2	The actions were reviewed. Item 2.3: CD's are not being provided as the draft ES with navigation tools is available on line, and hard copies can be ordered as required.	
2.3	Item 3.2: A revised draft of the terms of reference was issued on the morning of the 21 May. Item 3 on the agenda.	
2.4	Item 3.2: A slide on bilateral engagement will be presented under item 3 on the agenda.	
2.5	Item 4.6 & 7.0: No comments received from members on the proposed planning regime so far. Comments are invited.	All
2.6	Items 4.6 & 4.7: A contact list for group members was circulated. Item closed.	
2.7	Item 6.2: The requests regarding the draft ES consultation were passed to the consultation team. It was not possible to advise dates of events before the announcement but these have now been circulated and advertised. LBC noted that the event that took place the day before was well organised. WCC raised an issue with the timing of the letters notifying residents of the consultation event in the City.	
2.8	Item 7.0: Dates of meetings have been revised to avoid the school holidays: they are set out on the back of the meeting schedule. Closed.	
2.9	Item 2.3: Request for the consultation documents to be on CD from the north meeting. See response above.	

2.10	Item 3.2: Two volunteers from the north meeting were received to review the Terms of Reference. Comments received with thanks. Closed.	
2.11	Item 3.4: No volunteers for the interview for the chair panel have been received. HS2 Ltd will keep members updated on progress with the appointment. Once dates are booked, HS2 Ltd will approach members.	HS2 Ltd
2.12	Item 4.4: Links to the Crossrail fee regime are included in the papers and will be circulated with the slides following this meeting.	
2.13	Item 6.1 WCC: The request for an ecology sub group has been discussed with the ecology lead. If there is an interest in HS2's approach to ecology, a presentation could be given to the forum. Otherwise area specific meetings are being organised. Discussions are ongoing with environmental statutory undertakers. It was noted that there was a discussion at the north meeting regarding how and when the Environment Memorandum is produced.	
2.14	Items 16 & 17: It was noted that the north meeting had requested clarity on when the community forums were likely to re-start and HS2 will clarify.	HS2 Ltd
2.15	Item 6.1 BCC: HS2 Ltd to investigate dates for the next CoCP meeting. At the north meeting, members requested a CoCP sub group meeting during the consultation period.	HS2 Ltd
3.	Terms of Reference (ToR)	
3.1	Following comments received, the terms have been revised to take account of the majority of points raised. Comments from the meeting yesterday were noted. It was suggested to include "These Terms of Reference can be reviewed by the forum". A slide was presented to clarify the different types of engagement taking place and this will be appended to the ToR. HS2 Ltd will revise and reissue the ToR and publish them on the website. It was noted that bilateral meetings are arranged to address issues as required and these meetings do not require ToR.	HS2 Ltd
4.0	Planning regime discussion	
4.1	No comments were received following the presentation last month so it was proposed to run through some of the key issues to foster discussion and comment. Any comments are welcome and encouraged.	
	Qualifying and non - qualifying authorities	
4.2	The approvals a non-qualifying authority has are similar to the prior approval process under part 11 of the GDPO. Qualifying authorities have a wider range of controls which they obtain by signing up to the planning memorandum. For Crossrail, Bucks CC, LB Barking & Dagenham and Tendring DC in Essex chose not to sign up, largely due to the very limited extent of works in their areas. Authorities were required to sign before the end of the House of Lords Select Committee. Applications are split between districts and counties in into two tier areas to reflect the normal planning split. Matters of a strategic nature are addressed during the Parliamentary process as the planning regime addresses matters of detail. The Crossrail authorities are producing a 'lessons learnt' document and this is expected to be available shortly. The link to the Crossrail Planning & Heritage Memorandum has previously been issued and the document is on the Crossrail website. A draft of the HS2 Planning Memorandum will be available in the next few months. Members noted it would be helpful to have a breakdown of timescales for the Parliamentary process over the next few years. There are many unknowns at this stage so not possible to give an accurate timescale. Once the Parliamentary process is in motion, more certainty will follow.	
4.3	LBC noted concerns that an eight week determination period is not sufficient. Part of the deal of signing up to be a qualifying authority is commitment to this timescale and authorities are expected to schedule committee meetings if necessary to meet it. Pre-submission discussions are often extensive (up to a year on Crossrail) and the Nominated Undertaker (NU) will work with local authorities. The submissions are also effectively equivalent to discharge of conditions, not planning applications, so the approval time is relevant to the eight	

