

Searches

July 2026



Independent HS2 Commissioner

Report 2 – July 2026

Introduction

This is my second report since being appointed the HS2 Independent Commissioner. In this report I will cover:

1. Parliamentary and Health Ombudsman (PHSO) findings and Commissioners ToRs;
2. A brief summary of key developments in the project which may impact my role;
3. A summary of complaints and claims to date;
4. Details of meetings and visits I have undertaken; and
5. Thematic issues that I have encountered.

1. My remit

Since my report the PHSO has published findings of an investigation into a complaint about how one of my predecessors, the Independent Construction Commissioner (ICC), managed a complaint about HS2 Ltd. While the PHSO decided not to consider the complaint further it did see indications of failings in the way HS2 Ltd and the ICC responded to the complainant. HS2 Ltd and DfT on behalf of the Commissioner apologised and agreed to take forward learning around their complaints process. Key findings regarding the Commissioner were:

- “We have seen indications the ICC did not clearly explain what complaints were outside his remit or why.
- We recognise the ICC considered the complaint fell outside the ICC’s remit, however we have not seen evidence the ICC clearly told Mr S what his remit was or provided information about an alternative appropriate route he could take to pursue his complaint.”
- The PHSO’s findings can be found at - [Our Decisions](#)

As a result of these findings, I have worked with the DfT and HS2 Ltd to draft Terms of Reference for the Independent Commissioner which clearly set out what is within my remit and what is excluded. This can be found here

[Independent HS2 commissioner: terms of reference - GOV.UK](#) .

The ToRs helpfully set out the four main ways the Commissioner engages with residents namely:

- seeking to ensure residents and others affected by the scheme are dealt with fairly and equitably by HS2 Ltd and monitoring complaint trends
- complaints resolution and appeals in matters related to HS2 construction
- support for residents with land and property matters
- mediation

It is my intention to ensure I agree with complainants whether I am to act in a mediation role seeking to find a resolution with HS2 Ltd or their contractors or whether I should provide my opinion on their dispute and make recommendations as to the way forward.

2. Key Developments in the project

- The key Development is the Reset; the Government has set out the updated costs and schedule for the delivery of HS2. As part of this, the Government has confirmed new plans that will save money and speed up delivery.
- HS2 Ltd CEO Mark Wild and Chair Mike Brown have spent the past year resetting HS2, and this has resulted in it being built more efficiently – with six major construction milestones reached earlier than planned.
- The updated costs and timescales have been tested and assured by a panel of industry experts who have experience delivering railways, including Crossrail and internationally
- HS2 Ltd is to now focus on the next stage of reset - developing detailed schedule forecasts which will give communities reassurance on works in their area. Commercial renegotiations will also continue with contractors to ensure that HS2 is being delivered as safely and efficiently as possible for the lowest cost to taxpayers.

- The first services are expected to run from Old Oak Common in west London to Birmingham Curzon Street between May 2036 and October 2039.
- It is now estimated that the full scheme, including both south to Euston and Handsacre Junction to the north, will open between May 2040 and December 2043.

Clearly the outcome of the reset will have raised some residents' concerns. Some will feel the impact of construction along the line of route for longer. Two funds, the Community and Environment Fund and the Business and Local Economy Fund, totalling £40 million of which over half has already been deployed, are available to be invested in communities and businesses that have been demonstrably disrupted by the construction of HS2. In view of the reset consideration as to extension of these funds would seem appropriate.

Residents will also be rightly concerned to ensure HS2 sites on which work is delayed are properly maintained. They will also be concerned to ensure that programmes for disposal of surplus land and properties no longer required for cancelled HS2 phases are carried out carefully to minimise disruption to local communities and protect local property markets. I will be monitoring any issues that arise.

3. Summary of enquiries, complaints and claims received

I monitor the monthly Public Response demand analysis and performance report that HS2 Ltd prepares.

HS2 helpdesk received 29,406 enquiries between April 2025 – March 2026, resolving 63% at the first point of contact. Most enquiries related to the construction of the railway (37%), closely followed by land and property (35%). The majority of land and property enquiries relates to property searches. A further 7,253 enquiries were received by the helpdesk between April 2026 – June 2026, with 61 % resolved at the first point of contact.

1,405 total complaints were received between April 2025 – March 2026 an increase of 16% on last year. The majority related to traffic and transport (43%) and noise and vibration (32%). 98% of these complaints were resolved within 20 working days, and all were concluded at the first stage of the complaints process. 100% of urgent construction related complaints were responded to within 2 working days.

A further 307 complaints were received between April 2026 – June 2026. 99% of these complaints were resolved within 20 working days, and all were concluded at the first stage of the complaints process. Additionally, 100% of urgent construction related complaints were responded to within 2 working days.

In the first quarter of 2026/27 (April 2026 to June 2026), the small claims scheme registered 63 new claims. Of these, 21 were declined and 42 remain open. Of the 42 open claims, 21 have been actioned and awaiting final payment. Since the scheme's inception to the end of June 2026, a total of 1,015 claims has been registered. Of these, 623 claims have been declined, and 224 claims have been approved, with total settlements reaching £107,409.

While these statistics show impressive response rates I have suggested to HS2 Ltd that they might wish to consider introducing some qualitative response measurements. It would be informative to understand whether or not matters were concluded to the satisfaction of complainants.

