

INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

Title:	Independent Phase One Planning Forum for HS2 - #76	
Date & Time:	Thursday 25 July, 2024 HS2 office, Two Snowhill, Birmingham & Microsoft Teams meeting 13:00 – 15:30	
Chair:	[Redacted]	Independent Chair
Promoter Attendees:	[Redacted]	HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Lead Ph 2) HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Project Client – BBV) HS2 Ltd (Head of Town Planning) HS2 Ltd (Town Planning Lead Ph 1) HS2 Ltd (Team Administrator) Align Align Align Align AtkinsRealis BBV BBV BBV BBV BBV BBV BBVS SCS
Planning Authority Attendees:	[Redacted]	Birmingham City Council (BCC) Buckinghamshire Council (BC) Lichfield District Council (LDC) London Borough of Camden (LBC) London Borough of Camden (LBC) London Borough of Camden (LBC) North Warwickshire Borough Council (NWBC) Old Oak & Park Royal Dev Corporation (OPDC) Solihull Metropolitan Borough Council (SMBC) Solihull Metropolitan Borough Council (SMBC) Staffordshire County Council (SCC) Staffordshire County Council (SCC) Staffordshire County Council (SCC) Staffordshire County Council (SCC) Staffordshire County Council (SCC) Stratford-on-Avon District Council (SDC) Three Rivers District Council Warwick District Council (WDC) Warwickshire County Council (WCC)

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	██████████	West Northamptonshire Council (WNC)
Other Attendees:	██████████	DfT

Item			Action Owner									
1.	Introductions – were made.											
2.	<p>Review of minutes of the last meeting and outstanding actions.</p> <p>Minutes from the May 2024 Planning Forum were agreed with an amendment to attendees.</p> <p>Outstanding actions were reviewed:</p> <table border="1" data-bbox="370 737 1273 1843"> <tbody> <tr> <td>Jan 22 (5)</td> <td>Prolonged Disturbance Scheme review being undertaken with feedback to be provided by DfT. DfT to provide updated timeline.</td> <td>KB (DfT) gave the following update: <i>“The DfT has received recommendations from HS2 Ltd for potential (limited) revisions to the Scheme and we have reached an agreed position. These remain subject to internal governance and in due course, the approval of Ministers. Due to the election and the formation of a new Government we are unable to provide a definite timeline of when the changes will be implemented. However once approved we will consult with the Planning Forum and EH Subgroup as appropriate on the wording of changes to the policy”.</i> Action open.</td> </tr> <tr> <td>Sep 23 (11)</td> <td>HS2 to present at a future Forum on how new ES information and new significant effects work alongside Schedule 17 and the EMRs.</td> <td>To be discussed at agenda item 6. Action closed.</td> </tr> <tr> <td>Mar 24 (9)</td> <td>Operational noise update. Given time constraints, this update will be given at the next Planning Forum.</td> <td>To be presented at the EH sub-group initially. Action open.</td> </tr> </tbody> </table>		Jan 22 (5)	Prolonged Disturbance Scheme review being undertaken with feedback to be provided by DfT. DfT to provide updated timeline.	KB (DfT) gave the following update: <i>“The DfT has received recommendations from HS2 Ltd for potential (limited) revisions to the Scheme and we have reached an agreed position. These remain subject to internal governance and in due course, the approval of Ministers. Due to the election and the formation of a new Government we are unable to provide a definite timeline of when the changes will be implemented. However once approved we will consult with the Planning Forum and EH Subgroup as appropriate on the wording of changes to the policy”.</i> Action open.	Sep 23 (11)	HS2 to present at a future Forum on how new ES information and new significant effects work alongside Schedule 17 and the EMRs.	To be discussed at agenda item 6. Action closed.	Mar 24 (9)	Operational noise update. Given time constraints, this update will be given at the next Planning Forum.	To be presented at the EH sub-group initially. Action open.	
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	<p>Mar 24 (5)</p>	<p>PFN 2 - TA asked whether an additional paragraph in PFN2 would be considered by HS2 Ltd, which emphasises the plans for approval, but clarifies that other context information plays an important part and should be discussed/agreed at pre-app stage, with such information justified by balancing the need to get planning consent and the planning authority having sufficient information to determine the application. PG replied that this would be considered, re-iterating the earlier comments about costs.</p>	<p>SA explained this was still being considered and will come back to the next Forum meeting. Action open.</p>	
	<p>May 24 (6)</p>	<p>PFN 13 - TA asked Forum members whether it was better to adopt the new version or maintain the original. Nobody responded that they did not wish to agree the revised version, therefore the new version was agreed, and can be posted to gov.uk.</p>	<p>HS2 to post to the website. Action open.</p>	
	<p>May 24 (8)</p>	<p>PFN Part-Decisions - TA asked whether there were any objections to the note being registered as a document produced by the Forum, but not becoming a formal Planning Forum Note. No objections were received, therefore the note will be circulated for information.</p>	<p>Note circulated to Forum members for information. Action closed.</p>	

