



# Buckinghamshire Council

## Communities & Localism Select Committee

### Committee

## Minutes

MINUTES OF THE MEETING OF THE COMMUNITIES & LOCALISM SELECT COMMITTEE HELD ON TUESDAY 17 JANUARY 2023 IN THE OCULUS, BUCKINGHAMSHIRE COUNCIL, GATEHOUSE ROAD, AYLESBURY HP19 8FF, COMMENCING AT 10.00 AM AND CONCLUDING AT 1.17 PM

### MEMBERS PRESENT

M Harker OBE, A Waite, A Alam, P Bass, P Cooper, P Drayton, G Hollis, M Hussain JP, M Knight, F Mahon, C Oliver, G Smith and L Smith BEM

### OTHERS IN ATTENDANCE

L Leech, P Martin, J Wainwright, T Chapman, S Browning, M Cook, M Eckett, E Gonzalez, P Kelly, R Perin, D Proctor, M Sutton, J Sykes, M Cuzner, S Matthews and T Sa'id

### Agenda Item

#### 1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies were received from Councillor Mike Stannard.

#### 2 DECLARATIONS OF INTEREST

- Councillor Mimi Harker declared an interest as she represents Missenden and Prestwood, an area which is particularly impacted by HS2 construction.
- Councillor Frank Mahon declared an interest due to his business having been impacted by HS2.
- In connection with Agenda item 6, Councillor Mimi Harker declared an interest as Vice-Chairman of the Missendens Community Board and Councillor Ashley Waite declared an interest as the Chairman of the Haddenham and Waddesdon Community Board.

#### 3 MINUTES

The minutes of the meeting held on Wednesday 5<sup>th</sup> October 2022 were agreed as a correct record.

#### 4 PUBLIC QUESTIONS

##### Question from Mike Chapman

Can we please have reassurance that East West Rail Company and the East West Rail Alliance

have taken note of the many issues which have occurred during the current construction phase so that lessons can be learned and put in practice for any future, similar developments?

Some of the poor planning, working practices and ways of dealing with communities that have been employed since 2020 have seriously impacted on the village of Newton Longville. The issues which residents have been forced to endure have included:

1. Failure to provide adequate advance notice of work which was to have significant impact on our community such as road closures, making it difficult for residents and organisations to plan ahead. This has been a particular problem since late 2021 when there was a noticeable change in the way information was communicated by the East West Rail Alliance.
2. Road closures which appear to have been longer than necessary with residents well aware that there have been periods when there has been no work underway.
3. Signage for diversions when we have had road closures which has unnecessarily brought traffic through the village instead of routing it around.
4. Too many occasions when issues that have been raised by the parish council and/or residents when the response has been that everything is working correctly when it clearly wasn't. With perseverance EWRA finally accept that something needs to be fixed. Examples include incorrectly operating traffic lights and positioning of Traffic Management signage/bollards (we have had a very recent example involving noncompliance with the permitted route system where it took multiple exchanges over almost a month for EWRA to acknowledge that they were wrong - "We apologise for the tele handler driving through the village. The team operating this incorrectly assumed that as a specific HGV license is not required for the vehicle, it did not constitute a HGV vehicle" - Community Liaison email 22/12/2022 - It is worth noting that there was in fact more than one reported incident!)
5. Commitments made for community projects which we were told would not be fulfilled because (in their words) they have 'overpromised and are under delivering'. An example of this was the Curly Tails pig sanctuary, education and wellbeing centre where initially only half of the work agreed back in 2021 was going to be completed. The revised offer was eventually improved after a number of exchanges but it needs to be noted that what has been delivered is less than what was initially offered.

### **Response from East West Rail**

Mark Cuzner apologised for the disruption the project caused to the community. He noted that the team were consistently looking to improve performance as the project progressed. Workshops to discuss lessons learnt and take this knowledge forward were part of the Network Rail processes.

He further advised that traffic should not be diverted through Newton Longville. All members of the supply chain had been briefed about this verbally and through workshops. Warnings are issued on occasions of non-compliance.

