

Meeting minutes

HS2 Ltd Board

Meeting date	Wednesday, 23 September 2020
Meeting location	MS Teams Meeting
Meeting time	08:30-09:00

Members	Attendees	Apologies
Allan Cook (Chairman) Non-Executive Director	Nicole Geoghegan General Counsel	Ian King Non-Executive Director Secretary of State for Transport's Representative
Michael Bradley Chief Financial Officer	Non Owen (minutes) Company Secretary	
Mel Ewell Non-Executive Director	██████████ Procurement & Commercial Director	
Tom Harris Non-Executive Director		
Judith Hackitt Non-Executive Director		
Elaine Holt Non-Executive Director		
Stephen Hughes Non-Executive Director		
Roger Mountford Non-Executive Director		
Ed Smith Non-Executive Director		
Mark Thurston Chief Executive Officer		

1 Welcome, Declarations of Interest and Values Moment

- 1.1 There were no additional declarations of interest to record on the register.
- 1.2 Mel Ewell disclosed an active matter he is engaged with in his capacity on another Board, with Bechtel. It was confirmed that there was no conflict and hence no requirement for Mel to recuse himself from the meeting.
- 1.3 It was agreed that a proposed meeting between Mel Ewell and Bechtel can proceed, provided that such meeting was for the purpose of his other Board role and not for the purposes of HS2.

- 1.4 Apologies were noted from Ian King. The Chairman confirmed that he had discussed the matter with Ian prior to the meeting and his comments have been shared in correspondence securely.
- 1.5 The Board received a values moment from the Chairman on the positive work being demonstrated by the Community Engagement team following a session led by the Head of Stakeholder and Business Engagement. In the remote working environment, the teams have been supporting virtual tours and webinars in order to provide detail of community engagement. The Chairman commended the quality of this work.

2 Old Oak Common Construction Partner procurement litigation (HS2B_20-078)

- 2.1 The Board received a paper regarding the Old Oak Common Construction Partner procurement litigation, noting the request for approval in relation to next steps.
- 2.2 The paper had been shared with Board Members in advance on the secure portal ahead of agreeing an out of cycle virtual meeting to provide a decision. [REDACTED]
[REDACTED]
[REDACTED]
- 2.3 In 2017 and into 2018, HS2 undertook a procurement process for the award of a construction partner (CP) contract for each of Euston and Old Oak Common (OOC) stations respectively, under which the appointed CP would manage the design and construction of these stations. Standstill letters (advising as to the winners of each Station) were issued to all tenderers on 5 February 2019.
- 2.4 In late February 2019, Bechtel filed Court proceedings challenging HS2's decision to award the OOC contract to an unincorporated joint venture comprising Balfour Beatty, Vinci & Systra (BBVS). The legal proceedings remain in progress and the trial date is set for 5 October 2020.

2.5 [REDACTED]
[REDACTED]
[REDACTED]

- 2.6 Based on the reasons outlined in the paper, the Board were asked to approve:
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[Redacted]

2.8 The Board discussed the matter, including observations previously shared in advance on the secure Board Portal, including:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

2.8.8 It was confirmed that the Department for Transport (DfT) have been engaged with the matter who are aligned with the recommendation;

2.8.9 The Board suggested that consideration be given to engagement with HM Treasury, and Cabinet Office Chief Commercial office, to be led by the CFO;

2.8.10 Communications are being prepared by the organisation;

[Redacted]

[Redacted]

Action: Nicole Geoghegan

[Redacted]

2.9 The HS2 Ltd Board support the Executive recommendation and approved the [Redacted] [Redacted] as outlined in the paper.

3 Any Other Business

3.1 There were no additional items raised for discussion.