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	May 24 (9)	PFN Principles of Determination - workshop to be arranged to discuss.	Workshop held on 10 July and HS2 Ltd considering outputs and seeking legal approval. Action closed. Revised note to be presented to the next Forum meeting for agreement. Decision tree to be included. New action.	HS2	
	May 24 (11)	Status of PFNs - TA considered that the wording proposed seems seemed appropriate and asked whether all agreed. There were no objections. PG raised the need to update all PFNs accordingly and will identify the easiest and quickest route to updating the documents.	PG explained that while the proposed text will be placed on the PFN page on the gov.uk website, the practicalities of inserting on each PFN was being worked through given governance considerations. Action open.		
	May 24 (12)	Consented works - PG stated that HS2 Ltd is required to comply with the law, while noting challenges with the programme, adding that HS2 Ltd takes its legal obligations seriously. He requested that further details were provided about the concerns raised by CE and others so they can be looked into.	Chair has received details from three planning authorities and HS2 Ltd will arrange bilateral meetings with each authority. New action.		HS2
	May 24 (13)	SLAs – update to be given on simplified claims process	Urgency is understood and update to be provided at September Forum. Action open.		
3.	Project Update An update on works in each area was presented by MY (HS2). Construction is moving forward with peaking works activity. Notable progress includes completion of the piers to bring the railway into Birmingham Curzon Street, completion of the Old Oak Common station box excavation and installation of the 91 metre-wide Carol Green rail bridge in Kenilworth. Tunnelling is now over 50% complete.				

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	<p>Following the Government’s announcement on Phase 2 in October 2023, TA asked whether there was an update on the Handsacre junction design. KB responded that she would seek an update from DfT colleagues. ACTION</p>	<p>DfT</p>
<p>4.</p>	<p>Planning Consents Performance & Appeals and Judicial Reviews Update</p> <p>SA (HS2) presented the planning consents performance and appeals update.</p> <p><i>Performance on determinations within last six months</i> Within the last six months, compared to the previously reported period, there had been an improvement in the proportion of applications determined within eight weeks. Over the recent period, there was a total of 20 out of 50 applications where statutory determination timescales were met.</p> <p><i>Applications awaiting decision</i> For live applications, there had been an increase in the number of applications awaiting a decision for over eight weeks. Given the volumes, the likelihood is that the number of outstanding decisions will increase in the next reporting period and the reasons for this will need to be understood.</p> <p><i>Application performance</i> Submissions were relatively on track until dropping off in June. The transition into Bringing into Use applications and adapting to these types of consents means that applications are taking more time to prepare, so currently there is a decrease in submissions against the forecast.</p> <p><i>Appeals</i> The chart showing determined appeals to date was presented. While there were no live appeals indicated on the chart, it was noted that a new appeal had very recently been lodged against non-determination of the Bromford Tunnel East Portal Headhouse application.</p> <p>The outcome of the Bromford Tunnel East Portal appeal was presented at the last Planning Forum meeting. PG gave an update on the judicial review that North Warwickshire District Council had submitted challenging the appeal decision. Summary grounds of defence have now been submitted by HS2 Ltd as an interested party. The next step in the process will be the Court determining whether there’ll be a full hearing. There is no timeline for decisions, but the Forum will be kept updated.</p> <p>TA queried when the headhouse application was submitted. It was confirmed the application was made in April this year, with the headhouse application being separate to the tunnel portal application.</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:</p>	