The B6 compound on Bletchley road had not been used within the past six months. The first phase of the demobilisation of the compound had been completed, with a view of completing the final phase shortly. The public rights of way would be reinstated as soon as possible. The challenges the project had faced as a result of the pandemic, such as pressures on the construction market, including availability of materials, were also highlighted.

Around half a mile of a new foot path was constructed in the area of Curly Tails Pig Sanctuary, which had made a big difference to the facilities. As there had been some issues in communication so stricter procedures and guidelines had now been put in place to ensure expectations were realistic. Mark Cuzner also emphasised that given the scale of the project, the

number of volunteer hours invested by staff was significant. The funding for the project was for the railway construction, not strictly for social value projects which relied on using some materials and taking advantage of the good will of staff.

### **Question from Peter Wright**

Question for East West Rail

I understand that the community project being undertaken at the East Claydon school to produce a drive-in drive-out car park is one of the larger projects being undertaken by East West Rail. We were advised that all the material to be used was recycled from compounds being decommissioned so the material cost of the project would be minimal. EWR refused to consider completing the project as per the planning application that included a tarmac top dressing on the vehicle routes.

It is disappointing therefore that the quality of communication has been consistently so poor, and the local residents, school governors and parish council are concerned at the work undertaken by east West rail is not fit for purpose.

There appears to be an increasing truculence to address the issues raised by the local community. We did supply drawings of the approved planning application including the drainage system. It was agreed that having built the bell mouth entrance and security fencing appropriate for a school application, that the next stage would be discussed with the diocese building surveyor before progressing. However, East West rail, without any communication or prior warning continued immediately to start stripping the topsoil and laying a solid surface. The project manager, Kerry Isles, then went on holiday and there was no communication until sometime later when they had left the site.

We immediately raised concern that the surface they had laid was inconsistent and was not to the standard they were claiming. We were assured that the surface they had laid was same as on all their construction sites, and they subsequently supplied us with generic drawings, but not specific to this site. They categorically assured us that surface would withstand 50 cars and SUVs on a twice daily basis area to deliver children onto the drop off area away from the road.

Our concerns were almost immediately confirmed when EWR, again without communication, delivered a number of road barriers. This resulted in the surface being deeply rutted and churned up into a muddy mess. EWR subsequently sent a team of men to rake up the surface and re-roll the area. The Community had hoped that this project would reflect the commitment of East West rail to supporting important local projects to a high standard, and safeguard children coming from a number of parishes around the school. We are now seriously concerned that the work done by East West Rail does not reflect that of an internationally reputable civil engineering company.

The question is what reputation do EWR want to leave behind on this project?

### **Response from East West Rail**

Mark Cuzner noted that the project at East Claydon School was the largest social value project undertaken, with the value of works being carried out in excess of £100,000. The granular material used for the car park could be sold once removed from the project, and instead this had been used for this project. The car park has been constructed by the same contractor using the same materials as the other construction compounds, which did not experience the same

issues. The issue related to drainage which was put in before East West Rail's involvement. EWR could not get into complex design and planning issues with social value works.

Mr Cuzner recognised that the outcome had not met people's expectations and he was disappointed, however, the intention of the project was to create a valuable asset to the community. Further discussions would need to be held to try to reach a satisfactory outcome, and lessons learnt through this project would be applied to further work to be carried out.

### **Question from John Riches**

The Agenda Item No 5 EWR Community Engagement prompts a question on behalf of the Middle Claydon Parish Community.

Since the start of the project EWR Community Engagement has been lacking in providing answers to our requests for repairs to the roads in the Parish. The HGV Contractor vehicles are regularly travelling on prohibited local roads and destroying the road surface and creating extremely hazardous road conditions. Attempts have been made to carry out repairs, but the standard of the repairs are substandard and within hours or a few days the road is dangerous again. We have asked for adequate repairs but our requests have not been answered.

