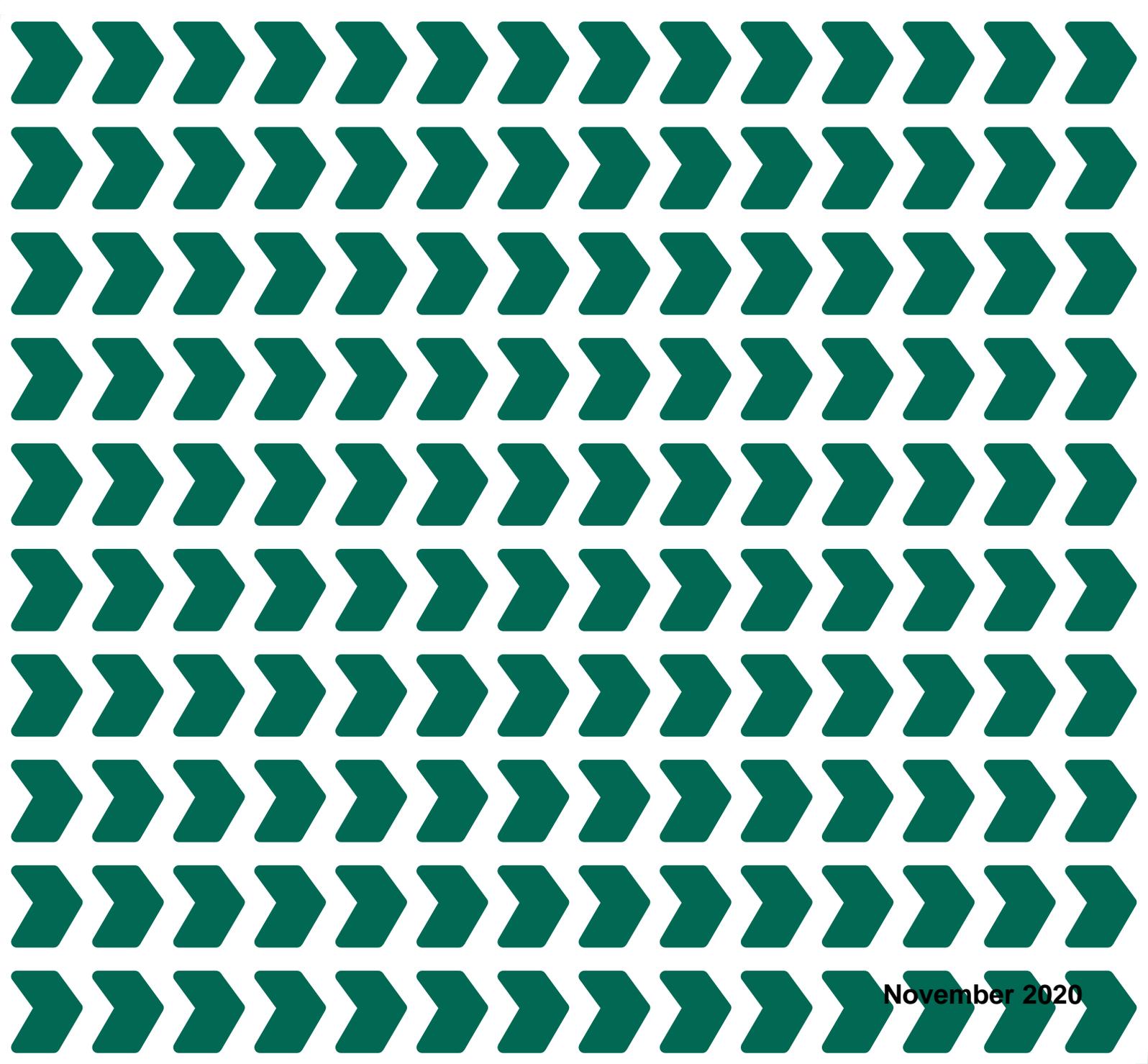




Department  
for Transport

# HS2 Land and Property Review 2020 Findings and proposals

Moving Britain Ahead



November 2020

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# Ministerial foreword



On 11 February 2020 the Prime Minister made the decision to proceed with all phases of High Speed Two (HS2), alongside a revolution in local transport. The Prime Minister also committed to a step change in HS2 Ltd's performance and to drive improvements in transparency, accountability and value to the taxpayer. This includes a renewed focus on placing people - the communities and individuals who will be impacted by the new railway - at the heart of everything we do.

Following my appointment as the Minister responsible for HS2, I initiated a review of the HS2 land and property acquisition programme. This review looked again at HS2 Ltd's operational acquisition processes and associated wider-government policies.

For example, we know there is more we can do to improve:

- the way we communicate with people;
- how long it can take to settle compensation claims; and
- the support offered to businesses to relocate.

The review took lessons from Phase One of HS2 and other UK and international infrastructure projects as we press ahead on Phases 2a and 2b to bring even greater benefits to the North and the Midlands.

Intentionally of short duration, we spoke to those who are experienced in land and property issues, including property practitioners with a deep knowledge of working with HS2 Ltd and with line of route communities.

This report summarises the review's findings and sets out proposals for reform that the Department for Transport (DfT) and HS2 Ltd will now take forward in conjunction with others across Government and stakeholder organisations.