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	https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decisions	
<p>5.</p>	<p>Bringing into Use</p> <p>SA gave an update on Bringing into Use (BiU). The project is now moving into the next phase with BiU submissions, following recent years which have been focussed on Plans and Specifications & Lorry Routes submissions.</p> <p>There is an intention to review the Planning Forum Note following internal discussions with the HS2 legal team and based on the recent appeal decision that dealt with BiU.</p> <p>SA explained the legislative framework, which requires that any depot or above ground scheduled work should not be brought into use without the approval of the relevant local planning authority.</p> <p>The types of submission under paragraph 9 of Schedule 17 were covered. The first being for all scheduled works requiring BiU consent:</p> <ul style="list-style-type: none"> • <u>Request for approval under 9(1) to Bring into Use</u>, which if mitigation is proposed, will be dependent on a Scheme of Mitigation <p>The second type being required where mitigation is necessary to bring the scheduled work into use:</p> <ul style="list-style-type: none"> • <u>Request for approval under 9(4)(b) of a Scheme of Mitigation</u> (i.e. <i>purpose of mitigating the effect of the work or its operation on local environment and local amenity</i>) <p>The grounds for approval for Bringing into Use were presented:</p> <p style="padding-left: 40px;"><i>(4) The relevant planning authority must grant approval for the purposes of this paragraph if—</i></p> <p style="padding-left: 40px;"><i>(a) it considers that there are no reasonably practicable measures which need to be taken for the purpose of <u>mitigating the effect of the work or its operation on the local environment or local amenity</u>, or</i></p> <p style="padding-left: 40px;"><i>(b) <u>it has approved, at the request of the nominated undertaker, a scheme consisting of provision with respect to the taking of measures for that purpose.</u></i></p> <p>As such, where a scheduled work does not require mitigation, only the request under paragraph 9(1) would be needed and the request for Bringing into Use should be approved by the planning authority. It was noted that while there may be effects, a Scheme of Mitigation would only be necessary when there were reasonably practicable measures to mitigate the effects.</p>	

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<p>Where the effects of work or its operation can be reasonably practicably mitigated, the planning authority should approve a Scheme of Mitigation submitted by the nominated undertaker under paragraph 9(4)(b).</p> <p>In cases where a request is submitted for approval of a Scheme of Mitigation under paragraph 9(4)(b), the grounds outlined in paragraph 9(5) are as follows:</p> <p><i>9(5) The relevant planning authority may not refuse to approve, or impose conditions on the approval of, a scheme submitted for the purposes of sub-paragraph (4)(b) unless it is satisfied that it is expedient to do so on the ground that the scheme ought to be modified—</i></p> <p><i>(a) to preserve the local environment or local amenity,</i> <i>(b) to preserve a site of archaeological or historic interest, or</i> <i>(c) in the interests of nature conservation,</i> <i>and that the scheme is reasonably capable of being so modified.</i></p> <p>The grounds for approval require the planning authority to consider whether the Scheme ought to be modified based on the listed grounds.</p> <p>There was a question about timing. SA confirmed that the request for approval under 9(1) would need to be gained before the work was physically brought into use (operation commenced). A Scheme of Mitigation under 9(4)(b) would either be sought initially or at the same time as the approval under 9(1).</p> <p>SA emphasised that the regime only applied to scheduled works, therefore there may be Section 2 works or other project requirements that would not be subject to the Schedule 17 BiU control. As such, there may be mitigation measures across the project that are not relevant to a BiU consent (ie. Project commitments and objectives e.g. HS2 ES or U&As, are not mitigation measures if they do not mitigate the effect of the scheduled work or its operation on the local environment or local amenity). An example was the “no net loss” commitment where the planting of trees is not always going to be relevant to a scheduled work.</p> <p>As stated in paragraph 23 of the Schedule 17 Statutory Guidance, it was clarified that the control of mitigation measures under Schedule 17 paragraph 9 does not extend to maintenance, management and monitoring. This principle has been established in the recent appeal decision (reference APP/HS2/24).</p> <p>Example types of potential mitigation were listed (although not exhaustively):</p> <ul style="list-style-type: none">• Ecological – e.g. habitat creation/planting• Landscape – e.g. earthwork screening/planting• Noise – e.g. barriers/earthwork bunds/cuttings• Community – e.g. open space provision (in limited circumstances potentially in close proximity to stations)	
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- Flood mitigation

SA stated that drainage of the project is not a mitigation measure as it is a function of the design of the scheme, although in certain circumstances drainage will be a relevant consideration in terms of site restoration.