The Sandhill Road bridge has been demolished and replaced with a layout which has created a safety hazard. Reference to Google maps shows the old bridge design and has yet to be updated with the new installation. The new bridge is creating a hazard which our Community is concerned about.

The EWR local engagement officers are unable to influence outcomes which benefit our Community.

Therefore, our Question is when are EWR going to repair the road damage their construction traffic has created and when are the HGV Constructor vehicles going to be rerouted away from our Local Roads.

### **Response from East West Rail**

Interim road repairs on various roads in the network had been carried out. This included Sandhill Road, with repairs undertaken in November/December 2022. The scope of permanent road repairs had been agreed for the first batch, including 50 % of the total and this included Sandhill Road. The road was one of the more challenging ones on the network due to its location on one of the construction haul routes, leading to a key compound on Verney Road. There was not enough funding available to construct separate haul routes for EWR

Sandhill Road Bridge had not been demolished, however, the bridge deck had been replaced and a vehicle restraint system had been implemented to meet current railway standards.

## **5 HS2 AND EAST WEST RAIL : COMMUNITY ENGAGEMENT**

The Chairman welcomed Councillor Peter Martin, Deputy Cabinet Member for HS2/EWR, Dr Laura Leech, Head of Major Projects, Strategic Transport and Infrastructure; Judith Wainwright and Toni Chapman, HS2 Team (Engagement); Susan Browning, EWR Stakeholder & Team Leader and Mark Cuzner, Director, EWR Alliance, & Thaina Sa'id, EWR Community Engagement Officer to the meeting. The Chairman explained that the purpose of the meeting was to assess the effectiveness of East West Rail and HS2's community engagement – the impact of the

construction on Buckinghamshire's environment and transport considerations would continue to be monitored by the Council's Transport, Environment and Climate Change Select Committee.

During the presentation, the following key points were raised:

- The civil element of the EWR project, which included earthworks, new bridge structures and refurbishments, was substantially complete. 12 footbridges were on the scheme, 10 have been installed, 7 of which had been opened. The opening of the public right of ways had been brought forward earlier into the programme. The focus, therefore, shifted to track work and railway systems, which East West Rail (EWR) had started in 2021.
- The project had received a number of awards for its environmental and sustainability performance. A target of 10% biodiversity net gain had been set. East West Rail had also achieved a rating of Excellent in the Considerate Contractor's scheme, averaging a score of 47 across their sites
- EWR recognised the importance of co-ordinating with HS2, with regular meetings being held to progress a number of workstreams.
- The first permanent highway repairs had taken place at Queen Catherine Road. Reinstatement of EWR compounds and further Highway repairs would require truck movements, which would continue to impact the community. Road closures and traffic management presented a significant challenge, as did mud and dust impact. However, a number of measures to minimise the nuisance to the community had been implemented. These included using precast construction, acoustic barriers and dampening innovations for track construction, and informing the public about ongoing roadworks.
- EWR recognised that road closures and repair work had significant impact on communities, leading to complaints and queries via their hotline. Extensive discussions were being held with Council engineers around the next batch of highways repairs, ensuring that lessons learned from earlier works would be taken forward.
- Two new stations were being constructed at Bletchley and Winslow, with the construction of car parks starting later this year.
- Social value works had been ongoing since the commencement of construction in April 2019. The return on investment was currently at £2.4 million with over 230 engagements. For example, at Curly Tails Community Farm near Newton Longville almost half a mile of footpaths had been installed to improve access during the winter. There had also been a number of painting projects in local schools and donations to food banks.

The following points were noted during the Committee's discussion:

- The Chairman asked a question on behalf of Cllr John Chilver, member for Winslow, about the amount of notice given to local members, who are key stakeholders in the communities affected by the project. Mr Cuzner advised that plans to repair roads were communicated to the public via newsletters and leaflet drops ahead of works commencing. Mark Cuzner acknowledged that it was important to give as much notice as possible when roads would be closed.
- On behalf of MP Greg Smith, the Chairman asked how the impact of road closures on local communities and businesses would be mitigated and asked for improved communications with his office and Buckinghamshire Council around this. It was noted that weekly meetings were already being held with the MP's office to inform him about the progress of the project and answer any questions arising. There was also a robust enquiry system in place, where members of the public could contact the Network Rail hotline with any concerns. Planning was also taking place as far in advance as possible. Individual businesses could pursue compensation claims but it wasn't appropriate to

comment on those at the meeting.

