

Independent Construction Commissioner HS2

**TWENTY-FOURTH REPORT: QUARTER
FOUR 2022**

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HS2 Independent Construction Commissioner: Twenty-Fourth Report

Introduction

This is the Twenty-Fourth Report of the Independent Construction Commissioner HS2 (ICC) and covers final quarter of 2022 (1st October – 31st December).

Overview

The number of complaints as registered by HS2 Ltd showed a noticeable fall for the quarter, even taking into account the usually quiet period over the Christmas break. It continues to be encouraging that although construction is expanding, complaint numbers are falling both in proportion to the work and as a total. None of the Joint Venture (JV) areas saw any significant increases and there were some strong falls.

I am initiating quarterly meetings with HS2 Ltd to compare the figures for each of the JVs and to see how each is responding to similar types of issue in order to help JVs to further expand best practice across the route.

Again, the main issues of concern were those of noise, traffic, lighting, road conditions, site management and issues connected to water management.

Phase 2a remains relatively quiet in construction terms.

Line of route visits during the quarter included, Birmingham, West London, Buckinghamshire and the Old Oak Common and Euston areas. I inspected works at sites where the impact upon local residents continues to be a challenge and met with local communities, businesses and MPs.

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

Representations

The ICC received 64 individual case approaches (see Annex) during the 4th Quarter. Of these, 20 were issues raised with HS2 Ltd already but which the complainant thought the ICC should be aware of; 40 approached the ICC not having previously raised matters with HS2 Ltd and thus had their cases referred; and 4 matters raised were outside the Commissioner's remit.

Small Claims Scheme (SCS)

Under the scheme, 51 new claims were registered with HS2 Ltd for the Quarter. One payment for damages was made and 5 cases were settled by goodwill gestures.

The total amount paid out since the start of the scheme has been £22,433.42

Observations

Public Roads and Traffic

The largest number of complaints refer to road use, road works and closures and road damage.

As expected, road conditions over the winter months become of increased concern to local road-users. Mud on the roads and local flooding during poor weather periods can be very disrupting. It is important that contractors react quickly when incidents occur. Site entrances and exits need to be kept as clean as possible and mobile teams should be particularly active during these months.

Significant work on the M42 over the Christmas period, and continuing works on the A38 at Lichfield in Staffordshire appear to have been managed with less disruption than might have been expected. However, road works and closures in general remain frustrating for many local communities.

Local communities and residents continue to be impacted heavily by road works and by the necessary closures in order to carry out construction. This impact can have a disproportionate effect in rural areas given the lengthy diversions often involved.

Again the A413 and its tributary roads in Buckinghamshire remains a considerable problem for all the communities from Amersham, north to Aylesbury.

In North-West Buckinghamshire the communities around Calvert are enduring several long-term closures which are worsened by the needs of the East-West Railway scheme which runs through the area also.

Heavy works traffic continues to be a problem in Warwickshire and Solihull.

Again, the Old Oak Common area of West London is a challenging area with the number of HS2 sites in operation. Inevitably this is going to be a long-term issue. Congestion issues in the area need to be managed carefully and I would ask that further attention is given to this.

Good forward notification and engagement is vital to keep local communities informed of planned works. Contractors should be working with the communities impacted to make sure that clear and effective signage is in place for the duration of work.

Noise Disturbance and Insulation

Noise impact is a continuing problem although breaches of noise level regulations remain relatively rare. Planning and notification again are essential to keep residents informed. I have noted before that there have been improvements but lapses still occur on occasion.

I would also urge contractors to be more aware of noise impacts as the project moves into a phase of longer working hours in some areas. This is particularly the case for night-time working.

The use of the current rail network to remove spoil from sites is welcome as it avoids multiple lorry movements. However, at West Ruislip and Willesden Junction where this is in operation there has been an increase in noise at night. I would ask contractors to monitor this impact and to try to find ways to minimise it.

Site Management

I have mentioned in previous reports the vital role of site managers in ensuring that regulations are kept to and public inconvenience limited. They have responsibility for all that happens on their sites and for the impact that each site has on the local communities nearby.

Above, I have discussed the importance of monitoring noise and of keeping roads debris free. Compound lighting is another issue which is of regular concern to local residents. More thought needs to be given to the positioning of lights at compounds and regular checks should be made to see that they do not impact on local housing. Most of the time such issues are easily resolvable but contractors should take the initiative rather than leave it until the public complain.

In addition, I welcome the fact that some contractors and site managers are taking the initiative to improve the appearance of compounds. Obviously, there is an immediate gain to local residents but it has benefits for the overall public attitude to the project as well.

Water Issues

Previously, I have mentioned the concern in some communities about the impact of HS2 works on aquifers and on water flows. I appreciate that these are detailed, technical matters which require both HS2 Ltd and the

Environment Agency to work through. However, the time taken to resolve these issues can lead to frustration and worry. I would urge all parties to try to speed up the agreement process and to be as open as possible with communities in the meantime.

I submit my report.

A handwritten signature in blue ink that reads "Mark Worthington". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail on the 'n'.

Sir Mark Worthington OBE

Independent Construction Commissioner HS2

February 2023

Annex: Quarter Four alerts, representations and complaints

A reminder: 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.

	Align	BBV	BBVS	EKFB	SCS	Euston Station *	Non Area	2 A	Total
October	8	18	3	19	29	2	1	1	80
November	11	22	1	17	26	0	0	0	77
December	3	12	1	8	6	0	0	3	33
Total	22	52	5	44	61	2	1		190

*Euston Station is covered by Mace Dragados.

Representations received by the ICC for the 4th Quarter 2022

	Alerts*	Referrals to HS2**	Not within remit***	Valid complaints****
4th Quarter 2022	20	49	4	0
Total To Date	436	496	102	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.