In terms of Site Restoration, sites that are subject to Schedule 17 Site Restoration agreements (i.e. sites only used as construction sites for Scheduled Works) should also not form a Scheme of Mitigation subject to approval under paragraph 9. However, mitigation measures that are considered permanent works authorised by the HS2 Act do not require a Schedule 17 Site Restoration submission.

Regarding conditions, while Scheme of Mitigation approvals under 9(4)(b) would be subject to the grounds for determination outlined in 9(5), a request for approval to bring into use under 9(1) is unable to be subject to conditions.

While amendments (either non-material changes or new requests) can apply to a Scheme of Mitigation under 9(4)(b), a request for BiU approval under 9(1) may not be amended or subject to a further request for approval.

Both types of requests for approvals can be subject to appeal if the request for approval is refused (including deemed refusal through non-determination) or against the imposition of conditions on approval.

VC asked how the decision notice should describe the BiU decision. SA clarified that the BiU decision should either be 'approved' or 'refused', noting that an application may reference a Scheme of Mitigation where a request had been submitted for approval of mitigation measures. A Scheme of Mitigation decision would be either 'approved', 'approved with modification by condition' or 'refused'.

The format of application was presented, although the intention is to amend this slightly in the updated Planning Forum Note:

Scheme of Mitigation – 9(4)(b)	Bringing into Use – 9(1)
Covering Letter - (listing relevant scheduled work(s))	Covering Letter - listing relevant scheduled work(s)
Plans forming the scheme of mitigation	Approved schemes of mitigation
Approved plans relevant to the scheme of mitigation	Noise information (where applicable) consistent with PFN 14

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<p>Explanation of the mitigation measures and what they are mitigating</p>	
<p>Noise information (where applicable) consistent with PFN 14</p>	

SA noted that some permanent works may already have been approved under other Schedule 17 requests (eg. noise barrier, earthworks). Information provided with an application would need to be adequate for a planning authority to determine the application.

The parties submitting requests and timings were covered:

Main Works Civils Contractors will be seeking approval for:

- Schemes of Mitigation under paragraph 9(4)(b) for all scheduled works (if mitigation is proposed)
- Bringing into Use under paragraph 9(1) for non-railway scheduled works

HS2 Ltd will seek approval for:

- Bringing into Use under paragraph 9(1) for railway scheduled works

Applications for Schemes of Mitigation and Bringing into Use can be made in parallel, with timings guided by the Contractor’s programme requirements.

CG (BBV) asked whether a scheduled work can be brought into use and then apply for the mitigation. SA confirmed that approval for the mitigation is needed either before or at the same time that the request for the BiU is sought.

In Camden, a recent request for approval of a Scheme of Mitigation and Bringing into Use for a London Underground asset in Euston was flagged by JN (LBC). SA noted that while this was an unusual situation where a scheduled work was not being completed before the work was brought into use, HS2 is working with LBC to provide a Scheme of Mitigation that will be in place given the uncertainty around the final works.

SA explained that when Plans and Specifications are submitted, HS2 would seek planning authority comments on indicative mitigation in advance of requests for approval of a Scheme of Mitigation. SA then presented slides that demonstrated an indicative sequence of consents for works.

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<p>The next step now would be to review and amend Planning Forum Note 7 – Bringing into Use. The amendments would include:</p> <ul style="list-style-type: none"> • Clarity that relevant mitigation should be approved under paragraph 9 • Clarity around format type • Reflect updates to Statutory Guidance and appeal decision • Reflect Site Restoration Guidance to be issued by Secretary of State <p>Action: Between now and the next Planning Forum a proposed draft would be forwarded to planning authorities for comment. It was proposed to hold a workshop to discuss feedback after the next Planning Forum.</p> <p>VC commented that the slides showing the sequencing of consents were really useful and asked whether mitigation schemes would be submitted collectively or separately. SA suggested that ideally approval for a comprehensive scheme would be sought, although it will depend on contractor capability. The Act does allow the flexibility of more than one Scheme of Mitigation, noting that some scheduled works cover long distances of railway, so appropriate packaging may be necessary.</p> <p>The usefulness of the sequencing slides was echoed by AR and it was requested whether worked example can be included in the updated PFN to give more context. SA suggested that a worked example could potentially be something looked at during the next Forum meeting.</p> <p>VC commented that some mitigations may be outside the expertise of planners (eg. noise mitigation), suggesting that a workshop would help to explain to colleagues the legislation and how it works.</p> <p>TA asked whether a planning authority would be informed about further mitigation requests and suggested a checklist. SA considered that it would be reasonable for a planning authority to query whether other mitigation would be proposed.</p> <p>A question was raised by JS (SMBC) to clarify what is classed as mitigation as they had been told that the surfacing of maintenance access tracks and public rights of way was not considered to be mitigation. SMBC had previously approved Plans and Specifications, expecting that the surfacing would be considered at a later date.</p> <p>SA queried what effect the surfacing would be mitigating from a Schedule 17 BiU perspective and explained that surfacing could be covered by the provisions within Schedule 4 where approval is required.</p> <p>VC mentioned a recent proposal for public realm, where it was not clear whether Schedule 17 consent is required. SA referred to recent DfT guidance¹</p>	<p>HS2</p>
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¹ 'Guidance on making requests for site restoration determinations to the appropriate Ministers' - May 2024

