

March 2025



# HS2 Residents' Commissioner

Report 22 – March 2025

# Introduction

This is the 22<sup>nd</sup> and final report of the HS2 Residents' Commissioner, as the post is due to be subsumed into a new joint post with that of the HS2 Construction Commissioner, because of a Ministerial decision last autumn and the curtailing of the HS2 project in October 2023, by the previous government.

Although I will touch on activities over the last four months, the report will also be a review of my work since February 2022, when I assumed the role.

Policy uncertainty continues to be a feature of the project as well as managerial and organisational change at HS2. We have also seen the appointment of a new Secretary of State for Transport and the resignation of the company's Chairman in December 2024. Media reports indicate various options for the project north of Birmingham with speculation that the original plans could be replaced with a new privately funded West Midlands-Northwest railway and the government rejecting reinstatement of Phase 2 of the original proposals.

## Euston

The government's plans for Euston remain unclear and undefined. That includes the HS2 station, Network Rail station and contingent commercial and housing developments across the site.

Despite a commitment for funding via a third party development body and support for and confirmation that in last year's Autumn Statement that HS2 would terminate at Euston, there is little clarity on timescale or budgets or a clear plan to fund the £6 billion extension. This includes further tunnelling using tunnel boring machines (TBM). AND shaft and headhouse sites for the Euston tunnel at Adelaide Road and Canterbury works "paused" for two years.

Ministers will be under pressure, not least from the Public Accounts Committee, to bring forward detailed and comprehensive plans in the next few months.

## Warwickshire Landowners and Agents meeting

In February 2025, I made my third and final visit to liaise with farmers and landowners in south Warwickshire in the northern section of Phase 1 to update myself on the progress in respect of timely claims settlement, communications, engagement and consistent service delivery by HS2's supply chains. Although the company have made progress across all these areas, regrettably there were still concerns and several outstanding issues of dissent in areas like Alternative Dispute Resolution, land disposal strategy, injurious affection, design issues and land access and it will and should be a priority for the newly appointed Commissioner to address these matters as a matter of urgency.

## Prolonged Disturbance Scheme (PDCS)

I received a helpful joint briefing in February with the Construction Commissioner on the conclusion of the review undertaken by HS2 and working closely with the Department of Transport on the Prolonged Disruption Compensation Scheme (PDCS), a scheme for those significantly impacted by construction noise and vibration.

This will be an area of interest for the new Commissioner postholder as construction on Phase 1 proceeds.

## **Property Approvals Group, PEIG and Special Cases Review Panel**

Since Christmas 2024, I have attended several meetings, as the standing independent member of the Property Approvals Group, adjudicating with other members from HS2 and DfT on discrete land and property cases of a non-typical manner from the perspective of stakeholders directly affected by the project.

In addition, as Residents' Commissioner, I have chaired two Special Cases Review Panels on unique hardship cases since November 2024 and attended very helpful meetings of the Policy Engagement and Improvement Group, which has been established since 2022 with a strategic aim of improving the claimant experience and customer service, in respect of HS2's discretionary schemes.

This has been a very useful initiative particularly the collaborative work with the Central Association of Agricultural Valuers (CAAV) and the use of real-time empirical data to develop a "dashboard" to measure progress on closing out claims and identifying blockages and systemic delays in the system. I would recommend that the work of this group is publicised more widely, and detailed workings are published.

## **Community and Stakeholder Engagement (CSEG) - Data and Updates**

Although this aspect of the Residents' Commissioner portfolio has reduced in scope and size since October 2023 and the then government's curtailing of the project, also as a result of budgetary reductions, it has nevertheless remained important to retain proper scrutiny and oversight of the company's relationship with its stakeholders and especially householders, local residents, elected representatives and landowners and this I have continued to do with regular monthly reviews of complaints and proactive community engagement as well as specific data sets such as MP's letters and Parliamentary questions, communications with local authorities, Freedom of Information requests, HS2 contractor performance and other areas which reveal in a timely way trends in the company's performance against its commitments to the 2015 Residents' Charter as well as statutory and regulatory obligations.

Additionally, I have received regular detailed oral updates on Phase 1 CSEG and the company's ongoing initiatives to improve communications and regular engagement and this has included their continuing commitment to funding local community initiatives via the Community and Environment Fund (CEF) and the Business and Local Economy Fund (BLEF).

Finally, it was a great pleasure to attend two of the annual HS2 Inspiration Awards, showcasing the excellent company engagement schemes in the community in 2022 and 2024.

## **Overview and Highlights of Residents' Commissioner role: 2022-25**

- I have sought to work with HS2 by championing the voices of residents, and particularly claimants with properties impacted by the HS2 railway.
- I have made several site visits to impacted property owners to understand the direct impact the HS2 railway is having on their lives, such as Euston, Mandeville Road, Northolt, Warwickshire, Chipping Warden, Northamptonshire, Crewe and Wendover, Buckinghamshire
- My monthly dialogue with the L&P Senior Management Team has been invaluable, and I have

sought to have used my influence to escalate issues and closely scrutinise HS2 Ltd's responses to concerns from residents.