Since my last report I have heard a further Small Claims appeals where I rejected the appeal. I understand there is a further Small Claims appeal in preparation.

I have made the observation to HS2 Ltd that in Small Claims appeals relating to property damage generally only have one expert opinion as to the cause of damage which is commissioned by HS2 Ltd or its contractor. Understandably, the claimant will not want the expense of instructing an expert. I am generally in no position to disagree with the expert absent a differing expert opinion. HS2 Ltd follow the same model of Crossrail and HS1 with the appointment of an independent loss adjuster and have agreed to discuss this approach further with me.

Since my last report I have had over 30 issues raised with me through the Commissioner's inbox. The subject matters range from access issues caused by HS2 Ltd works, dust arising from works, repairs to property, noise, road closures and flooding. In all cases I will acknowledge receipt and in accordance with my remit forward to HS2 Ltd for a response if the issue has not already been referred to them. Where the complainant is not satisfied with the response from HS2 Ltd or a dispute has crystallised I will establish with the complainant whether they wish me to seek to mediate a solution or make a decision on the issue and provide a recommendation as to the way forward.

I have also had two cases referred to me by HS2 Ltd itself asking for my review and recommendation. One of these cases related to a compensation claim for business disruption due to HS2 Ltd works and road closures. It appeared to me legally correct for HS2 Ltd to reject the claim, but I made some recommendations as to other avenues open to the claimant and suggested HS2 Ltd seek to work with the business to mitigate the losses claimed going forward. I also suggested, while acknowledging how this would add to project costs, that Government might consider requiring infrastructure developers to implement discretionary compensation schemes to meet losses of business in circumstances such as the case before me. The other case concerned valuation of a property HS2 Ltd was acquiring. I recommended the sale proceed at the original valuation and not at a subsequent lower valuation since the sale was to be in accordance with the Need to Sell Scheme, which specifically provides for no revaluation.

4. Where I have been and whom I have met

Since my last report I have met Warwickshire Councillors in Warwick Shire Hall to discuss the HS2 Ltd related issues and concerns of their constituents. I have attended a meeting of the North Warwickshire Special Management Zone in Piccadilly Tamworth. From these meetings I took up various issues with HS2 Ltd including widening of the independent air quality monitoring at Water Orton, speedier settlement of road damage claims with Warwickshire County Council, HS2 Ltd's responsibility for foreseeable rat runs during road closures and planning and notification of road closures. I have also met a representative of several Warwickshire landowners to discuss their continuing concerns at claims settlement and construction issues.

I have visited some of the heavily impacted areas including Water Orton, Balsall Common, Euston and Old Oak Common.

I attended a training session on Alternative Dispute Resolution (ADR) organised by the Central Association of Agricultural Valuers and HS2 Ltd which was very well attended by agents involved in HS2 Ltd compensation claims. It was a very useful session in terms of explaining and promoting the potential benefits of ADR.

I held a meeting with Dr Alibaba, who is conducting a research project exploring how the construction of HS2 Ltd is impacting daily life, wellbeing, mobility and sense of place in rural communities. I will be most interested in reading the outcome of this research as, I assume, will HS2 Ltd.

I have presented to the HS2 Ltd Board, held regular meetings with its Engagement, Public Response and Land and Property teams. I also have regular meetings with DfT officials.

I have continued to attend regularly the Property Approvals Group, the Policy Engagement and Improvement Group and the Commissioner's Steering Group (CSG). The CSG has representatives from HS2, DfT, local authorities and impacted communities; we have made some revisions to its Terms of Reference and agenda of to ensure it is more focussed on steering me to themes on which the members believe I should concentrate my attention.

5. Thematic Issues

I presented to the HS2 Ltd Board in June to brief them as to my work and some of the themes I had identified. Some of the issues I raised related to the tone of engagement with claimants and complainants, breaking log jams caused by respective entrenchment of positions by lawyers and surveyors appointed by HS2 Ltd and claimants, the requirement for proactive case management, the importance of local consultation including on matters such as drainage issues where the knowledge and experience of local landowners is likely to be beneficial to resolution.

I have noted there is still concern at the time taken to reach settlement on land compensation claims and completion of deeds of easement. HS2 Ltd have provided me with data demonstrating increased rates of claims close out. I believe there is more to be done to improve close out rates, but it is important to stress that this requires action from both HS2 Ltd and claimants and their agents and lawyers.

As I mentioned in my last report, I had been told that HS2 Ltd was reluctant to use expert determination while claimants were reluctant to use mediation or independent early assessment because of the jeopardy of having to meet the costs in preparing for these types of ADR and, should there be no resolution, then facing the costs of taking their claims to Tribunal. HS2 Ltd have suggested that whenever they receive a request for any form of ADR they will discuss the case with me and have regard to my view when deciding how to proceed. This is most welcome.

I have also suggested to HS2 Ltd that, to alleviate claimants' concerns as to double jeopardy on costs in agreeing to proceed to non binding ADR, they might consider some arrangement as to payment of all or part of the claimant's ADR costs. Although this might be seen by HS2 Ltd as funding claimants to have two bites of the apple, it may well result in a settlement with potential cost savings to both parties of a prolonged claim and Tribunal case.