



Report to Communities and Localism Select Committee

Date: 17 January 2023

Title: Engagement with communities impacted by HS2 construction: what HS2 is doing and how Buckinghamshire Council is supporting and supplementing that engagement

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1 Executive Summary

- 1.1 The HS2 Act gives powers to HS2 Ltd in relation to the construction of a high-speed railway between London and Birmingham, passing through the length of Buckinghamshire.
- 1.2 Under the Act, HS2 Ltd has responsibility for public engagement; that engagement is supplemented by Buckinghamshire Council at an annual cost of £500k.
- 1.3 The public do not fully appreciate the powers granted to HS2 Ltd or the limitations placed on the Council. There is a perception that words such as 'consultation' and 'engagement' as described in HS2's Engagement Strategy, mean they and the Council will be able to have greater influence over decisions than they actually have.
- 1.4 Through its additional engagement activity, the HS2 Team within Buckinghamshire Council has been able to influence a number of strategic and tactical developments on behalf of residents.
- 1.5 The presence of HS2 provides a catalyst for the community to raise a range of additional highways/transport related issues.
- 1.6 In addition to public engagement, HS2 Ltd has made available a number of funding streams to compensate or mitigate for the impact of construction.
- 1.7 The Committee's attention is drawn to S8 which sets out a number of recommendations to address current areas of concern.

2 Background

2.1 In February 2017 the HS2 hybrid (Phase 1) Act received Royal Assent. This provided HS2 Ltd with an Act of Parliament, The HS2 Act (which is equivalent to deemed planning permission) to construct a high speed railway between London and Birmingham.

One third (approx. 60km) of Phase 1 dissects Buckinghamshire (approx. 16km of which is in tunnel). See Appendix 1.

2.2 The HS2 Act grants deemed planning permission for HS2 Phase 1, but some of the design and construction detail are subject to further approval.

2.3 Buckinghamshire Council is a Qualifying Authority, which means that it is responsible for granting that approval; it has a limited degree of influence over the details of the proposals, in comparison to the Councils more familiar role in the normal planning process.

2.4 Within Buckinghamshire Council, the HS2 Team has responsibility for processing all approvals for HS2 infrastructure and transportation arrangements. The team is responsible for ensuring that HS2 Ltd and its contractors work within the HS2 Act and agreed consents and fulfil their obligations in terms of engagement with directly affected parties, the wider community, and those with an interest in the scheme.

2.5 HS2 has responsibility for public engagement which includes ensuring residents and businesses know about upcoming works and changes to plan, in good time, and resolving issues if things go wrong. The project has its own Engagement Teams who are resourced to undertake engagement and that any engagement undertaken by local authorities is at their own expense.

2.6 Nevertheless, with responsibility for its residents, and for a variety of reasons detailed below, it has been necessary for the Council to supplement HS2's engagement and communication activity to ensure the provision of timely and relevant information to appropriate stakeholders and to respond to the increasing number of enquiries, complaints and requests for information. This has placed additional pressure on the HS2 team as well as on colleagues from the wider Council Communications Team (especially the Media and Social Media teams) and is incurring a direct cost of circa £500k per annum.

3 HS2 Community Engagement

3.1 HS2 Ltd has an obligation to engage with directly affected parties. In October 2021, HS2 Ltd relaunched their refreshed Engagement Strategy, which is attached at

Appendix 2. This includes 10 commitments on which they will measure their success, which fall into four key areas:

- a) Keeping people informed/updated on works in their area through websites, newsletters, and local community teams
- b) Listening/responding to people and helping with questions and concerns, via a 24/7/365-day helpdesk, complaints process and Construction Commissioner
- c) Involving people in education programmes, meeting with local authority and attending forums, organising workshops and seeking their views on engagement and communication
- d) Undertaking formal consultations to inform policy

