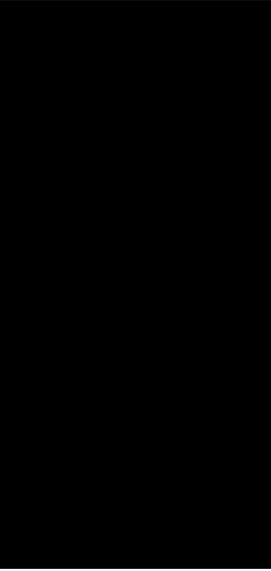
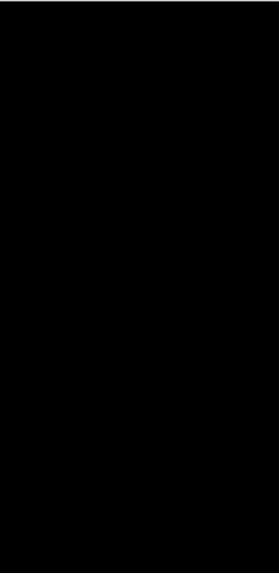


INDEPENDENT PHASE ONE PLANNING FORUM FOR HS2

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| Title: | Independent Phase One Planning Forum for HS2 - #80 | |
| Date & Time: | Thursday 17 July 2025 Microsoft Teams meeting 13:30 – 15:00 | |
| Chair: |  | Independent Chair |
| Promoter Attendees: |  | HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Town Planning Manager) HS2 Ltd (Head of Town Planning) HS2 Ltd (Urban Designer) HS2 Ltd (Town Planning Manager) HS2 Ltd (Team Administrator) Align Align BBV BBV BBV BBV EKFB MDJV SCS |
| Planning Authority Attendees: |  | Birmingham City Council (BCC) Buckinghamshire Council (BC) London Borough of Camden (LBC) London Borough of Camden (LBC) London Borough of Camden (LBC) North Warwickshire Borough Council (NWBC) Old Oak & Park Royal Development Corporation Solihull Metropolitan Borough Council (SMBC) Solihull Metropolitan Borough Council (SMBC) Staffordshire County Council (SCC) Three Rivers District Council (TRDC) Warwick District Council (WDC) Warwickshire County Council (WCC) West Northamptonshire Council (WNC) West Northamptonshire Council (WNC) London Borough of Hammersmith & Fulham (LBHF) |
| Other Attendees: |  | DfT |

