

Communities and Localism Select Committee

17 January 2023

This document is intended to inform the Committee, in advance of the Communities and Localism Select Committee on 22 November, of the legislation that is the HS2 Act, how this differs from ordinary planning consents and how we work with Buckinghamshire Council to gain consent for HS2 within the county.

The High Speed Rail Act

- Grants powers to acquire land, build, maintain and operate the railway
- Dis-applies some legislation
- Specific provisions on powers and role of the local authorities

Planning Consents

HS2 Act Powers

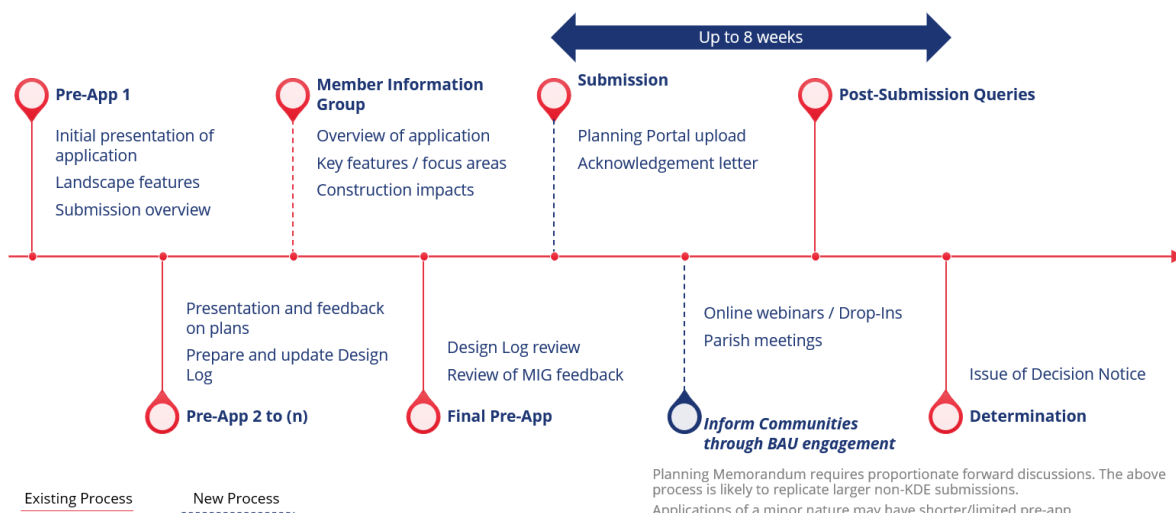
- HS2 Act grants deemed planning permission for design, construction and operation of the railway subject to the conditions set out in **Schedule 17** of the Act
- Schedule 17 requires approval from the relevant local planning authority to **certain matters** relating to the design and construction of the railway
- Schedule 17 approval is not required for **temporary works**
- The Council is a Qualifying Authority and therefore approves:
 - Plans and specifications
 - Matters ancillary to development (insofar as these are not covered by the Secretary of State's Class Approval)
 - Lorry routes
 - Bringing into use, site restoration and mitigation schemes

Planning Matters for Approval through Schedule 17

- Building works (permanent, above-ground buildings and structures)
- Other construction works (e.g. earthworks, road vehicle parks, screens, transformers, telecommunications masts, pedestrian accesses, fencing/walls, lighting)
- Matters ancillary to development (e.g. construction camps)
- Site restoration schemes
- Bringing into use (to ensure that appropriate mitigation has been incorporated)

Agreed Member Information Group (MIG) Process

- MIG Process established following frequent Buckinghamshire Council and HS2 consents review workshops
- Following process agreed with Ian Thompson, Corporate Director – Planning, Growth & Sustainability, Buckinghamshire Council:



Statutory Consultation

- Schedule 17 process identifies only three statutory consultees
 - Historic England
 - Natural England
 - Environment Agency
- Where the Local Authority decides to consult more widely than the Act requires, the timescales identified in the Planning Memorandum should continue to be met
- *The Council will inform the Parish Councils affected on the route but will **not seek formal comment***
- *Full details of Schedule 17 submissions (including plans and supporting documents) will be published on the Council's Planning Application search page*

Buckinghamshire Council website

- Buckinghamshire Council have summarised the HS2 Act, and the associated legislation, and placed it online to aid local understanding. This content can be found [here](#)
- The Council also produce a [monthly newsletter](#) that further details any upcoming consents and associated works.