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	<p>where it was outlined that certain proposals do not require Schedule 17 consent. Despite the guidance, this would not preclude engagement on the design and bringing forward a quality scheme.</p> <p>PG clarified that landscaping is not considered to be a building work (unless it constituted an earthwork) and remarked that the legal drafting was correct, meaning that consents for public realm may have previously been obtained where they were not legally necessary.</p> <p>VC asked for the DfT guidance to be shared. It was explained that it had already been shared as part of the consultation that closed on 21 June.</p> <p>SA reiterated that while there may not be a formal approval required, the details can be shared. SA also noted that designs may have been subject to other reviews (eg. engagement as part of a U&A or considered at a Design Review Panel).</p> <p>CG queried whether there was an action for HS2 to clarify the position on surfacing and whether approval was covered by Schedule 4. SA responded that while [REDACTED] will respond on that surfacing matter directly with SMBC, there would be the opportunity to discuss BiU at subsequent Planning Forum meetings.</p> <p>For BiU submissions, SA suggested that pre-application engagement with planning authorities would take place to discuss mitigation.</p> <p>The need to engage with internal LPA consultees as well as planners was raised by LY to ensure they understood the process.</p> <p>CG commented that it is incumbent on contractors to bring forward details of BiU applications, inclusive of the disciplines involved, noting that planning authorities need resourcing of consultees. While it was confirmed that resource would be funded by the SLA, the issue of retention and recruitment of staff was raised by planning authorities.</p> <p>SA confirmed that HS2 would be establishing the programme of consents and was happy to assist with briefing planning authority consultees where requested.</p> <p>VC asked whether a proforma or guidance could be established to assist planning authorities in understanding the criteria for assessment and what can be commented on. TA requested that this was noted and confirmed that BiU would be further discussed at the next Planning Forum.</p>	
<p>6.</p>	<p>New Significant Effects</p> <p>PG presented slides on new significant effects, starting with a summary that the HS2 Environmental Statement (and various additional provisions and</p>	

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<p>supplementary environmental statements) outlined the likely significant environmental effects of the project, with the purpose of the informing the decision makers in parliament when making their decisions.</p> <p>While scheduled works do not lose their planning permission if there are new significant environmental effects, Section 2 works may lose planning permission where there are new or different effects². Although the HS2 Environmental Minimum Requirements (EMRs) requires HS2 to stay within the envelope of effects reported in the ES and to reduce effects where this can be done, there are certain caveats that would allow new environmental effects.</p> <p>Where there are new significant environmental effects, then those need to be reported. There are two different reporting obligations:</p> <ul style="list-style-type: none">• General Principles of the EMRs (Paras 1.1.3 & 3.1.8)• Regulation 9 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 <p>Sometimes both of these apply, but otherwise only the General Principles apply.</p> <p>The new significant effect reporting (NSE) format was summarised as:</p> <ul style="list-style-type: none">• NSEs will be reported in Supplementary Environmental Information (SEI);• SEI is not a full Environmental Statement (ES);• SEI will apply the assessment methodologies set out in the Phase 1 Scope and Methodology Report;• The extent of the SEI will depend on the nature of the effects and its context;• SEI will provide the information needed to understand the NSEs. <p>The document submitted will give the decision maker an understanding of what the effects are in the context.</p> <p>In the circumstances where there is a Schedule 17 request for approval associated with the NSE, the following applies:</p> <ul style="list-style-type: none">• If there are any Schedule 17 applications associated with the development causing the NSE, the NSE will be reported in SEI alongside the Schedule 17 application;• The determining planning authority is required to consider if the SEI is adequate to assess the effects of the NSE, as per Regulation 9 of the EIA Regulations;• Planning authorities must follow the requirements of Regulation 25(7) of the EIA Regulations;	
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² Section 20 (2) of High Speed Rail (London – West Midlands) Act 2017