I am in no doubt that this review is the beginning of a journey. Some of the proposals will require further work before they can be delivered upon; others will be quicker to implement. I am committed to considering the case for making long-lasting changes which not only improve the delivery of HS2 and potentially future infrastructure projects, but also the experience and well-being of individuals, businesses and communities impacted by them.

I want to express my sincere thanks to those who contributed to the review. This includes line of route MPs, external stakeholders, professional associations, the Residents' Commissioner and the Construction Commissioner. As I had hoped, their contributions were constructive and thought-provoking, underpinned by a genuine desire to put people and businesses impacted by HS2 at the forefront of what we do.

A handwritten signature in blue ink, appearing to read 'Andrew Stephenson', with a long horizontal flourish extending to the right.

Andrew Stephenson MP

**Minister of State at the Department for Transport**

# Executive summary

## Introduction

- 1 The scale and challenge of the HS2 property acquisition programme should not be underestimated. HS2 Ltd have been acquiring property since 2011. Some £3.6 billion has been spent and around 1,250 properties have been acquired to date across the three phases of HS2. On Phase One alone, HS2 Ltd have acquired a substantial amount of the land needed which has involved issuing some 12,000 individual notices to people and businesses. Furthermore, HS2 Ltd have served over 64,000 notices to enable survey work. These figures amply demonstrate that this is arguably the largest property acquisition programme in the UK since WWII.
- 2 That challenge will remain given that property acquisitions are expected to continue right up to the point that HS2 becomes fully operational. Against that backdrop, HS2 Ltd and the Government continue to make progress in improving the service to property owners as the programme matures. Lessons from Phase One have been taken into account for Phase Two to ensure the experience is improved for people impacted. Importantly, many of these lessons are reflected in the proposals set out in this report.
- 3 The land and property review was conducted by DfT during May and June 2020. It considered representations from HS2 line of route MPs, extensive interviews with key stakeholders, a series of 'deep dives' by the Residents' and Construction Commissioners, input from HS2 Ltd representatives and desk research by DfT officials on the compensation arrangements of other national and international infrastructure projects.
- 4 The review generated **36** proposals which are intended to transform the way in which people and businesses impacted by HS2 are treated.
- 5 Proposals originated from all of the sources identified above. Some proposals were new while others, from the HS2 Residents' Commissioner and HS2 Ltd for example, built on earlier proposals for change. The proposals draw on lessons learned from HS1 and HS2 Phase One and focus on how things can be improved for Phases 2a and 2b.
- 6 The full list of proposals is found in the body of the report and listed out in section 5. We intend to take these proposals forward. The summary below highlights the main themes, together with the key proposals under each theme.

## Courteous, respectful and clear communications

- 7 Several concerns were raised that HS2 Ltd external communications do not always find the right tone or communicate clearly enough. HS2 Ltd has a community engagement strategy in place which sets out its approach, and it does a lot of good work in this area. However, stakeholder feedback highlighted areas where improvements can be made with regards to property issues. The proposals made by

the review team are to enhance what is in place and deliver some focused improvements. The key proposals in this area include:

- a public-facing, user-friendly status tracker so that property owners can see up to date information on their case, have visibility of the next steps, and identify and contact their HS2 Ltd case officer;
- a refreshed programme of customer service training for relevant HS2 Ltd staff and those of its suppliers;
- an information pack on property issues for each line of route MP which is tailored to each constituency but also addresses MPs' general concerns about the programme; and
- more regular and organised ways to capture the experiences of those affected by HS2 – e.g. through customer surveys and feedback forms.

### **More flexible compensation policies**

8 Some stakeholders we spoke to voiced frustration and concern about the time taken to agree property valuations and disturbance compensation. The key proposals in this area include:

- developing new options to speed up the agreement of property valuations and disturbance payments, and earlier crop loss payments for farmers;
- working with the Ministry of Housing, Communities and Local Government (MHCLG) to update compulsory purchase legislation and guidance, to better reflect current law and practice;
- promotion and enhancements to atypical arrangements to make sure they are available to those who need them and are more 'people-centric'; and
- considering options for non-statutory property schemes to provide property owners with more choice.

### **A people-centred land and property strategy**

9 Some stakeholders voiced frustration that the design of the railway in many places along the route was not yet fixed, making it difficult to obtain certainty on land which would be required for HS2. Where land was taken into temporary possession by HS2 Ltd, it was unclear when it would be made available again in the future, particularly in areas where the route had changed. In addition, we heard that it was sometimes difficult for landowners and tenants to relocate their agricultural operations due to the scarcity of farm land. The key proposals in this area include:

- an enhanced approach to dealing with landowners where land is permanently or temporarily needed, including to compensation claims; and
- updating the strategy of when and how property not required for the railway will be sold.