- 3.2 The formal consultation period has now ended. Unfortunately there remains a disconnect between public perception and reality about the meaning of 'consultation', which is at the root of many enquiries and complaints, as residents believe they and Buckinghamshire Council will be able to have more input to, and influence over project activities than they are actually able to. When HS2 speak of 'engagement' this often translates as 'consultation' in the eyes of the public.
- 3.3 As referenced in S2.6, HS2 Ltd is responsible for ensuring residents and businesses know about upcoming works at least 14 days in advance, via the Advance Warning Notice (AWN) process. In some cases, the Council has been informed within this same timeframe, whereas earlier notifications, especially in relation to significant works would enable more constructive dialogue between HS2 Ltd and the Council and avoid rushed, last minute communications, as was the case with the installation of the Small Dean Conveyor Overbridge.
- 3.4 The Council's HS2 Team is keen to support local engagement by HS2 and its contractors, as this is a useful way of gauging public opinion, and understanding any issues arising, however there have been some problems in securing early information about planned upcoming events.
- 3.5 In addition to their formal engagement responsibilities, HS2 and their contractors take part in a range of educational and community activities/projects. Recent examples include the development of forest classrooms at Quinton School and Booker Park School, by EKFB. Such projects are always very well received by local communities.

4 Funding opportunities available from HS2

- 4.1 In recognition of the impacts of HS2 construction, HS2 has made available a number of funds. Some are designed to provide specific mitigation for construction or environmental impacts of construction in particular areas, whilst others are designed to offer more general benefits to communities and businesses that are disrupted.
- 4.2 Various schemes are available to offer funding or compensation to people whose homes or businesses are affected by HS2. These vary depending on proximity to construction and support is available from the HS2 Residents Commissioner.
- 4.3 £40m has been made available for a Community Environment Fund (CEF) and Business and Local Economy Fund (BLEF) for projects during construction Phases 1 and 2a from London to Crew. Over £12m has already been allocated to over 200 projects of which 60 located in Buckinghamshire have benefitted from funding of £3.4m (see appendix 3). This fund is administered on behalf of HS2 by Groundwork UK. The Council promotes availability of these funds and supports applicants wishing to obtain information or make an application. Buckinghamshire is grouped with neighbouring counties Staffordshire, Warwickshire, Northamptonshire, Oxfordshire and Hertfordshire, within the central region, for which £15m has been allocated. Buckinghamshire has already been awarded approximately half of the total £6.6m allocated and is not currently regarded as priority area for funding.
- 4.4 Buckinghamshire has been awarded £3.95m to fund road safety improvements in recognition of the impact of construction. The HS2 Road Safety Fund, which was launched in Buckinghamshire in 2021, is administered by the Council who decided to open this to community bids with the objective of spreading the benefit to as many affected communities as possible. To date 34 schemes have been approved or are being taken forward for feasibility work at an estimated collective cost of £2.9m (see appendix 4). A final tranche of funding will be released next year. It is worthy of note that the impact of inflation, particularly in the construction sector, has seriously eroded this budget and to date there have been no adjustments to mirror the increase in HS2 construction costs.
- 4.5 During the project consultation phase, HS2 gave a number of commitments, known as undertakings and assurances (U&A), some of which are financial, for example £3m for environmental mitigation in the Chilterns AONB, £3m for the Colne Valley and £1m to four parishes around Calvert. The Council is working actively with relevant communities and organisations to ensure the funds are fully utilised and compliance requirements met.
- 4.6 Pothole Fund – In recognition of the damage being caused to our highways, HS2 have agreed to contribute towards the cost of road repairs, required due to additional wear and tear caused by construction vehicles on lorry routes. £93k has been agreed for this year, with discussions underway regarding contribution of a

similar sum for next year. Other negotiations are ongoing with regard to more substantial funds for repairs to highways.

5 Engagement: the Challenges for Buckinghamshire Council

5.1 Despite HS2's position that the Council should not need to undertake additional engagement activity, there is a clear need for us to fulfil our responsibilities to residents; this means ensuring that communications are clear and timely and to investigate and respond to enquiries and complaints from residents, local businesses, members of the Council and Parliament.