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	<ul style="list-style-type: none"> • The submission of SEI does not alter the matters, grounds or determination period in Schedule 17; • Submitting SEI with a Schedule 17 request for approval meets the reporting obligation in 3.1.8 of the General Principles. <p>Where there is no Schedule 17 request for approval associated with the NSE:</p> <ul style="list-style-type: none"> • If there is no Schedule 17 request for approval, then Reg 9 does not come into effect; • In such instances it is only 3.1.8 of the General Principles that applies³; • The format of SEI to meet the requirements of the General Principles will be the same as for Regulation 9 other than minor differences in the introduction; • Such SEI will be published on gov.uk; • There is no need for any consultation on the SEI either by HS2 Ltd or the authority. <p>While it was suggested that the process was a ‘box-ticking’ exercise, PG was keen to express that the reporting process does not show internal efforts to reduce effects. PG commented that there have been numerous scenarios where effects have been able to be mitigated.</p> <p>TA requested that the topic is re-visited at next Planning Forum to give planning authorities to consider the presentation and ask further questions.</p>	Planning Authorities
<p>7.</p>	<p>Local Authority Feedback and Issues Arising</p> <p>The high speed rail transport network exemption from the Biodiversity Net Gain (BNG) requirement was flagged by VC. PG explained the exemption regulation, which covers HS2.</p> <p>VC queried whether the exemption covers anything in relation to HS2. VC gave an example of a planning application submitted under the TCPA for Severn Trent Water works being undertaken in connection with HS2 – in this case it had been indicated that the exemption would apply.</p> <p>PG agreed with the position, as the exemption does not refer to the High Speed Rail (London – West Midlands) Act 2017 specifically, but instead applies to works in connection with the high speed rail network.</p>	
<p>8.</p>	<p>Helpdesk Update</p>	

³ There may be situations where the NSE are reported in SEI under the General Principles because there is no relevant Schedule 17 request for approval but later a Schedule 17 request for approval is needed in relation to the works. In such circumstances the SEI will be submitted with the Schedule 17 to meet the requirements of Reg 9 even though it will have already been published to meet the requirements of the General Principles.

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	The slides were briefly reviewed. TA asked that any helpdesk queries should be forwarded to HS2.	
9.	<p>Forward Plan/ AOB</p> <p>Invites have been sent for the upcoming Planning Forum dates:</p> <ul style="list-style-type: none"> • 26 September • 28 November <p>Given changes in personnel, the invites for the upcoming meetings will be resent to ensure that all attendees are correct.</p> <p>TA mentioned the recent National Audit Office (NAO) update report following cancellation of Phase 2, which outlined reduced rail capacity as a result of the cancellation. The report also referenced cost and late planning permissions. TA expected these comments to have been based on evidence, and queried what evidence there was that the impact of late decisions would contribute to additional costs in terms of billions of pounds? TA also flagged that HS2 Ltd was having an internal restructure that would extend over the summer.</p> <p>The obligation for planning authorities to agree Schedule 16 Site Restoration schemes was raised by AR (TRDC). Given the difference to site restoration under Schedule 17, AR flagged that his authority would need to amend their constitution to cover Schedule 16 to enable agreements to be made. It was also queried whether the service level agreements (SLAs) with authorities would cover Schedule 16.</p> <p>PG understood that SLAs would cover officer time spent on Schedule 16 Site Restoration agreements and reminded the Forum of the consultation that DfT undertook regarding Site Restoration agreements, which includes details of the process.</p> <p>The key difference between Schedule 16 and Schedule 17 Site Restoration agreements was clarified by SA and PG; Schedule 16 relates to temporary acquisition of land with a scheme would be agreed between HS2, the landowner and the planning authority, whereas Schedule 17 pertains to land to be permanently retained. It was clarified that some restoration schemes had already been agreed for land temporarily acquired. VC (BCC) asked whether undertakings and assurances (U&As) were relevant and PG suggested that it was likely that there would be some cases where U&As would need to be considered when agreeing a restoration scheme.</p>	
	End	