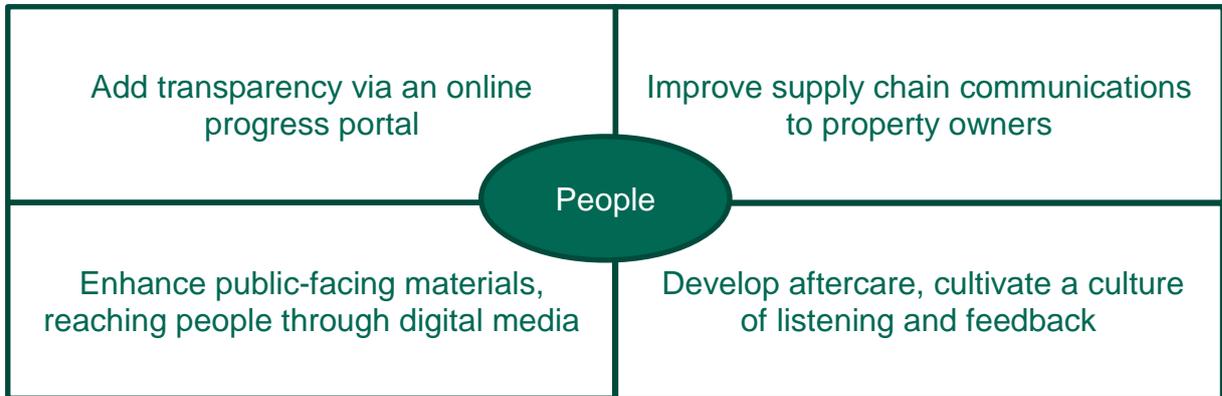
### **Interactive and efficient application processing**

10 Stakeholders and the Residents' Commissioner raised several concerns about the management of cases and the long delays experienced by some property owners.

We will take forward proposals which will increase transparency, lead to better case management by HS2 Ltd, and resolve disputes between parties before they become entrenched. The key proposals in this area include:

- new IT solutions for more effective and efficient case management by HS2 Ltd;
- a new procedure to settle smaller value disputes more quickly;
- a relaunch of the Alternative Dispute Resolution (ADR) processes to make them more transparent and promote their use; and
- expansion of the Residents' Commissioner's role to include aftercare and a role in resolving small disputes.

# 1. Courteous, respectful and clear communications



## Improved transparency and communication

- 1.1 Some stakeholders said that agents and property owners did not receive regular case progress updates and communication from HS2 Ltd and the company's agents could be inconsistent and irregular.

The review team proposes that:

- HS2 Ltd introduces a user-friendly online portal which allows people to view the progress of their cases, including details of their assigned case manager as their point of contact; and
- the portal should be developed to allow the submission of documentation or evidence and allow users to view upcoming activities and correspondence.

## HS2 Ltd's supply chain communications

- 1.2 HS2 Ltd employs or contracts a great many experts in delivering the land and property programme. Concerns have been raised that their dealings with the public may from time to time fall short of the standards HS2 Ltd sets for itself.

The review team proposes that:

- HS2 Ltd mandates customer service training for all its staff and contractors with public facing roles dealing with land and property issues; and
- the Minister for HS2 holds periodic round table discussions with the suppliers dealing with land and property issues.

## Communications with Parliamentarians

- 1.3 Parliamentarians have an important relationship with those directly affected by HS2, often interceding on behalf of constituents. It is important that HS2 Ltd and DfT communicate effectively and regularly with line of route MPs. HS2 Ltd should maintain its existing activities such as periodic briefings for MPs, regular meetings with constituency offices, and with line of route MPs.

The review team proposes that DfT issues an information pack on property matters for each line of route MP, tailored to each constituency and addressing MPs' general concerns, and that HS2 Ltd follows up with MPs' offices to provide ongoing support.

## Public-facing material

- 1.4 The nature of compulsory purchase means that there are technical and legal matters which must be navigated by people who are not themselves experts in compulsory purchase. Communications which are not clear to the reader can lead to misunderstandings and stress.
- 1.5 HS2 Ltd has committed to improving its public-facing material. Any new guidance documents for land and property compensation schemes are expected to achieve the Plain English Campaign's 'Crystal Mark' accreditation, meeting its standards for clarity and ease of comprehension.
- 1.6 HS2 Ltd should also ensure all its communications on land and property matters are clear and easy to read and are supported by 'easy read' guidance and fact sheet material.

The review team proposes that HS2 Ltd continues periodically to review the effectiveness of its 'easy read' material.

## Engagement with communities, residents and businesses

- 1.7 HS2 Ltd's approach to community engagement is set out in its Community Engagement Strategy document. Engagement is tailored and a variety of channels is used to reach as many people as possible. Engagement includes outreach by local community engagement officers, regular local events, tailored local engagement plans, community websites and expert helpdesks.
- 1.8 Stakeholders considered that more could be done to engage on property compensation matters at a community level, particularly where there are known specific localised sensitivities or dispersed communities with shared characteristics (such as specific business types).

The review team proposes that:

- HS2 Ltd builds on the use of digital media (developed in response to COVID-19) to reach more people, using this platform to raise awareness of property schemes and address land and property issues and concerns; and
- the Residents' Commissioner considers the case for establishing 'virtual' community forums to engage directly with property owners, wider communities and businesses where there are localised issues.