- A Member highlighted the difficulty of receiving frequent complaints from residents about the road conditions and being asked when temporary repairs were planned. Further, concerns were raised regarding surveys undertaken by East West Rail that had not been shared with the public, and the impact of the project on small businesses and employment. Mr Cuzner advised that the highway condition had been recorded before the start of the project and an updated survey had been carried out, which formed the basis of identifying the permanent repair scope to be agreed with the Council. A programme was in place to ensure interim repairs were undertaken, and any works undertaken had to meet design standards set out in the EWR contract.
- A member also raised concerns about local businesses who had been significantly impacted by EWR and HS2 construction issues.
- Concerns were raised around engagement and communication with the public. Although meetings were held, Members did not feel that the current communications did enough to alleviate concerns and impact on residents and local businesses. It was suggested that joint public engagement events could be held to ensure residents get a detailed view of both the EWR and HS2 projects and impact on local areas. In response, Mark Cuzner explained that there was a lot of co-ordination between EWR and HS2. Forthcoming road closures in the north of the county took into account progress of both projects and fortnightly meetings were taking place to plan the phasing of closures. A joint community event was also planned for the end of January 2023, which will enable information for residents to be more readily available. It was anticipated that a joint meeting between Buckinghamshire Council, HS2 and East West Rail would be held to ensure necessary information would be presented to the community. Furthermore, feedback was welcomed as the team were continuously looking to improve the project and the communication with the public in order to minimise negative impact on residents.
- A Member raised concerns around the social value projects not being properly funded as part of the EWR project. He wanted to follow up on the East Claydon school car park project discussed earlier and requested a commitment to resolve the issues properly. Mr Cuzner acknowledged that he couldn't give a firm commitment as there was no funding available and there was a design liability in this case. Whilst he wanted to achieve a resolution, expectations had to be managed otherwise there is a risk of again over promising and under delivering.
- A Member commented that he had been impressed with the efficiency of the infrastructure projects in terms of the engineering, but there was room for improvement in terms of their community engagement.
- A Member commended the early opening of footpaths, but was concerned around the 10 % biodiversity net gain being insufficient to offset the environmental damage caused by EWR and he asked about how reinstatement and biodiversity was prioritised. Mr Cuzner explained that the 10% figure was agreed with Natural England following the public inquiry and assured that vegetation and habitat were being retained as much as possible on the railway footprint. Some of the 10% would also be delivered via compensation sites which EWR had consulted on locally.

Deputy Cabinet Member, Cllr Peter Martin thanked the Committee for their questions and for raising the concerns of residents with regards to the level and timeliness of community engagement being undertaken by both EWR and HS2. The Chairman thanked Mark Cuzner and Thania Sa'id for attending the meeting and asked to be kept informed on the progress of the discussions around the car park at East Claydon School.

The Chairman welcomed Maddelyn Sutton, Head of Community and Stakeholder Engagement, HS2; Simon Matthews, Interface & Stakeholder Director, EKFB; Rohan Perin, Project Client

Director (EKFB), HS2;; Darielle Proctor, Head of Engagement & Compliance, Align; Joel Sykes, Senior Engagement and Interface Lead, HS2; Patrick Kelly, Buckinghamshire Lead, Align & EKFB; Elena Gonzalez, Social Value and Legacy Manager, EKFB; Michael Eckett, Head of Acquisitions, HS2 and Michelle Cook, Senior Stakeholder Manager (Land & Property), HS2, to the meeting.