	<p>week standard for such arrangements. The application only involves reviewing a plan and external design appearance; it does not include EIA's or TA's (part of the hybrid Bill). On Crossrail the majority were approved within the eight weeks, excepting some notable long delays which distorted the average to 10 weeks.</p>	
	<p>Plans and Specifications</p>	
4.5	<p>Detailed design approval is not given under the Act. The Act provides the space and deemed planning consent to do the works; Plans and Specifications submissions give the design approval for all things above ground. This is to design detail RIBA stage D approximately, so commensurate with normal planning application level. Refusal and imposition of conditions can only be done on the grounds set out in the Act. Crossrail authorities generally felt they had sufficient control through the process and that it enabled the level of quality of design required by local authorities. Onus is on the applicant to provide information to justify its case on technical matters.</p> <p>However LBC noted issues that had arisen with the station entrances on the Kings Cross Project which illustrates that planning problems have occurred with a previous regime.</p>	
	<p>Construction arrangements</p>	
4.7	<p>This provides approval of how certain construction matters are managed during construction. The Crossrail CoCP set out the controls on construction. For the majority of matters requiring approval, Crossrail's Construction Arrangement submissions involved cutting the relevant text from the CoCP and submitting it repeatedly for each Construction Arrangements submission. This gave enforcement powers to authorities but was an administrative burden on both parties. (Typically 30 pages of repeated text on something already agreed) For HS2 it is proposed that a 'Class approval' be used. Standard text will be approved once by the SoS following consultation with the Local Authorities and then no further approvals will be required unless the proposed arrangements differ from those in the CoCP. Conditions could be attached. The same level of protection would be achieved.</p> <p>As road transport (lorry routes) and construction camps (workers accommodation) are inherently site specific they would not be subject to the class approval and would require approval by the relevant authority.</p> <p>If standards change then the class approvals can be easily updated through the planning forum as necessary.</p> <p>For dust, the Crossrail ES identified the tier of categorisation for each site. Then the CoCP provided the appropriate generic text. An equivalent approach will be developed for HS2 Ltd.</p>	
4.8	<p>The approving authority for a lorry route is the one that has the construction site. This means that sometimes boroughs have no control over a route that travels through it. In practice local authorities tend to discuss such submissions with their neighbours. For normal development there is no control over lorry routes. While it is recognised that there are issues with lorry route approval, it is difficult to identify alternative arrangements that could improve the situation. The planning memorandum could include appropriate consulting arrangements. Early engagement was recognised as key in any event.</p>	
	<p>Site restoration</p>	
4.9	<p>There are two types of site restoration. The mineral and waste and bulk excavation restorations are approved in advance. Sites with NU occupation are treated differently. A site restoration application is required to be approved within eight weeks of submission, but also by six months of works ending on site. This is a final back stop measure to give confidence that the application will be approved. Local Authorities have enforcement powers. Site restoration is not submitted at the start of works due to the length of the programme and need for flexibility on both sides. Although the contractor on site would usually undertake the site restoration, this may not always be the case.</p> <p>The Chair suggested that there was no need for the six month 'grace' and that it is entirely practical in his experience for restoration schemes to be approved by the</p>	

	end of works on a site. SL said he would consider this proposal.	DfT
	Fees	
4.10	There are a set of statutory instruments for fee regulations. The view that local authorities may prefer to have officers funded to work on applications was noted. This was done on through a statutory instrument on CTRL & Crossrail and this will be explored in the future for HS2. Fees for pre-application discussions are not addressed in the Bill but it is expected this will form the subject of future discussions. Nothing in the Bill will prejudice any such discussions.	
4.11	The CRL lessons learnt document is due to be available shortly. Discussion took place on the merits of a combined meeting to discuss this in light of the planning regime. Officers noted a preference for the June planning forum meetings to be combined to address this, extended if necessary, rather than arranging a separate meeting.	HS2 Ltd
5.0	HS2 Update	
5.1	A presentation was given on the draft Environmental Statement. The slides have been issued to members.	
5.2	WCC noted that the information leaflets for the events were not distributed in Queens Park until the 22 May which was too late for those at work. This will be passed to the consultation team.	
5.3	Briefings were offered for elected Members on the draft ES. Contact TB to arrange. SNBC noted the usefulness of the Members briefing event that took place on the 21 May.	
5.4	The MoU terms do not allow for funding of officer time for responding to public consultations.	
5.5	More detail on arisings and disposal of waste will be in the formal ES, including assessment of the local specific impacts. HS2 agrees to update officers on this and Transport Assessment detail when available and will approach LA's to set up discussions.	HS2 Ltd
5.6	Feedback on the NGO and Environment Forums was given. See appendix A.	
6.0	Any other business	
6.1	The safeguarding direction is expected shortly although no date is available. HS2 Ltd will advise as soon as possible. Once it is issued, the town planning team will meet with Local Authority development teams individually. Once announced, the report that went to the DfT will be published on line. LB Brent officers noted that it would be helpful to have the safeguarding in place before the closure of the ES consultation. This is due to a specific issue within the borough which will fall in the ES response. It was noted that a full presentation on the issues relating to the vent shaft will be made in the meeting arranged with officers.	HS2 Ltd
6.2	No decisions have been made on dates for the property compensation consultation following the judicial review. The JR decision was recently given. Legal advice is being taken on how to comply with the judgement and at present there is no further information available.	

Appendix A - NGO & NEF update

NGO: Notes of the meeting are available on the following link:

<http://www.hs2.org.uk/have-your-say/forums/environment-forum>

Items discussed:

- Future Design Panel
- Greenhouse gas modelling approach
- Green Corridor - the community initiative submission
- Presentation from the Land Trust – on long term sustainable management of a broad range of open spaces in the UK
- Presentation from the Wildlife Trusts – this included information on their 'Living Landscapes' programmes and also touched on what the Wildlife Trusts would like to see from HS2
- Presentation on mitigation principles in urban environments

- Presentation on the hybrid Bill design requirements

NEF:

The National Environment Forum comprises Government departments and statutory bodies and was established to advise on environmental policy for HS2, including project-wide strategies for reducing the environmental impact of the line. The last meeting in May focused on the draft ES for Phase one and provided an update on Phase two. Updates were also given on the ongoing engagement with statutory bodies, the National NGO forum and the urban landscape strategy.

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