

Independent Construction Commissioner HS2

**TWENTY-SEVENTH REPORT: QUARTER
THREE 2023**

icc

HS2 Independent Construction Commissioner: Twenty-Seventh Report

Introduction

This is the Twenty-Seventh Report of the Independent Construction Commissioner HS2 (ICC) and covers the third quarter of 2023 (1st July – 30th September).

Overview

The number of complaints as registered by HS2 Ltd fell slightly on the figures for the previous quarter. The pause in works for some areas announced earlier in the year had some impact particularly in London.

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

Phase 2a is now quiet from a construction perspective.

Line of route visits during the quarter included, Birmingham, Northamptonshire, Old Oak Common in West London and the Camden and Euston areas. I also addressed the Phase Two Planning Forum in Manchester.

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

Representations

The ICC received 59 individual case approaches (see Annex) during the quarter. Of these, 29 were issues which had been raised with HS2 Ltd already but which the complainant thought the ICC should be aware of; in 30 cases the ICC was approached as a first point of call and these were referred on to HS2 Ltd for response; and there was one ongoing investigation.

Two investigations by the ICC were closed during the period.

Small Claims Scheme (SCS)

Under the scheme, 41 new claims were registered with HS2 Ltd for the quarter.

There have been 506 requests under the scheme to date: of which 115 have been approved, 68 remain open and 323 have been rejected.

Consequently the total amount paid out now stands at £52,852.

Observations

I have stated above that the central issues which affect the public remain, very largely, the same as in previous quarters. Therefore here I would like to address the main change since my last report.

The Future of HS2

The Prime Minister's announcement at the beginning of October that HS2 works on Phases 2a and 2b would cease has had a major impact on the company and on the communities along the whole line of route. It has altered the aims and objectives for the HS2 project dramatically.

For Phases 2a and 2b most of the issues which will need to be resolved fall outside the remit of the ICC but they will be very significant and complex.

For Phase 1 there needs to be major clarification. I accept that many of the answers to questions being posed by individuals, businesses and communities along the route are beyond HS2's ability to answer at the moment as these decisions rest with the Government.

The most affected areas lie in the far north and far south of the project.

In South Staffordshire HS2 Ltd will have to re-examine how the new elements under construction will link into the West Coast Main Line around Handsacre. Major redesign may be required and it is unclear whether further land purchases may be necessary. Any redesign has a potential impact on nearby property, on local roads and on infrastructure. It is important that this work is carried out quickly so the local community can be given assurance.

In my last report I mentioned the impact of the "pause" in works for the communities in the Euston and Camden areas. Clarification has been made more urgent now that HS2 Ltd will no longer have charge of the construction of the southern terminus at Euston. Much of the responsibility for such clarification therefore lies with the Government.

The precise terms of how the railway line might be delivered from Old Oak Common to Euston are yet to be announced. We remain unclear as to the new structure which will oversee the design and construction of the new Euston Terminus. Until these decisions are made, it is inevitable that the local communities will remain anxious about their futures.

There is a danger for the project that the political timetable now facing the country will result in further delays at best and paralysis at worst. For local people this means that any completion date is pushed back further resulting in additional years of uncertainty and disruption. I hope that the Government will move swiftly to provide the reassurances and clarity that the community requires.

With the potential for a full re-design of the Euston Terminus many individuals and businesses face further disruption to their lives.

I have said before that residents need to be told constantly what works will be continuing and why. I know that the HS2 and contractor engagement teams are working hard to achieve this but it will remain an ongoing struggle to provide information.


The possible extension of the “pause” in works highlights the importance of the issues surrounding “meanwhile use” of land in the Euston area. We do not know whether the Government’s announcement will mean that such land can be put back into the public domain for a longer period than had been imagined originally. Again, swift clarification from the Government will allow for better planning.

There are additional questions as to what might happen at Old Oak Common. If this station is to remain as the southern terminus for the London to Birmingham railway for any length of time then this may well place pressures on local infrastructure which had not been envisaged. With more passengers embarking and disembarking at the station than had been planned for previously, then interconnecting transport systems in the area will face a greater burden. The local road system in particular is ill-suited to heavier traffic use from extra car and taxi journeys to and from the new station. Again, the Government needs to give clear guidance so that HS2 Ltd can work with the local authorities to plan for any such contingencies.

The challenges for the project might have been altered by the Government’s announcement but that does not necessarily mean that they have been diminished. The “winding up” of Phases 2a and 2b may take a considerable

amount of time to achieve. For Phase 1 the uncertainties surrounding the connection into Central London will raise further questions and concerns for the local communities. The sooner that reassurances can be given, the better.

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'.

Sir Mark Worthington OBE

Independent Construction Commissioner HS2

December 2023

Annex: Quarter Three alerts, representations and complaints

| | Align | BBV | BBVS | EKFB | SCS | Euston Station * | Non Area | 2 A | Total |
|--------|-------|-----|------|------|-----|---------------------|----------|-----|-------|
| July | 9 | 24 | 2 | 8 | 28 | 1 | 0 | 0 | 72 |
| August | 9 | 30 | 1 | 38 | 13 | 1 | 0 | 0 | 92 |
| Sept. | 2 | 33 | 1 | 16 | 13 | 0 | 0 | 3 | 68 |
| Total | 20 | 87 | 4 | 62 | 54 | 2 | 0 | 3 | 232 |

*Euston Station is covered by Mace Dragados.

Representations received by the ICC for the 3rd Quarter 2023

| | Alerts* | Referrals to HS2** | Not within remit*** | In depth investigations**** |
|------------------|---------|--------------------|---------------------|-----------------------------|
| 3rd Quarter 2023 | 29 | 30 | 0 | 2 |
| Total To Date | 509 | 602 | 104 | 24 |

*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.

****In depth investigations carried out by the ICC.