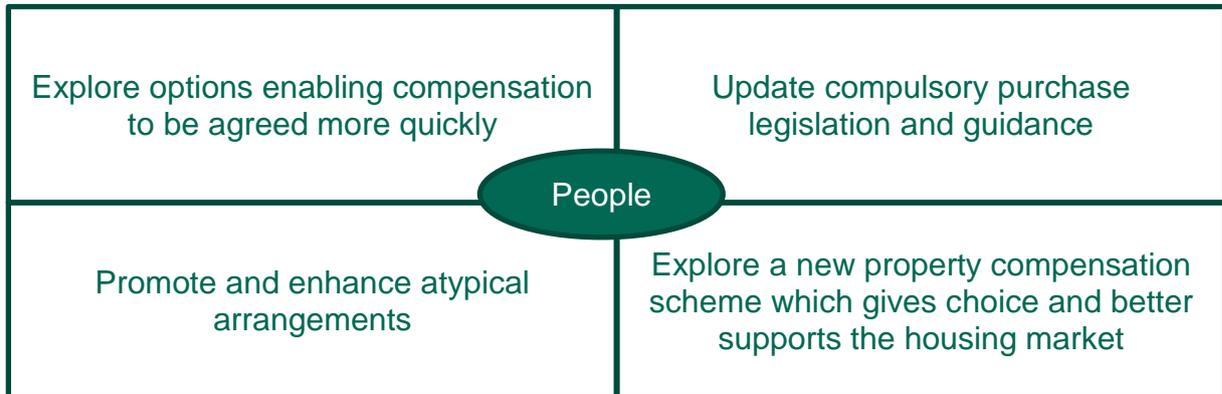
## Better aftercare

- 1.9 HS2 Ltd has a Community Engagement insight programme in place which includes line of route surveys. These capture the experiences of those affected by HS2. In the past, this work has been complemented by surveys specific to land and property conducted by the Residents' Commissioner. These targeted surveys provide useful insights into what works well, and opportunities for improvements.

The review team proposes that:

- the Residents' Commissioner undertakes a regular programme of planned customer surveys;
- HS2 Ltd builds a feedback form into its online portal (Para 1.1); and
- HS2 Ltd monitors the feedback and seeks continuous improvements in the 'treatment of people'.

## 2. More flexible compensation policies



### Faster agreement and payment of compensation

- 2.1 Many stakeholders expressed frustration and concern about the time taken to agree property valuations and disturbance compensation.
- 2.2 Lengthy negotiations can be costly and antagonistic for all parties involved and make the process of agreeing compensation a more stressful experience. The costs of prolonged negotiation will sometimes exceed the sum being disputed and are met by the public purse. It is in everyone's interest that compensation is agreed quickly and people are compensated fairly. We must also deliver value for money for the taxpayer.
- 2.3 We intend to introduce more flexibility in our approach to allow property owners and HS2 Ltd to conclude deals that are practical, equitable, and timely.

The review team proposes measures which will streamline and speed up the agreement and payment of compensation, including:

- DfT to explore an option for statutory blight cases to use the property valuation method already used for non-statutory schemes;
- DfT to explore an option for statutory blight cases to receive a fixed sum payment to cover the costs associated with moving to a new house (e.g. removals and mail redirection) removing the need for protracted discussions; and
- HS2 Ltd to introduce an option for compensation for crop losses to be made much earlier to farmers, with payment made at the point where land is first taken into possession rather than waiting for evidence of loss.

## Updating compulsory purchase legislation and guidance

- 2.4 Stakeholders expressed concern that the current planning and compensation legislation and guidance is outdated; that some requirements are unfair and create unnecessary bureaucracy.

The review team proposes that DfT and MHCLG continue in their ongoing work to update Compulsory Purchase Order (CPO) guidance and pursue legal changes, including:

- a change in the law to allow the vesting date of land to be moved to after a General Vesting Declaration (GVD) has been served and where all parties agree;
- to extend entitlement to a home loss payment to houseboat owners who cannot reasonably be relocated, so they are placed on the same footing as mobile home owners;
- to reverse entitlement to statutory compensation for non-occupant owners with their tenants, so it is fairer and reflects the disruption felt by occupants who are forced to move due to an infrastructure scheme;
- to press ahead with planned updates to compulsory purchase guidance to reflect changes in law and practice; and
- to streamline and consolidate legislation relating to the material detriment of land.

## A new scheme to give choice and support local housing markets

- 2.5 Previous reviews of HS2 land and property policies have reached the conclusion that a property bond was inappropriate or unaffordable for HS2. However, this review has considered a similar concept proposed by a number of stakeholders and which has been used successfully on at least one other infrastructure scheme, to see whether it could provide an additional property compensation option to property owners.

The review team proposes that DfT undertakes further analysis of the proposed new non-statutory property scheme.

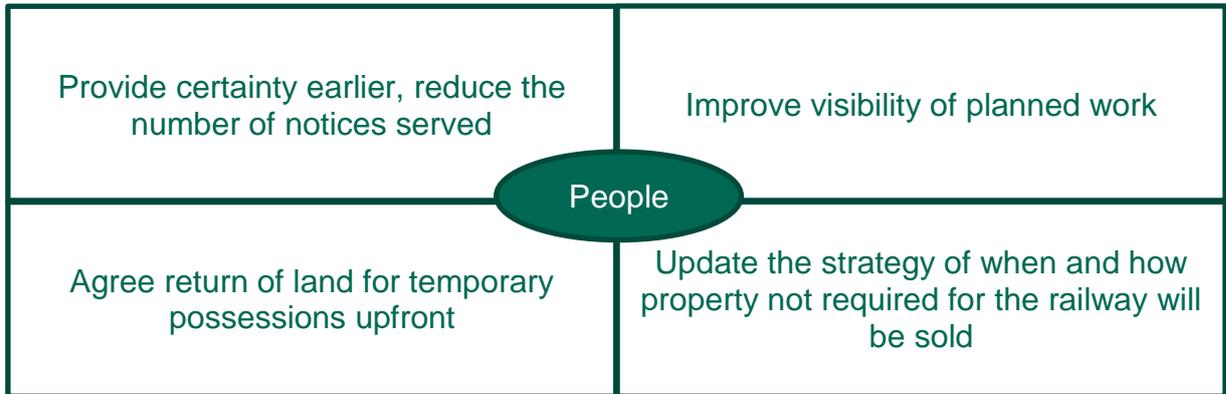
## Promoting and enhancing atypical arrangements