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| Item | | | Action Owner | | | | | | | | | | | | | | | | | | | | | | | | |
|-------------|---|--|--------------|---|--|------------|---|--------------------|------------|---|----------------------|-------------|---|--------------------|------------|--|--|------------|--|--|------------|--|----------------------|------------|--|--------------------|--|
| 1. | Introductions – were made. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | <p>Review of the minutes of the last meeting and outstanding actions.</p> <p>Minutes from the May 2025 Planning Forum were agreed.</p> <p>Outstanding actions were reviewed:</p> <table border="1" data-bbox="350 552 1289 1772"> <tbody> <tr> <td data-bbox="350 552 521 657">May 24 (13)</td> <td data-bbox="521 552 898 657">SLAs – update to be given on simplified claims process.</td> <td data-bbox="898 552 1289 657">Update given at last meeting Action closed</td> </tr> <tr> <td data-bbox="350 657 521 730">Nov 23 (3)</td> <td data-bbox="521 657 898 730">PG to arrange a visit to train mock-up site</td> <td data-bbox="898 657 1289 730">Action open</td> </tr> <tr> <td data-bbox="350 730 521 842">Jan 25 (5)</td> <td data-bbox="521 730 898 842">Bringing into Use - revised PFN 7 to be posted to gov.uk.</td> <td data-bbox="898 730 1289 842">Action closed</td> </tr> <tr> <td data-bbox="350 842 521 995">Jan 25 (10)</td> <td data-bbox="521 842 898 995">PG to explore July Planning Forum being a hybrid meeting held on site at Curzon Street.</td> <td data-bbox="898 842 1289 995">Action open</td> </tr> <tr> <td data-bbox="350 995 521 1209">Mar 25 (5)</td> <td data-bbox="521 995 898 1209">Site Restoration PFN review - Following workshop revised draft PFN to be circulated to the Forum in advance of the next meeting.</td> <td data-bbox="898 995 1289 1209">PFN agreed at last meeting Action closed</td> </tr> <tr> <td data-bbox="350 1209 521 1497">Mar 25 (8)</td> <td data-bbox="521 1209 898 1497">TA to approach National Audit Office for further information based on matters reported on behalf of the Planning Forum and seek better HS2 Exec representation at Forum.</td> <td data-bbox="898 1209 1289 1497">TA had written to the NAO on 15 May. A response received on 12 June referred him back to HS2 Ltd. TA to request a meeting with [REDACTED] and then [REDACTED] Action open</td> </tr> <tr> <td data-bbox="350 1497 521 1629">May 25 (6)</td> <td data-bbox="521 1497 898 1629">Site Restoration - revised PFN to be posted on gov.uk.</td> <td data-bbox="898 1497 1289 1629">Action closed</td> </tr> <tr> <td data-bbox="350 1629 521 1772">May 25 (7)</td> <td data-bbox="521 1629 898 1772">HS2 to circulate draft PFN – Bringing into Use Principles for Determination and arrange a workshop</td> <td data-bbox="898 1629 1289 1772">Action open</td> </tr> </tbody> </table> | | May 24 (13) | SLAs – update to be given on simplified claims process. | Update given at last meeting Action closed | Nov 23 (3) | PG to arrange a visit to train mock-up site | Action open | Jan 25 (5) | Bringing into Use - revised PFN 7 to be posted to gov.uk. | Action closed | Jan 25 (10) | PG to explore July Planning Forum being a hybrid meeting held on site at Curzon Street. | Action open | Mar 25 (5) | Site Restoration PFN review - Following workshop revised draft PFN to be circulated to the Forum in advance of the next meeting. | PFN agreed at last meeting Action closed | Mar 25 (8) | TA to approach National Audit Office for further information based on matters reported on behalf of the Planning Forum and seek better HS2 Exec representation at Forum. | TA had written to the NAO on 15 May. A response received on 12 June referred him back to HS2 Ltd. TA to request a meeting with [REDACTED] and then [REDACTED] Action open | May 25 (6) | Site Restoration - revised PFN to be posted on gov.uk. | Action closed | May 25 (7) | HS2 to circulate draft PFN – Bringing into Use Principles for Determination and arrange a workshop | Action open | |
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| 3. | <p>Project Update</p> <p>PG gave a project update including an overview on specific assets.</p> | |
| 4. | <p>Planning Consents Performance & Appeals and Judicial Reviews Update</p> <p>PG presented the planning consents performance and appeals update.</p> <p><i><u>Performance on determinations within last six months</u></i> Performance for the recent period showed a similar picture to that of the previous period reported, with about half of the applications being determined within 8 weeks and another quarter within 16 weeks. The reasons for some applications still taking a significant time to determine were consistent with those highlighted at previous Forums.</p> <p><i><u>Applications awaiting decision</u></i> Still numerous applications in determination for a long time, due to a range of reasons outlined at previous Forums. The number of applications awaiting determination is broadly the same as the last reporting period but is reducing from earlier in the project.</p> <p><i><u>Application performance</u></i> Submissions were again below forecast. It was acknowledged that it is quite difficult to be accurate with these but HS2 will endeavour to be as accurate as possible in upcoming forward plans.</p> <p><i><u>Appeals</u></i> There are no live appeals awaiting determination.</p> <p>There are judicial reviews for both the Bromford Tunnel East Portal and the Bromford Tunnel East Portal Headhouse. The hearing for the Bromford Tunnel East Portal has been determined and was dismissed. However, North Warwickshire Council have applied to the Court of Appeal (CoA) and been granted leave to challenge that judgment. Given the similarities, the headhouse judicial review judgment has been stayed until the one relating to the first work has made its way through the judicial system.</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: https://www.gov.uk/government/publications/hs2-phase-one-planning-forum-planning-appeal-decisions</p> | |
| 5. | <p>Bromford Tunnel Eastern Portal Appeal Decision</p> | |

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| | <p>PG ran through a summary of the Bromford Tunnel JR decision over four slides covering the background to the Bromford Tunnel application and working through Grounds 1-3 of the judgment.</p> <p>The judgment focused on Act Powers (rather than Schedule 17) providing an interpretation of what the Act allows you to build, how it allows you to change the scheme under Section 2 of the Act and how this links with Section 20 of the Act and the HS2 ES.</p> <p>Ground 1 centered on the interpretation of Section 2. It was considered that the broad language used in Section 2(1)(i) was deliberate to provide broad powers for works and that this was set within the constraints of the relevant Act limits and the environmental effects reported in the ES.</p> <p>Ground 2 focused on whether the Bromford Tunnel was covered by the ES as required under Section 20. The judge’s view was that to be ‘covered’ by the ES did not require individual works to be specified in the ES but that they would be within the environmental envelope provided for in the ES. And that what is necessary is for that work not to give rise to likely significant effects which have not been the subject of assessment in the environmental statement process.</p> <p>Ground 3 related to the claimant suggesting that the defendants failed to properly explain why they rejected the claimant's interpretation of the statutory provisions in question.</p> <p>The Judge considered that this ground added nothing of substance to the claim, but in any event found that the reasons given in the decision letter by the SoS were adequate.</p> <p>The judgment is available via the link provided with the slide pack.</p> <p>North Warwickshire have lodged an application to the Court of Appeal for leave to challenge the High Court judgment, and been granted such leave.</p> | |
| <p>6.</p> | <p>Local Authority Feedback</p> <p>Solihull MBC asked what should be submitted with a bringing into use application in terms of mitigation and that it would be helpful to get further clarification on this.</p> <p>Buckinghamshire Council raised concerns with the absence of powers to control some restoration planting that does not serve a mitigation purpose.</p> <p>Birmingham CC also queried when mitigation schemes are required and what is mitigation and what isn’t.</p> | |

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| | It was confirmed that a workshop on BIU and mitigation schemes is to be organised (Action). | HS2 |
| 7. | Forward Plan/ AOB Placeholders are to be sent for the scheduled Planning Forums on September 18 th and 20 November. Rising from discussions in the Highways Subgroup, a special meeting on the New Burdens assessment is to be organised for DfT/HAs/HS2. | DfT |
| | End | |