During the presentation, the following key points were raised:

- The HS2 Act set out the rules for dealing with consent approvals to build the railway. It put specific obligations on both HS2 and the local authorities in carrying out those approvals. Consent covered a number of areas, such as environmental, noise, vibration, flood risks and impact on water courses.
- Rohan Perrin emphasised that HS2 main contractors had put significant effort into stakeholder engagement which would continue as construction intensified through 2023 and 2024. It was recognised that road closures particularly caused concerns and HS2 were aiming to brief local councillors in a timely way to minimise disruption for residents.
- Much focus in engagement with the Council was around Planning. Member Information Groups (MIGs) had been established to facilitate this. For each application made to the Council, local Members were provided with an opportunity to ask questions in those meetings. Technical specialists would present the design and explain some of the construction impact. Feedback from Members on those sessions had been positive.
- For some key design elements, public engagement events were held to gain feedback on the design. For specific locations, further engagement with local communities was established through webinars and drop-in events to gather feedback around the final design. Once an application had been made, the information was then shared with the public online.
- A significant length of the route ran through Buckinghamshire. Around 60% of Schedule 17 applications had been approved so far and there had been some positive design changes through engagement.
- Although the formal consultation for the project had been completed, an emphasis was still put on 'Informing, Involving and Responding' to local communities in Buckinghamshire. 500 meetings were held across the county last year, including drop-in sessions and webinars, though most of the sessions were now being held face-to-face. Public engagement for the project was also achieved through a website, a mobile visitor centre, shared drone footage and a help desk, which has dealt with 30,000 queries across last year.
- A monthly complaints and enquiries report was shared with the Council. The number of complaints received had dropped significantly from 2021 to 2022. The team were working closely with officers and members to ensure that complaints could be responded to accordingly. Meetings were held with officers on a weekly basis to examine common themes in enquiries and complaints. A quarter of the total complaints received had come from Buckinghamshire, which had been addressed through additional resources and coordination with officers and members across the Council.
- It was recognised that local members were in a strong position to provide feedback and HS2 had responded to this – for example, HS2 now circulate a three month look ahead highlighting what work is coming up in the area and engagement opportunities.
- The HS2 act allowed for land to be acquired permanently. There is a compensation code which had to be adhered to and it was a very complex area. People that had land acquired were entitled to compensation for the value of the land, any depreciation in the value of the land they retain, and a statutory loss payment. Land owners must also be compensated for damages if land was acquired temporarily for surveys, inspections and some construction activities. Some compensation was also available for individuals who

- have been impacted by the construction and/or subsequent operation of the railway. The Department for Transport and HS2 had also rolled out non-statutory compensation packages enabling people to sell their property to the Department for Transport
- Once HS2 received claim forms then compensation would be negotiated via specialist land agents, agreed and paid. There was a mechanism to refer claims that cannot be resolved to the Upper Tribunal (Lands Chamber). As this could be very costly, HS2 offered three alternative routes to try and settle compensation issues and updated guidance would be online later in January 2023.
  - 8.3 square kilometres of land had been acquired and 3.2 square kilometres were in temporary possession to date. 241 properties had been acquired throughout Buckinghamshire of which 203 are let out.
  - The community and business fund had, so far, allocated £12m to projects along the HS2 route, with £3.6m invested in Buckinghamshire to date. These opportunities were being promoted at events. Several funds were available to benefit people locally, such as the Road Safety Fund (£3.95m fund in total, administered by the Council), the Woodland Fund, and three area-specific funds (£3m for Colne Valley, £3m for Chilterns AONB and £1m for Calvert area). All contractors were required to have a community investment strategy to set out funding and support provided to local community groups.
  - The project employed a high number of apprentices, almost 1,000 currently with 24 from Buckinghamshire. HS2 also focussed on opportunities for people who had been unemployed before joining the project. Information about the jobs and skills programmes was made available at events. There had been discussion with the Council's Children's Services regarding possible employment opportunities for care leavers and there was a significant ongoing school engagement project, inspiring children to go into engineering careers and providing workshops and mentoring support.
  - There were also Local supply chain opportunities for small and medium-sized enterprises available in Buckinghamshire – further information was available on the website.
  - In 2022, 25 community projects had been delivered, these projects ranged from supporting local events e.g. Christmas fayres or firework events to embarking on bigger construction projects e.g. improved footways in Great Missenden. Support was also provided to several charities, including mental health and wellbeing, homeless charities, local dog rescues, and a women's refuge.