- 2.6 Many stakeholders were aware of the Government's atypical arrangements and agreed these could provide effective support outside the established property schemes. However, it was clear that more could be done to promote the arrangements and ensure that decisions are taken promptly and reflect a people-centric approach.

The review team proposes that:

- DfT extends the membership of its Property Approvals Group (PAG) to include independent challenge and a stronger independent voice to represent those impacted; and
- DfT publishes information on the type of cases where atypical remedies have been agreed, and provides more detailed guidance on how people can request their case to be considered atypically.

### 3. A people-centred land and property strategy



#### Provide earlier certainty to landowners

- 3.1 On a project as complex as HS2, the design of the route continues to mature for several years after compulsory purchase powers are obtained, making it difficult to provide certainty to landowners. This can have an even greater impact on farmers and agricultural landowners who cannot restructure their businesses easily or quickly.
- 3.2 Whilst it is difficult to address this issue in its totality given the evolution and scrutiny of the route and design of HS2, it has been identified that more can be done to bring greater clarity and certainty to landowners impacted on the route.

The review team proposes that for compulsory purchase on Phase 2:

- HS2 Ltd aims to acquire all the land required in a single step by issuing a single notice for up-front possession. Where possible, this will also include the provision for landowners to lease-back land if they wish;
- HS2 Ltd provides earlier visibility of all planned survey activities, works and possessions so that landowners understand how their land will be affected; and
- HS2 Ltd agrees the process of returning land at the outset for temporary possessions so that landowners know earlier how and when they can expect their land to be returned.

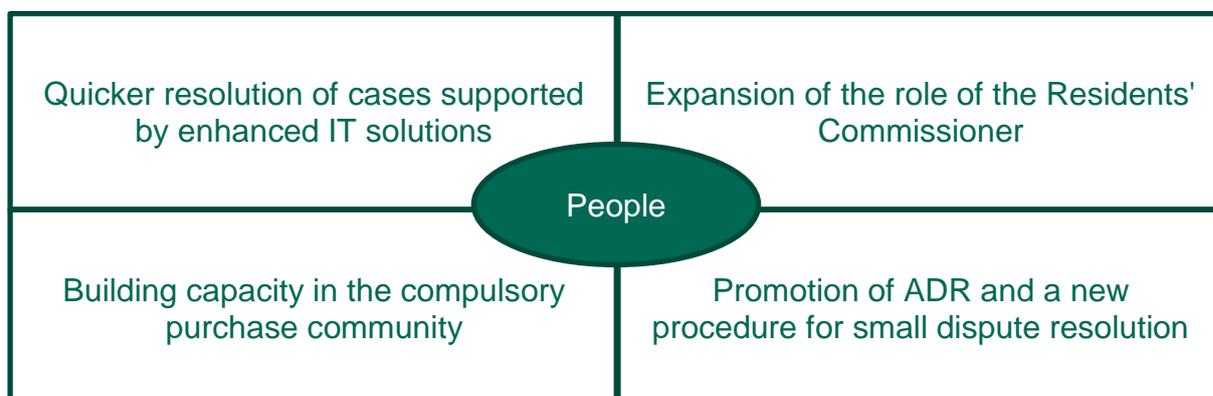
#### The strategy for selling surplus land and property

- 3.3 Several stakeholders sought clarification on the Government’s approach to the disposal of land and property acquired under the HS2 property compensation schemes but which was not needed for the construction of the railway.

- 3.4 As the project matures, the Government will have more understanding of local blight conditions along the route, which may provide the opportunity for other and more creative disposal options.

The review team proposes that DfT, in conjunction with HS2 Ltd, updates its strategy for selling surplus land and property to reflect growing third party interests in acquiring HS2 property which is not required for the construction or operation of the railway.

## 4. Interactive and efficient application processing



### Quicker resolution of cases

- 4.1 Some stakeholders and the Residents' Commissioner raised a range of concerns about the timeliness and inconsistencies in the way some cases were managed. Stakeholders considered that governance was too cumbersome and took too long. When the review team considered this, it found HS2 Ltd targets were being met. For this reason, the review team concluded that proposals should focus on improvements to the end-to-end process of case management.
- 4.2 Other concerns raised by stakeholders about case management and delays included:
- different members of HS2 Ltd staff managing an individual case, leading to inconsistency and people having to 'tell the story' all over again; and
  - some cases are closely monitored and progressed by HS2 Ltd and its suppliers, while others appeared to lose momentum and became unnecessarily prolonged.

### An integrated case management system

- 4.3 Over the last two years, HS2 Ltd has made good progress in developing IT solutions to support end-to-end case management. The review team identified that further enhancements to IT could support more effective case workflow, many of the proposals having already been planned by HS2 Ltd.

