

Independent Construction Commissioner HS2

**TWENTY- SECOND REPORT: QUARTER
TWO 2022**

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HS2 Independent Construction Commissioner: Twenty-Second Report

Introduction

This is the Twenty-Second Report of the Independent Construction Commissioner HS2 (ICC) and covers second quarter of 2022 (1st April – 30th June).

Overview

The number of complaints registered by HS2 Ltd again saw an overall fall during the quarter. The latest figures would seem to support the downward trend which has been registered in previous quarters. In some cases this can be attributed to the handling of cases by HS2 Ltd and its contractors but I suspect also that there is a degree of resignation by the public to construction works now that we are well into the main phase.

The primary issues of concern continue to be those of noise, traffic, lighting, dust, and site management.

Phase 2a remains relatively quiet as would be expected at this stage.

Line of route visits during the quarter included Buckinghamshire, Warwickshire, Birmingham, West London and the Euston area, where I inspected works at a number of sites and met with local communities and businesses.

I continue to meet regularly with HS2 Ltd, its contractors and with the Department for Transport.

Representations

The ICC received 97 individual case approaches (see Annex) during the 2nd Quarter, an increase on the previous quarter. Of these 33 were issues raised with HS2 Ltd already but which the complainant thought the ICC should be aware of; 53 approached the ICC not having previously raised matters with HS2 Ltd and thus had their cases referred; and 11 were matters outside the Commissioner's remit.

During the period the ICC closed five cases.

Small Claims Scheme (SCS)

Under the scheme, 38 new claims were registered with HS2 Ltd for the 2nd Quarter of 2022. Of these, 6 remain open and under investigation, 19 cases require further evidence, 12 were rejected and 1 was settled by insurers.

No payments for damages were made by constructors during the period. A single goodwill payment was made and a further 2 cases were settled by goodwill gestures.

Since the start of the scheme, there have been 246 applications, with 62 approved with some form of payment made or remedial gesture, 14 remain open and 147 have been rejected. The total amount paid out has been £1886.83

Observations

Public Roads and Traffic

Once again, the largest number of complaints are in connection to road works and road use.

Road closures and works to mitigate their impact continue to effect local communities along the whole length of the route. Again, they are especially notable in rural areas where diversions tend to be comparatively long.

The most heavily impacted areas are the A413 and its tributary roads in Buckinghamshire, the area around Calvert in West Buckinghamshire, and the area around Balsall Common in Warwickshire.

The area around Old Oak Common in West London remains challenging although there seems to have been some improvements. While the closure of Adelaide Road in North West London has caused considerable difficulties for local residents.

Looking forward to the autumn and winter I would remind contractors of the need to keep public road surfaces clean of mud and debris. Worksite wheel-washing facilities need to be fully operational along with mobile cleaning where necessary.

Signage remains an irritating issue with the public. It is important for contractors to continue to work with local communities to ensure that residents are given ample notice of road closures and that signage is clear and situated in the most effective place. As I have noted before, it is important that once works are complete, signs are removed as quickly as possible. There is nothing more frustrating to local people than to be following entirely

unnecessary diversions. Contractor supervisors should have a close of works check list which prioritises this and gives specific responsibilities accordingly.

I would again remind contractors that they have responsibility to check that vehicles working for them are following the correct routing instructions in order to reach worksites and that drivers understand the importance of considering other road users and those who live adjacent to lorry routes.

Noise Disturbance and Insulation

Noise impact is a constant theme of these reports.

Though instances of breaches of noise level regulations remain relatively rare that does not mean local residents are not disturbed. Again, timely notification is essential to enable people to plan ahead when major works are being carried out.

The siting and use of 24 hour electric generators needs to be fully considered. There have been a number of cases raised in the past year of residents being disturbed at night through their operation.

I continue to monitor the roll-out of noise insulation and ventilation measures in the Euston and Camden areas. I am pleased to note that earlier intervention and engagement in the Mandeville Road area of West London has resulted in a reasonably high take-up of support by local residents.

This has been a particularly dry summer and consequently the problems of dust have been a regular issue. This has been compounded by the need to save water at this time. Again, regular engagement with residents is crucial so that any specific works which might generate larger than usual amounts of dust are communicated in a timely manner.

Vegetation

There have been reports made to me that during the warm weather newly planted saplings have not been watered regularly and in consequence die. I have not witnessed any examples of this during the summer but it has occurred in previous years and I would draw contractors' attention to this.

Site Management

I have reported before my belief that site managers should play a much more proactive role in identifying problems which impact on the public by spending time outside their compounds. This will remain a central theme of these reports. Already I have noted improvements but they are varied. I would like to see all contractors giving more priority to this.

Might I also take this opportunity to remind contractors of the importance of following the set rules which regulate site working hours. This is even more important as extended working hours at sites multiply. Site managers are responsible to ensure that specific regulations are met and that the more general terms of the Code of Construction Practice are observed.

I submit my report.



Sir Mark Worthington OBE

Independent Construction Commissioner HS2

August 2022

Annex: Quarter 2 alerts, representations and complaints

Please note that HS2 Ltd has changed its recording procedures for registering complaints. Previously this had been done under the geographical categories of Areas South, Central and North and Phase 2A. In future complaints will be registered under each Integrated Project Team covering a particular section of the route.

Total construction complaints received by HS2 Ltd for Phase One and for Phase Two A for the 1st Quarter 2022 broken down by Integrated Project Teams.

	Align	BBV	BBVS	EKFB	SCS	Two A	Total
April	11	33	6	25	14	2	91
May	8	30	12	24	25	3	102
June	8	31	3	22	13	2	79
Total	27	94	21	71	52	7	272

Representations received by the ICC for the 2nd Quarter 2022

	Alerts*	Referrals to HS2**	Not within remit***	Valid complaints****
2nd Quarter 2022	33	53	11	3
Total To Date	396	412	92	18

*Alerts identified to the ICC already either under examination by HS2 Ltd or previously alerted to them.

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

***Alerts outside ICC remit but may have been referred to HS2 Ltd.

****Valid complaints which fall under the ICC's remit to adjudicate.