Key factors driving an increase in demand for Council engagement:

- a) Residents and local businesses do not understand the Council's limitations in its role as a Qualifying Authority and constantly expect that our intervention will be greater than it can be, resulting in demands for access to technical officers who are able to explain the details of works.
- b) Some residents and local businesses have unrealistic expectations of the involvement they will be able to have in scheme designs, possibly misinterpreting the focus on involvement in the HS2 Engagement Strategy.
- c) Many engagement activities are undertaken too late to enable stakeholders time to challenge or influence decisions that affect them, or proposals are presented as a fait-accompli. A recent example of this is the plan to construct a conveyor over the A413 to move earth from the east side of the road to Small Dean Lane. This was a major departure from plan which was first communicated in early February 2022 with work on site clearance scheduled to commence the same month.
- d) The submission of applications without full supporting documentation and surveys, e.g. drainage, compromises the timescale available to the Council for assessing applications, resulting in post approval queries and complaints.
- e) There is a perception that HS2 do not listen to local ideas or recognise that local people know their community including roads and traffic and may be able to help.
- f) HS2 is a catalyst used by residents to raise an additional range of road/transport related issues with the Council, so some 'HS2' branded enquiries or complaints which are received by the HS2 Team are complex, including elements of HS2 impact as well as non-related traffic/transport issues. Responses require co-ordination across transport disciplines, for example road safety, road repairs, speed limits, increased traffic volumes and traffic management.

g) An increasing number of community groups and forums have been formed and officer presence is requested in addition to attendance by HS2 Ltd and/or relevant contractors. Whilst placing added pressure on already stretched Council resources, this has proved useful in terms of consistency of messages being received.

h) frustration has led to greater engagement of residents with members, who in turn require additional information/briefing from officers

5.2 The net result of these issues is that the Council is increasingly being asked to intervene on behalf of residents and organisations and to undertake wider engagement activity.

5.3 Many of these issues were articulated at a workshop hosted by Buckinghamshire Council in November 2021, with HS2 Ltd and several Parish Councils, which explored how effective engagement was felt to be and whether local people felt they could influence outcomes. This led to a number of recommended improvements, for example:

- earlier engagement with parish councils
- reinstatement of village hall style face to face engagement /exhibitions
- more constructive responses to queries raised with the HS2 helpdesk
- earlier notification of upcoming works
- visits by designers so that they could better design structures in keeping with local areas
- local promotion of jobs on the project.

There are some good examples of where action has been taken, for example recent engagement/exhibition sessions organised by EKFB in Quainton Village Hall, and it would be appropriate to consider this output as a benchmark and seek community feedback in a more structured way, on an ongoing basis.

5.4 Five members of Buckinghamshire Council's HS2 team, including two Marshals covering both HS2 and EWR are currently fully employed in engagement activity. Additionally, HS2 Highways and Planning staff within the Council as well as within the Communications Team are significantly impacted by the additional communications and engagement workload associated with HS2.

6 Buckinghamshire Council intervention on behalf of residents

6.1 The Council has responded proactively to the increasing challenges. Key actions taken over the last year include:

- a) Recruitment of two marshals

- b) Implementation of mobile CCTV cameras and inviting the community to request deployments
- c) Establishing a CRM system
- d) Enhancements to our website and increasingly popular E Newsletter

6.2 Two marshals have been recruited to work on stakeholder engagement. They support residents with the construction of both HS2 and EWR by undertaking investigations into enquiries and complaints. The marshals work proactively and are on hand to undertake site visits, investigate issues, meet face to face with residents and liaise with contractors to resolve concerns.

6.3 Three mobile CCTV cameras were purchased in 2021 with the benefit of HS2 funding and they have been deployed at key locations across the county where there are believed to be adverse impacts resulting from HS2 construction. Reasons for deployment vary from location to location, but include monitoring for congestion, banned manoeuvres and the use of unauthorised routes by HS2 construction vehicles.

Following the introduction of the cameras it became clear that there was significant confusion regarding which routes HS2 construction vehicles are permitted to use and under what circumstances, leading to our publication of a document 'HS2 Large Goods Vehicles on our roads' on the Council's HS2 website.

6.4 The volume of work associated with the management and resolution of complaints and enquiries, the majority of which are complaints, has increased as activity on the ground has escalated, and we believe this is a trajectory which will continue as the project progresses. These come from a wide variety of stakeholders, as well as members of the Council and Parliament.

The growing level of engagement and contact management has led to the recent development of a customer response management (CRM) system to support the resolution process. The system, which additionally caters for EWR enquiries and complaints, will also drive management reporting along similar lines to that produced by HS2, enabling more proactive focus on key issues and trends, going forward.

This system is currently undergoing a "soft launch" to ensure that it is being used consistently across the team. Alongside this, reporting software has been developed to generate meaningful management information and enable analysis of trends so that remedial action can be taken to address common issues.