The review team proposes that HS2 Ltd continues in the development of its IT solutions, including:

- that the case management system should hold a record of all the material case information, so this is available in the event a new case manager is assigned;
- use of systemised workflows and trigger alerts to prompt HS2 Ltd, suppliers, agents and people to complete activities and speed up the process;
- use of tools to enable greater transparency on where in the process cases are getting stuck, encouraging all parties to work collaboratively to resolve them and promoting greater accountability;
- the automated production of management information to assess case service quality, progress, cost and complaints, the whole to improve the proactive monitoring of cases. This will free up case managers to focus on progressing cases and allow them to devote more time to communicating with people; and
- agreement that management information should be used to generate dashboards to enhance monthly reporting and track KPIs, which will monitor performance and also measure the impact of changes.

### **Better supply chain management**

- 4.4 Some stakeholders expressed concerns that HS2 Ltd's supply chain took too long to progress cases through the valuation and negotiation stages and does not always meet the highest expectations of customer service. The Residents' Commissioner also raised a concern that subcontractors to strategic suppliers may not always be aware of HS2 Ltd's standards.

The review team proposes that:

- HS2 Ltd considers the case for incentivising its suppliers to deliver against defined timescales while meeting HS2 Ltd's customer service standards;
- HS2 Ltd's suppliers actively manage subcontractors' performance against agreed KPIs; and
- customer service training is provided to HS2 Ltd's suppliers (Para 1.2).

### **A more efficient conveyancing process**

- 4.5 The complexities of the conveyancing process were identified by stakeholders as a reason for delay. Stakeholders reported that delays within this process may be caused by the late engagement of solicitors and the time taken for all parties to produce paperwork and respond to queries.

The review team proposes that:

- HS2 Ltd develops a disbursement template so that people understand upfront how to claim compensation and the supporting documentation they need to submit;
- HS2 Ltd encourages people to engage with a solicitor earlier in the process and commence conveyancing work at an earlier stage; and
- HS2 Ltd identifies the steps taken during the conveyancing process to clarify which party has the action to progress the case. This will form part of the systemised workflows (Para 4.3) within the proposed integrated case management system.

## Use of Alternative Dispute Resolution (ADR)

4.6 Many stakeholders and the Construction Commissioner highlighted the following concerns about the HS2 ADR process:

- it is underused;
- the general perception is that it lacks independence and there is little trust in the process;
- ADR is little understood either by the people and businesses impacted or their agents and more needs to be done to remedy this knowledge gap; and
- the claims that would be appropriate for ADR are too entrenched by the time it is recommended.

The review team proposes that:

- a new procedure to settle smaller value disputes is implemented which will assist in finding resolution at an earlier stage;
- set timelines in the process, to include appropriate triggers for HS2 Ltd to suggest ADR (Para 4.3); and
- the Minister for HS2 enhances the role of the Residents' Commissioner to provide review and advice on specific cases at an earlier stage. (Para 4.7).

## Expanding the role of the HS2 Residents' Commissioner

4.7 The HS2 Residents' Commissioner is independent of HS2 Ltd and DfT. The Residents' Commissioner holds HS2 Ltd to account for the commitments made in the HS2 Residents' Charter. The role of the Residents' Commissioner was raised in the evidence-gathering phase of this review. In particular, the fact that the role has no locus to investigate individual cases has been compared - sometimes unfavourably - to the different status of the independent HS2 Construction Commissioner, who investigates complaints and adjudicates on HS2 Ltd's small claims scheme.

- 4.8 There are several options for expanding the role of the Residents' Commissioner which could include involvement in the 'aftercare' arrangements described in paragraph 1.9; a formal adjudication role in resolving entrenched cases when properties are purchased under the statutory schemes; and running a new procedure to settle smaller value disputes. It may be necessary for a deputy to be appointed to facilitate the increase in workload.

The review team proposes that the HS2 Minister expands the role of the Residents' Commissioners to include aftercare, adjudication of entrenched claims and the operation of a new procedure to settle smaller value disputes.

## Building compulsory purchase capability

- 4.9 Review stakeholders highlighted that there is a scarcity of professional knowledge and experience in compulsory purchase available to property owners due to the scale of this programme.

The review team proposes that DfT sets up a working group to develop a plan for establishing a Compulsory Purchase Accreditation for the surveyor community.

- 4.10 The working group should include representatives from MHCLG, HS2 Ltd, the Royal Institute of Chartered Surveyors (RICS) and the Central Association of Agricultural Valuers (CAAV). This will help to promote expertise in the current and future supply of qualified surveyors to support acquiring authorities and property owners, whether on HS2 or other UK infrastructure projects.

## Periodic reviews

- 4.11 The HS2 land and property acquisition policies and procedures should continue to be regularly reviewed to ensure they are fit for purpose.

The review team proposes that HS2 Ltd conducts periodic reviews of land and property acquisition policies and procedures and presents its findings to DfT.

