

The Independent Construction Commissioner HS2

TWELFTH REPORT: Quarter Four 2019

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HS2 Independent Construction Commissioner: Twelfth Report

Introduction

This is the Twelfth Report of the Independent Construction Commissioner HS2 (ICC) and covers the final quarter of 2019 (1st October – 31st December).

Overview

The final quarter of the year followed a similar pattern as the third quarter. The overall level of complaints to HS2 remained steady but there were distinct area shifts. Some of this can be accounted for by the Oakervee Review which was in progress for much of the quarter and resulted in a partial slow-down of works, particularly in Area South. Combined with the completion of initial works at Old Oak Common, the resulting complaints figures fell markedly in the final quarter.

However, again in my view as a result of the on-going review, figures for Areas Central and North rose. Woodland and vegetation clearance became significant items of objection during the period. There was considerable local and national media coverage of these issues which in turn drove a more active public response. I expect this to be a trend which continues.

In balance the noise complaints in the area around Euston Station have not been as great as expected given the extent of the works there.

I continue to visit communities along the route and to work with them to help HS2 Ltd understand some of the problems which are emerging.

Representations

During the quarter, the ICC's office received 24 individual approaches (see Annex). This reflected the trend witnessed in the third quarter of 2019. Of these, 9 copied the ICC into issues raised through HS2 Ltd's own process; 10 approached the ICC not having previously raised matters with HS2 Ltd and thus had to be redirected; and 5 raised general issues of policy which fell outside the jurisdiction of the ICC. Thus far, none of these has resulted in further action by the ICC.

Small Claims Scheme (SCS)

During the fourth quarter 5 new claims were lodged under the scheme. Of these 1 was approved, 2 remain open, while 2 were rejected. No monies were paid out during the period.

In total there have now been 29 requests, with 13 approved, 4 still open and 12 rejected. The total amount paid out has been £5829.73.

No claims required action by the ICC under the Small Claims Scheme during the quarter.

Observations

Noise

Noise issues continue to be a significant feature, particularly around Old Oak Common. HS2 has pressed ahead with the promotion of the noise insulation scheme in the hope that more individuals will avail themselves but so far the monitoring figures remain within the agreed limits.

There have been a number of issues in the Camden area which have been drawn to my attention. The London Borough of Camden and HS2 Ltd have been in contact regarding the extensive works and further monitoring is taking place. Given the extent of the demolition works at and around Euston a much greater volume of complaints had been anticipated. Though the circumstances are not ideal, HS2 Ltd and its contractors have worked hard to keep disruption to a minimum.

Public Road Use and Debris

The volume of road traffic resulting from construction will rise considerably in the future but there are already trends which HS2 Ltd should be watching carefully. Contractors' obligations on the cleaning of both vehicles and road surfaces need to be monitored closely. Best practice, if established now, will help ease difficulties in the future. HS2 must also consider the effect of traffic movements where they impact upon local communities. Incidents in the Chilterns, Warwickshire and West London require early attention.

Colne Valley/Hillingdon

There have been several incidents in the Colne Valley/Hillingdon area which have been raised with the ICC during the quarter. Some are of an inevitable and unavoidable consequence of construction. I hope that HS2 will continue to work closely with the local communities to find systems which work. In particular, where individuals or groups, make detailed submissions to HS2, I believe that it is only reasonable to expect that a similarly full response is forthcoming either from HS2 or its contractor. I have raised this point with HS2 in relation to a particular case and I shall be monitoring the future responses.

Woodlands

Recently there has been considerable public concern about woodland and vegetation clearances. During the Oakervee Review the Secretary of State issued instructions that there should be no destruction of ancient woodland habitat until the Review was published unless it could be demonstrated that it was absolutely necessary. Though protests over clearance policy have continued I am currently aware of no evidence which has been provided to either myself or to the Secretary of State which demonstrates the contrary. This will be an

ongoing issue of much public debate and I would urge HS2 Ltd to work as openly as possible with local communities to explain both their actions and their timings.

I conclude my report.



Sir Mark Worthington OBE

Independent Construction Commissioner HS2

February 2020

Annex: Quarter 4 alerts, representations and complaints

Total construction enquiries/complaints received by HS2 Ltd for Phase One 4th Quarter 2019

	South	Central	North	Total
October	23	17	13	53
November	26	21	18	65
December	27	6	10	43
Total	76	44	41	161

Representations received by the ICC for the 4th Quarter 2019

	Alerts*	Referrals to HS2**	Not within remit	Valid complaints***
4 th Quarter 2019	9	10	5	0
Total To Date	113	35	33	5

*Alerts identified to the CC already under examination by HS2 Ltd

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

***Valid complaints which fall under the ICC's remit