

Our ref: CEO-22-1227

Lord Stewart Jackson of Peterborough

HS2 Residents' Commissioner

Sent by email:

residentscommissioner@hs2.org.uk

17 March 2023

Dear Stewart,

Thank you for your first report as the HS2 Independent Residents' Commissioner, which is the seventeenth in this series of reports. I wanted to take this opportunity to also thank you for your engagement with communities impacted by the construction of the new railway since your appointment last year. I know you have attended HS2 construction sites as well as meetings with local communities, property owners and farmers across the route, all of which have allowed us to receive valuable and constructive feedback.

Building trust and collaborative relationships with those impacted by the project is a key priority for us. As you highlight in your report, we refreshed our Community Engagement Strategy 'Respecting People, Respecting Places' at the end of 2021. I was pleased to read your reflections that our commitments feel embedded within our activities and that engagement feels more transparent and collaborative than it has in the past.

We remain mindful of the continued impact we have on communities. We are always looking to improve the way we engage, whilst also learning from community feedback and sharing best practice across our multiple contractors. I want to thank you for joining our second 'Respecting People, Respecting Places' conference held in November 2022 and judging the Community Inspiration awards. This event brought together over 300 HS2 staff and contractors to reflect on the lessons we have learnt so far and reinforce our commitment to delivering the railway respectfully. Your positive reflections on the event help to underpin the importance of this key event.

In your report, you highlight the significant progress made by HS2 since Covid restrictions were lifted. In west London, we launched our fourth and fifth Tunnel Boring Machines (TBM) in October 2022 and in November 2022, the new Rail Minister Huw Merriman MP launched a new conveyor system at Old Oak Common. The 1.7 mile network will move over five million tonnes of spoil from our sites, removing the need for one million lorry movements, and reducing traffic congestion and emissions in West London.

In Warwickshire, the first of the two tunnels at Long Itchington is now complete and the same TBM is now being used for the second drive for the twin tunnel which is to be completed later this year, ensuring the preservation of the ancient woodland above.

There are now nearly 30,000 people employed on HS2 nationwide. Creating opportunities and careers for the next generation remains a key priority and I am pleased to share that over 1,100 apprentices have already started their careers on the project, more than passing the halfway point to our target of creating 2,000 apprenticeships over the lifetime of the programme.

I recognise that construction progress can be a concern for those impacted by the project. As we enter the second of the three year period of peak construction on Phase One, we are understandably receiving an increase in calls about construction-related issues that are having an immediate effect on people. We know these concerns need to be resolved quickly and we have therefore introduced a new commitment to resolve urgent construction enquiries and complaints within two working days. I am pleased to report that 100% of urgent construction enquiries and complaints between April and December 2022 were responded to in this two working day target.

I am also aware that environmental impacts remain a key area of concern for communities along the route of the railway. We recently published our second annual Environmental Sustainability Progress Report which looks at the measures we are putting in place to cut carbon emissions and boost nature recovery on the HS2 project. We are committed to eradicating the use of diesel on our construction sites by 2029 and in the last year alone, we've introduced 10 diesel-free sites. We have now also completed five years of tree planting along the route; since 2017, we have planted around 845,000 trees, and created 119 new habitat sites and 160 new ponds which are now homes for wildlife.

In your report, you note that whilst the Integrated Project Teams are working well and are consistently communicating with residents, there are still instances where we can improve, particularly around operational changes such as temporary roadworks, traffic calming measures, HGV and plant movement, and road closures. We work closely with our contractors to ensure that residents are given early communication about works that will affect them through an ongoing programme of engagement. This includes notifications two weeks ahead of works starting, with longer lead in times for more impactful works such as longer-term road closures.

Some examples where this has worked well include two recent road closures; the M42 near Birmingham for the installation of the Marston Box Bridge and the A412 in Hertfordshire to enable the placing of viaduct segments for the Colne Valley Viaduct. Both closures had detailed communication and engagement plans aimed at local residents, stakeholders and wider road users with community events, newsletters, leaflets and early works notifications. We were pleased that, as a result, no complaints were received by our Helpdesk team over the period of closure.

While this is an example of where early communication and notification has worked well, I recognise that we don't always get it right and that we need to do more to consistently ensure we are mitigating our impact. We have measures in place to hold contractors to account through key performance indicators and we work closely to plan all resident engagement in advance, in line with our programme of works, including any changes to original plans.

You also highlight the importance of regular dialogue with communities as the Phase 2b hybrid Bill makes its journey through Parliament and as we continue to work with Government on the implementation of the Integrated Rail Plan. Extensive engagement has been held to ensure affected communities along the route from Crewe to Manchester are informed about the Bill process, the documents published alongside the Bill and the public consultations. We continue to engage with communities about how the proposed route will affect their local area and hold events to explain changes that come forward as part of Additional Provisions to the Bill. We have also written separately to people whose land or property is directly affected by our proposals. We are committed to sharing information on the Government's future plans related to the Integrated Rail Plan as these develop.

I welcome your positive feedback on our implementation of the actions of the 2020 Ministerial Review of Land and Property, carried out by the former HS2 Minister, the Rt Hon Andrew Stephenson MP. We remain committed to improving the claimant experience for all directly affected parties and continuing the positive work carried out during the Ministerial Review. I know you have been working closely with our Land and Property team on the priorities for their workstreams and that they look forward to sharing regular updates with you over the course of the year.

The Need to Sell (NTS) scheme remains a popular scheme, but we remain conscious that it has no geographical boundaries and therefore has a wider potential catchment area compared to other property schemes. We are continuing to keep this scheme under review to ensure it meets the needs of all parties who do have a reasonable claim. This includes working closely with panel members, as set out in your report. We will, of course, continue to work with the Department for Transport (DfT) as they progress their analysis of the additional NTS2 proposed scheme.

With regards to Alternative Dispute Resolution (ADR), we agree that it could play a bigger role in finding compromises where claims have become stuck; wherever possible we want to avoid claims having to be escalated to the Lands Tribunal. As you mention in your report, we have undertaken a comprehensive review of our policy and will publish more detailed guidance shortly. This Plain English accredited document will offer greater clarity on timescales and gives claimants more flexibility over how they use the process. We are already seeing an increase in claimants choosing ADR as a means of effectively resolving disputes and we expect this trend to continue following the changes we have made.

We are continuing to work with claimants to reduce delays in compensation payments, including ensuring claimants and their agents are aware of the information they need to provide and the steps their claims will go through. We are also keeping our policies and procedures under review, as well as ensuring customer facing materials are clear and accessible.

Your report notes your concerns about the uptake of the Prolonged Disturbance Compensation Scheme (PDCS). As you highlight, we will undertake a thorough review of the thresholds to make sure the scheme is accessible to those who would be seen as having a reasonable claim and I am thankful to you and Sir Mark Worthington for being involved in the early stages of this project. Your feedback will be valuable in shaping this review.

Finally, we are pleased to have been working with DfT on launching the Streamlined Residential Blight (SRB) and Crop Loss Expedited Payment (CLEP) over the last two years; they represent a significant enhancement to the range of options available to impacted parties. Similar to PDCS, we will also be reviewing SRB and CLEP to ensure the schemes are as accessible as possible to the parties they are aimed at, so that all of our schemes are effectively reaching those that need them.

Thank you again for your report. Your feedback and challenges help to ensure we are delivering on our commitments to those communities and property owners along the route of the new railway. I look forward to continuing working together.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Mark Thurston". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Mark Thurston

Chief Executive Officer,
High Speed Two (HS2) Ltd.