## 5. Summary of report recommendations

5.1 All proposals identified in the report are highlighted below. The time required to implement the changes are categorised as short, medium or long term.

| No. | Proposal   | Critical / Essential / Recommended | Short / Medium / Long Term |
|-----|--|------------------------------------|----------------------------|
| 1   | HS2 Ltd to introduce a user-friendly online portal which allows people to view the progress of their cases, including details of their assigned case manager as their point of contact. The online portal is to be developed to allow the submission of documentation or evidence and view upcoming activities and correspondence. | Critical                           | Medium                     |
| 2   | HS2 Ltd to mandate customer service training for all its staff and contractors with public facing roles dealing with land and property issues.   | Recommended                        | Short                      |
| 3   | The HS2 Minister to hold periodic round table discussions with the suppliers dealing with land and property issues.  | Recommended                        | Short                      |
| 4   | DfT to issue an information pack on property matters for each line of route MP, tailored to each constituency and addressing MPs' general concerns, and that HS2 Ltd follows up with MPs' offices to provide ongoing support.  | Recommended                        | Short                      |
| 5   | HS2 Ltd continues to periodically review the effectiveness of its 'easy read' material.  | Recommended                        | Short                      |
| 6   | HS2 Ltd to build on the use of digital media (developed in response to COVID-19) to reach more people, using this platform to raise awareness of property schemes and address land and property issues and concerns.   | Recommended                        | Short                      |
| 7   | The Residents' Commissioner to consider the case for establishing virtual community forums to engage directly with property owners, wider communities and businesses where there are localised issues.   | Recommended                        | Medium                     |
| 8   | The Residents' Commissioner to undertake a regular programme of planned customer surveys.  | Recommended                        | Medium                     |
| 9   | HS2 Ltd to build a feedback form into its online portal and monitor the feedback, to seek continuous improvements in the 'treatment of people'.  | Essential                          | Medium                     |

|    |  |             |        |
|----|--|-------------|--------|
| 10 | DfT to explore an option for statutory blight cases to use the property valuation method already used for non-statutory schemes.   | Essential   | Medium |
| 11 | DfT to explore an option for statutory blight cases to receive a fixed sum payment to cover the costs associated with moving to a new house (e.g. removals and mail redirection), removing the need for protracted discussions.                  | Essential   | Medium |
| 12 | HS2 Ltd to introduce an option for compensation for crop losses to be made much earlier to farmers, with payment made at the point where land is first taken into possession rather than waiting for evidence of loss.                           | Essential   | Short  |
| 13 | DfT and MHCLG to change the law to allow the vesting date of land to be moved to after a General Vesting Declaration has been served and where all parties agree.  | Critical    | Long   |
| 14 | DfT and MHCLG to extend entitlement to a home loss payment to houseboat owners who cannot reasonably be relocated, so they are placed on the same footing as mobile home owners.   | Recommended | Medium |
| 15 | DfT and MHCLG to explore the reversal of entitlement to statutory compensation for non-occupant owners with their tenants, so it is fairer and reflects the disruption felt by occupants who are forced to move due to an infrastructure scheme. | Essential   | Long   |
| 16 | DfT and MHCLG to press ahead with planned updates to compulsory purchase guidance to reflect changes in law and practice.  | Essential   | Medium |
| 17 | DfT and MHCLG to explore streamlining and consolidating legislation relating to the material detriment of land.  | Essential   | Long   |
| 18 | DfT to undertake further analysis of a possible new non-statutory property scheme.   | Essential   | Long   |
| 19 | DfT to extend the membership of DfT's Property Approvals Group to include independent challenge and a stronger independent voice to represent those impacted.  | Recommended | Short  |
| 20 | DfT to publish information on the type of cases where atypical remedies have been agreed, and provide more detailed guidance on how people can request their case to be considered atypically.   | Recommended | Short  |
| 21 | HS2 Ltd to aim to acquire all the land required in a single step by issuing a single notice for up-front possession. Where possible, this will also include the provision for landowners to lease-back land if they wish to do so.               | Essential   | Medium |
| 22 | HS2 Ltd to provide earlier visibility of all planned survey activities, works and possessions so that landowners understand how their land will be affected.   | Critical    | Medium |
| 23 | HS2 Ltd to agree the process of handing back land at the outset for temporary possessions so that landowners know earlier how and when they can expect to their land to be returned.   | Essential   | Medium |