6.5 A monthly e-newsletter is produced by the HS2 engagement team to provide updates on significant events relating to the project and details of forthcoming HS2 works packages being submitted to the Council for approval. Content includes:

- a) articles where Buckinghamshire Council has acted on behalf of residents, businesses, and other stakeholders in the county to hold HS2 to account. For example, previous editions have included information on the Judicial Review on lorry routes, the HS2 Road Safety Fund and HS2 Water Supply and Management.
- b) links to key information on the HS2 website and
- c) information about the availability of funding.

There are currently 399 subscribers who receive a copy by email and it is also available to view on the Buckinghamshire Council HS2 webpages.

A copy of the latest Newsletter is attached as Appendix 5.

6.6 Technical and engagement members of the HS2 Team, attend several regular community meetings and forums. They also engage proactively with HS2 and their contractors at all levels of management. A recently formed weekly forum between officers from the Council, HS2 and contractor organisations for reviewing incoming enquiries and complaints has proved particularly beneficial and has led to faster resolution and a better understanding of trending issues.

6.7 As a result of the additional engagement activity undertaken by members of the Council's HS2 Team, there have been many notable interventions in terms of highways, planning and the environment. Some of these relate to infrastructure design which will be evident for years to come, whilst there have been numerous smaller scale interventions which impact on quality of life for our residents. Specific examples within the last few months include:

- a) a challenge to the original design of the Amersham Head House and Vent Shaft, which resulted in a lower structure and the replacement of the proposed steel cladding with more sympathetic flint. HS2 have acknowledged that these changes were as a result of feedback and advice from Buckinghamshire Council,
- b) challenged the extraction of water by HS2 contractors from two sites in Amersham due to lorries obscuring visibility for other vehicles and taking too much water. Now both contractors either bring water from South Portal or outside of Affinity Water area
- c) challenged HS2 contractor EKFB, following reports by residents of thick layers of dust on the road and in clouds rising around the Westbury site. As a result of the intervention, EKFB agreed to implement additional measures including placing tarmac in the break from highway and implementing a wheel wash station

7 Trend & Expectations

- 7.1 The scale of construction activity will be increasing over the next couple of years.
- 7.2 As referenced in 5.4 above, the amount of work involved in resolution of enquiries and complaints being received by the Council is increasing and we see no signs that this is set to level out or reduce.
- 7.3 This contrasts with HS2 recorded volumes of enquiries and complaints relating to operations in Buckinghamshire, which has shown a reduction from 2021 to 2022. For example, in the period April to August 2022, 618 enquiries and 106* complaints were recorded; this contrasts with 859 enquiries and 226* complaints in the same period of 2021. Circa 50% of complaints in both periods related to 'Traffic and Traffic Management'. Other key categories in both periods were 'Noise & Vibration' and 'Site Operations'. In 2021, 19 complaints related to 'Programme of Works' also this dropped to just one in the same period of 2022.
- 7.4 *It should be noted that HS2 recorded complaints are defined as those that include the word 'complain' or 'complaint' in the title, irrespective of what is said in the body of the communication. We are advised that this is a reporting issue only, as once a complaint is identified, it is dealt with as such, however it is still just reported as an enquiry.

8 Recommendations and What We Would Like to see from HS2

- 8.1 Establish a 'Task and Finish Group' comprising representatives from The Council's TECC and C&L select committees as well as HS2 Ltd; the remit of that Group being to identify and implement effective solutions to engagement issues quickly, by working collaboratively and finding ways of cutting 'red tape'.
- 8.2 Use the engagement workshop held in November 2021 and attended by Parish Council representatives as well as the Council and HS2 Ltd as a benchmark, and re-run in 2022 to review actions and determine whether communities feel that improvements have been made. Outcomes from that meeting should be specific and action orientated, potentially feeding into the Task & Finish Group.
- 8.3 HS2 and their contractors should review processes leading to the submission of planning applications to ensure that these are both timely and complete at the point of submission
- 8.4 The Council's HS2 team needs to fully utilise the new CRM system and finalise development of reporting, which should be shared with HS2 and its contractors.

- 8.5 HS2 have been requested to review their internal processes to enable accurate reporting of complaints.
- 8.6 Schedules of community engagement activity being undertaken by HS2 contractors should be reliably communicated in advance.