The following points were noted during the Committee's discussion:

- The Chairman commended the team for their comprehensive presentation and the opportunities the project had created for local communities.
- A Member highlighted the importance of effective and accurate communication during the closure of the A413 in minimising its impact on communities. A face-to-face information session was held before Christmas and public communications were issued to note any diversions. The timing of issuing such information had been crucial for minimising the impact on communities. The importance of liaising with utility companies was also discussed. Simon Matthews added that road closures had to be balanced in terms of completing significant work on the viaduct construction and the impact on communities. The feedback was noted and would be considered for future events that could impact residents.
- In response to a question regarding movement of spoil by HGVs on rural roads, it was noted that excavated material from the Chiltern tunnels was being repurposed along the HS2 route for landscape screening and the bulk of this, around 30m cubic metres, would be moved via rail rather than road. All HGV movements were tracked through a traffic



management system and Rohan Perrin rejected the idea of materials being utilised in a clandestine way.

- A Member highlighted that some wards received fewer updates and information about the project than others. Although many areas were not directly affected by the HS2 route, residents there would likely still feel the impact of associated traffic issues. The feedback was noted and efforts would be made to keep wider Buckinghamshire Council members informed. It might also be possible to attend meetings with Parish Councils that had not received in-depth information they might require.
- It was noted that successful compensation claims under section 10 were quite limited. HS2 was required to follow the compensation code. Members suggested that the guidance around filling out compensation forms should be made clearer to the public.
- Section 10 compensations for nuisance could not be extended to noise. However, noise was examined in both the construction and operational phase, with processes in place to assess where significant impact was reported. For each application, a noise demonstration report would be filed to identify the impact on individuals and specific mitigation can be discussed. There was a specific discussion of an example of a business which had been impacted.
- A Member raised concerns about the issue of the impact of vibration on residents living in Calvert Green and asked if vibration monitoring equipment would be installed. However, it was noted that the works completed to date had not caused any significant impact, with only one complaint having been received. Residents in the area were issued notice about the works to be undertaken, which was followed up by a meeting with residents on the ground. A further meeting was planned for the end of January for residents to speak to a technical specialist to understand the impact of vibration.
- A Member commended the project for offering employment opportunities for Buckinghamshire residents who had previously been unemployed. The number of employees was noted to be even higher than the 69 presented in the report, highlighting that more accurate reporting mechanisms needed to be put in place. There was also an ambition to encourage more Buckinghamshire residents into employment with HS2, for example through working with the Jobcentre Plus
- A positive comment had been received through social media, detailing how HS2 spoil materials were used to develop a new golf course. HS2 were also in discussion with the Council re the use of HS2 spoil for some road construction schemes.
- The promotion of available community funding followed a priority system, wherein underrepresented areas that had not issued many applications were being targeted. However, applications from Buckinghamshire were still being assessed, and further funding could be granted. Although no specific figure could be provided around available funding for Buckinghamshire Members were assured that funds were not ring-fenced to any particular area along the route
- The Deputy Cabinet Member acknowledged that EKFB and ALIGN had made significant efforts with communications but there was still room for further improvement. Members and officers from both the Council and the external organisations intended to work more closely together and enable open communication to ensure the best possible outcome for the community.

The Chairman thanked Members, Officers and external presenters for their attendance and contribution to the meeting.

## **6 COMMUNITY BOARD REVIEW - 6 MONTH PROGRESS UPDATE**

The Chairman notified attendees that this item would be discussed at the following Select Committee meeting.

**7 WORK PROGRAMME**

The Chairman notified attendees that this item would be deferred to the following Select Committee meeting.

**8 DATE AND TIME OF THE NEXT MEETING**

The date of the next meeting would be Wednesday 8<sup>th</sup> February 2023 at 10am.