|    |  |             |        |
|----|--|-------------|--------|
| 24 | DfT, in conjunction with HS2 Ltd, to update its strategy for selling surplus land and property to reflect growing third party interests in acquiring HS2 property which is not required for the construction or operation of the railway.  | Recommended | Long   |
| 25 | <u>HS2 Ltd's Enhanced Integrated Case Management Tool</u><br>The case management system will hold a record of all the material case information, so this is available in the event a new case manager is assigned. Systemised workflows and trigger alerts to be developed to prompt HS2 Ltd, suppliers, agents and people to complete activities and speed up the process.  | Critical    | Medium |
| 26 | <u>HS2 Ltd's Enhanced IT - Management Information</u><br>Tools to enable greater transparency on where in the process cases are getting stuck, encouraging all parties to work collaboratively to resolve them and promote greater accountability;<br>The automated production of management information to assess case service quality, progress, cost and complaints to improve the proactive monitoring of cases. This will free up case managers to focus on progressing cases and allow them to devote more time to communicating with people; and<br>Agreement that management information should be used to generate dashboards to enhance monthly reporting and track KPIs, which will monitor performance and also measure the impact of changes. | Critical    | Medium |
| 27 | HS2 Ltd's suppliers incentivised to deliver against defined timescales while meeting HS2 Ltd's customer service standards.   | Essential   | Medium |
| 28 | HS2 Ltd's suppliers actively to manage subcontractors' performance against agreed KPIs.  | Essential   | Short  |
| 29 | HS2 Ltd to develop a disbursement template so that people understand upfront how to claim compensation and the supporting documentation they need to submit.   | Essential   | Short  |
| 30 | HS2 Ltd to encourage people to engage with a solicitor earlier in the conveyancing process and commence work at an earlier stage.  | Recommended | Short  |
| 31 | HS2 Ltd to identify the steps taken during the conveyancing process to clarify which party has the action to progress the case. This will form part of the systemised workflows within the proposed integrated case management system.   | Essential   | Medium |
| 32 | The Residents' Commissioner to implement a procedure to settle smaller value disputes which will assist in finding resolution at an earlier stage.   | Essential   | Medium |
| 33 | HS2 Ltd to set timelines in the ADR process, to include appropriate triggers for HS2 Ltd to suggest ADR.   | Essential   | Medium |
| 34 | The HS2 Minister to expand the role of the Residents' Commissioner to include aftercare, adjudication of entrenched claims and the operation of a new procedure to settle smaller value disputes.  | Critical    | Medium |
| 35 | DfT to set up a working group to develop a plan for establishing a Compulsory Purchase Accreditation for the surveyor community.   | Recommended | Long   |
| 36 | HS2 Ltd to conduct periodic reviews of land and property acquisition policies and procedures and presents its findings to DfT.   | Recommended | Short  |

Critical (Do Now) – To increase the likelihood of a successful outcome it is of the greatest importance that the programme prioritises the implementation of these proposals.

Essential (Do By) – To increase the likelihood of a successful outcome the programme should take action to implement these proposals.

Recommended – The programme should benefit from the uptake of this proposal.

## 6. Annex A: Methodology

### Overview

- 6.1 The review took a twin-track approach to evidence gathering: reviewing existing material through desk-based research; and seeking new evidence from stakeholders.
- 6.2 The review comprised of six work streams which are detailed below.

### Stakeholder Analysis

- 6.3 This objective of this workstream was to capture stakeholder concerns, programme perceptions, areas for investigation and improvement opportunities.
- 6.4 The review team wrote to the 77 line of route MPs requesting their written feedback and 25 stakeholders requesting a meeting.
- 6.5 We do not intend to list those organisations we spoke to in the course of evidence gathering, but the following table sets out the numbers of organisations and individuals we took evidence from by type.

| Type   | Numbers |
|--|---------|
| Members of Parliament                        | 15      |
| Representatives of professional associations | 4       |
| Property practitioners                       | 9       |
| Other infrastructure                         | 2       |
| Officials within DfT and HS2 Ltd             | 8       |

**Table 1: Stakeholders who provided evidence to the review by type**

### Residents' and Construction Commissioner deep dives

- 6.6 The Commissioners performed a series of 'deep dive' reviews on subject matters which were selected based on an understanding of which aspects of the acquisitions programme present some of the bigger challenges. These were:
  - Alternative Dispute Resolution (Construction Commissioner);
  - Express Purchase Scheme (Residents' Commissioner); and
  - atypical arrangements (Construction Commissioner).
- 6.7 The Commissioners delivered reports with their findings and proposals.

### **International policy review**

- 6.8 The review team examined previous papers of how other countries manage land and property acquisitions.
- 6.9 The review team concluded from the data that was available that overall the approach that has been taken for HS2 in the UK is generous in terms of both the amount that is provided and in the circumstances that it is offered in compared to the seven other countries that the report looked at.
- 6.10 The report focused on the comparison of the policies that are employed and not how the schemes are received, and how well the various governments communicate. It was not possible due to time constraints to look at these factors, which would require a more detailed review.

### **HS2 Ltd process and operational input**

- 6.11 This workstream examined HS2 Ltd processes and operations. The work undertaken included:
- interviews with key personnel to understand end-to-end process and operations;
  - process maps / reports and analytics were provided to support lines of enquiry; and
  - proposals for change were presented by HS2 Ltd along with the details of improvements that have already been planned for the next phases.

### **Policy and legislative framework**

- 6.12 The current policies were examined, along with the real and perceived constraints. The objective was to identify areas to support change where amendments to policy can deliver value for money and improvements, whilst maintaining a 'people-centric focus.

### **Literature review / data analytics**

- 6.13 A desktop review of available literature on the subject matter was undertaken.

## 7. Annex B: Acronyms and abbreviations

|          |   |
|----------|---|
| ADR      | Alternative Dispute Resolution                        |
| CAAV     | Central Association of Agricultural Valuers           |
| COVID-19 | Coronavirus disease 2019                              |
| CPO      | Compulsory Purchase Order                             |
| DfT      | Department for Transport                              |
| GVD      | General Vesting Declaration                           |
| HMT      | Her Majesty's Treasury                                |
| HS2      | High Speed Two  |
| HS2 Ltd  | High Speed Two Limited                                |
| IT       | Information technology                                |
| KPI      | Key performance indicator                             |
| MHCLG    | Ministry of Housing, Communities and Local Government |
| MP       | Member of Parliament                                  |
| NFU      | National Farmers' Union                               |
| NTS      | Need to Sell scheme                                   |
| PAG      | Property Approvals Group                              |
| RICS     | Royal Institution of Chartered Surveyors              |
| SoS      | Secretary of State                                    |