

The Independent Construction Commissioner HS2

**NINTH REPORT: Quarter One 2019**

icc

# **Independent Construction Commissioner HS2: Ninth Report**

## **Introduction**

This is the ninth report of the Independent Construction Commissioner HS2 (ICC) and covers the first quarter of 2019 (1<sup>st</sup> January – 31<sup>st</sup> March).

## **Overview**

Though more works are now taking place along the route the total level of complaints for the quarter remained in line with the final quarter of 2018. Again the complaints have been concentrated in those areas where work is advancing most noticeably, in Euston/Camden and at Old Oak Common where there has been an increased level of alerts mirroring greater activity. I should also note that there was a distinct fall in the number of alerts in Area South during the course of the quarter. I believe this reflects delays in the HS2 works schedule and the subsequent postponement of major road closures in the London Borough of Hillingdon. Given these works and closures are due to start shortly I am anticipating that the level of alerts for the Borough will increase sharply for the following quarter. The rise in the number of alerts for Area North is a response to major enabling works which have begun to have an impact.

During the period covered by this report, I have continued to make visits along the route. I twice revisited Old Oak Common and travelled to various sites in Warwickshire and in Solihull, holding meetings with the local authorities there.

My role in the various stakeholder groups has involved further meetings in both Birmingham and London. As does my direct engagement with senior management in the company. Also, I keep in regular contact with the Residents' Commissioner to discuss issues which have an impact on both our responsibilities.

During the course of the quarter I began a series of meetings with Members of Parliament whose constituencies the route passes through. These meetings continue.

In addition, I am grateful for the continuing work of the Construction Commissioner Steering Group and for their advice.

## **Representations**

During the quarter, the ICC's office received 22 individual approaches/alerts (see Annex). This figure remained stable when compared with the final quarter of 2018. Of these alerts, 12 were being handled by HS2 Ltd's own process already; I referred a further seven new cases to HS2 Ltd; two cases fell outside the remit of the ICC; while one case was examined as a full complaint and a ruling was made by the ICC. I have altered the way in which these figures are registered in the Annex accordingly.

## **Small Claims Scheme**

In total 16 claims have been received by the SMS since the beginning of operations of which eight have been settled to date. A total of £2,899.73 has been paid out so far. Two new claims were received in March 2019. No claims required action by the ICC during the quarter.

## **Observations**

### Installation of noise insulation

I am grateful for the reassurances given by the Managing Director HS2 Ltd, Jim Crawford, in his response to my Eighth Report. Noise insulation problems continue to be an issue, particularly in the Euston/Camden area. However, I welcome the fact that there now seems to have been some progress in resolving problems affecting listed buildings and those in conservation areas. I also welcome the progress being made by HS2 Ltd and its enabling contractors in rolling out the wider noise insulation scheme. There is still much to do and I shall continue to monitor this issue.

The lesson to be learnt from the experience in Euston/Camden is that noise insulation considerations need to be given a higher priority at the enabling works stage, prior to main construction, where these works are having a detrimental noise impact on local residents.

### Disruption of public transport

There have been several incidents where local bus services in London have been affected by works carried out by HS2 Ltd. On a number of occasions this has involved the suspension of and the relocation of bus stops. Though planned for, there has been some inconsistency in delivery. Primarily this is the responsibility of Transport for London but I would ask that HS2 Ltd maintains active involvement to minimise any inconvenience to the public.

### HS2 Helpdesk relocation

The relocation of the HS2 Helpdesk to the same office as the Public Response Team at Snow Hill in Birmingham appears to have been a key step forward in delivering a better and speedier response capability.

### Wider issues

I would like to comment on three issues which do not fall under my direct remit but may have an impact upon the ICC's responsibilities as the programme progresses.

In my meetings with local residents along the route I have been impressed by the positive interest many are taking in the design features of the line. I know that HS2 is finalising its design features and has begun consultations with local residents to discuss them. I welcome every effort made by HS2 Ltd to involve local communities further during this process.

There are two issues which recur regularly with residents along the route which my colleague the Residents' Commissioner has raised previously: Settlement Deeds and measures related to Prolonged Disruption. I recognise that some aspects of these issues are outside the company's direct control but an early settlement on their final structure would address the concerns of many local people. Anything the company can do to speed their conclusion would be most welcome, and in that regard, I note the response to a recent Parliamentary Question from Sir Keir Starmer, MP for Holborn and St Pancras, which states that the

Government expects to make an announcement on the Prolonged Disruption scheme this summer, subject to final approval of the policy within government.

I conclude my report.

Sir Mark Worthington OBE  
Independent Construction Commissioner HS2

Annex: Quarter 1 2019 alerts, representations and complaints

Total construction enquiries/complaints received by HS2 Ltd for Phase One 1st Quarter 2019

	South	Central	North	Total
January	25	4	1	30
February	22	4	11	37
March	25	3	9	37
Total	72	11	21	104

Representations received by the ICC for the 1<sup>st</sup> Quarter 2019

	Alerts*	Referrals to HS2**	Not within remit	Valid Complaints***
1 <sup>st</sup> Quarter 2019	12	7	2	1
Total to date	72****	7	14	4

The above formulation has been readjusted to better reflect the nature of representations being made.

\*Alerts identified to the ICC already under examination by HS2 Ltd

\*\*Approaches not made to HS2 Ltd directly but referred to them by the ICC

\*\*\*Complaints which validly fall under the ICC's remit

\*\*\*\*As "Alerts" and "Referrals" are now separate this total reflects the new configuration