## **Establishing a successful policy and engagement forum - PEIG**

- The DfT Ministerial Review Oversight Board was being wound up as I was appointed Residents' Commissioner in April 2022. The final of 36 recommendations of the review were signed off as complete in 2024.
- Working with DfT and HS2 Ltd, I have supported the establishment of continued oversight and scrutiny of the delivery of the objectives of the Ministerial Review. This was stood up at the beginning of 2023 and has continued to meet quarterly ever since.

## **Alternative dispute resolution (ADR)**

- Another recommendation of the Ministerial Review was to improve the guidance offered to claimants considering alternative dispute resolution (ADR). I have helped scrutinise the new ADR guidance developed by the Property Advisory which was published in February 2023.
- Among the improvements were a commitment to aim to respond to requests within a two-week timeframe and empowering claimants to submit their own recommendations for mediators.
- This important work will need to continue under the new Commissioner

## **Rent increases – Phase 2 East and elsewhere**

- There has been significant rent inflation in some of the markets within which HS2 Ltd manages properties acquired by the Secretary of State. HS2 Ltd is obliged to deliver best value from its managed property portfolio, and this has resulted in some significant rent increases.
- These rent increases triggered a number of appeals as well as challenges over maintenance standards. These were investigated by myself and I scrutinised HS2 Ltd's rent setting processes and repairs obligations. I was satisfied with the robustness of the processes in place; however, several rent reviews were secured for affected tenants.

## **Responding to the cancellation announcement – October 2023**

- I contributed to the scrutiny of HS2 Ltd's plans to update guidance documents and communication materials following the Phase 2 cancellation announcement.
- Initially a plan was put forward to update materials over summer 2024 which would have followed the anticipated announcement to amend safeguarding on Phase 2b. In the event this was superseded by the general election and a cover note solution was developed instead. There was also a commitment given to update materials more comprehensively once greater certainty over the precise details of the future of Phase 2 is provided by the incoming Government.

## Streamlined Residential Blight review

- A review of the Streamlined Residential Blight (SRB) scheme was triggered by PEIG in 2023. Members including myself wanted HS2 Ltd to investigate the low take up of the scheme which had also been established in response to a Ministerial Review recommendation. The aim was to make the blight process more straight forward and remove the need for drawn out negotiations.
- The review considered the possible reasons for low take up (only one application to date). It was concluded that it was likely to be due to the low number of blight applications received since the scheme's introduction and therefore there was not a strong case for putting resource into altering the policy.
- There was scrutiny over whether the fixed sum disturbance payment needed to be updated in line with inflation. Careful data analysis of recent compensation payments indicated that the fixed sum continues to be a competitive offer.

## Crop Loss compensation review

- The Crop Loss Expedited Payment (CLEP) scheme was established to make it easier for farmers whose land has been temporarily possessed to claim compensation for crop losses. As with the SRB review, I expressed concern about the low take up, with only two applications to date.
- Initially the review focussed on options to enhance the CLEP scheme, however, stakeholder feedback indicated that this would not have the desired effect. Working with industry partners, HS2 Ltd then shifted its focus to developing a new approach based on delegating decision making to suppliers, to make it easier to get claims approved. The new approach is due to be submitted to DfT for approval imminently.

## Closing out claims framework

- HS2 Ltd has worked closely with DfT and the Central Association Agricultural Valuers (CAAV) to develop a new closing out claims framework. The framework is based on feedback from extensive engagement with both HS2 Ltd supplier agents and claimant agents.
- The framework recommends 36 new measures aimed at speeding up the closure of long-standing cases. Many of these are focussed on ways of improving communication and information sharing between agents.
- A number of the recommendations have already been closed out and new performance metrics are being implemented which will be subject to regular monitoring from DfT.
- Along with other members of PEIG, I played a key role in monitoring and scrutinising the development of the closing out claims framework.

## Conclusion

I have hugely enjoyed fulfilling the role of Residents' Commissioner since April 2022 and would like to thank all the staff at HS2 and DfT for their support, advice, guidance and professionalism and of course to the stakeholders who have contacted me in my role and helped me understand the

significant impact – good or bad – of Europe's biggest infrastructure project.

A special thanks to HS2 Construction Commissioner Sir Mark Worthington too, for his wise counsel and support and to Debbie Davies at HS2, who has provided exemplary executive support to both Commissioners in the last three years.

I hope I have at least partly succeeded to the best of my ability in standing up for those affected by HS2 and ensuring that their voices are heard clearly by policy makers and decision takers and to address their legitimate concerns and resolve the problems they have raised.

Naturally, I wish my successor all the very best of luck in their new enlarged role.

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