



**Department
for Transport**

**Huw Merriman MP
Chair
Transport Select Committee
House of Commons
London
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From the Minister of State
Andrew Stephenson MP

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Our Ref: xx

15 June 2020

Dear Chair

High Speed Two (HS2) next steps

Thank you for your letter of 20 May.

You raised several additional questions about the progress of HS2 following our correspondence on 4 May and the evidence session about the project on 24 April.

Transparency

You highlighted your expectation for parliamentarians to be kept informed of the project's progress in order to properly hold the Government to account for its delivery. I would like to use this opportunity to reiterate my full commitment to greater transparency. I can also confirm that the six-monthly reports from the Department of Transport will update Parliament on the programme delivery for all Phases, including on cost, schedule and risks. The data included in the publication will be provided by HS2 Ltd. The reports will be published twice a year, starting this Autumn for the period April to September, with the second in Spring 2021, to mirror the financial year.

I would also like to offer a discussion with you on how those reports could be produced in a way which would be most helpful to your Committee. Alongside this, the Permanent Secretary Bernadette Kelly has offered a discussion with the Chair of the Public Accounts Committee.

Governance

In terms of improving the way that HS2 Ltd is managed, we are now putting in place changes to instil greater discipline oversight of the project. A fundamental part of this is the appointment of new Non-Executive Directors to provide additional leadership, oversight and scrutiny of the project. We hope to be able to announce these roles shortly.

These roles will increase Board bandwidth and specialist expertise, enabling more effective scrutiny and leadership. Two of the appointments will be shareholder representatives, whose role, in addition to their director duties, will be to represent the Government at the Board, providing an insight into Government's thinking and approach on issues, but also providing regular feedback to me.

As dedicated HS2 Minister, I am also taking an active role in shaping the performance regime to drive the Company's behaviours. We have introduced a Ministerial Taskforce to increase oversight and monitor performance, and are finalising a new suite of key performance indicators with the Company which will be reported on in the Annual Report and Accounts and via the new parliamentary reporting process.

With regards to Euston, significant progress has been made in setting up new interim delivery arrangements pending the establishment of permanent new long term arrangements. These involve closer collaboration and joint working of the HS2 and Network Rail teams working on Euston, supported by new dedicated executive leadership. In addition, a new dedicated Euston oversight Board will scrutinise the work and integration of all the projects at Euston. This is going to be led by Sir Peter Hendy, Chairman of Network Rail. Membership of this Board will include representatives from the Department, together with HS2, Network Rail and Lendlease, our Development Partner, together with other key stakeholders from the London Borough of Camden, TfL and GLA. It is anticipated that the first meeting of this board will take place in the next month or so.

Regarding Phase 2b, details of these are still being developed, but the aim will be to ensure this is given the right degree of focus and oversight to ensure it is delivered successfully. This will help free up capacity in the Company to focus on the delivery Phase One and Phase 2a.

Speed and frequency of HS2 service

The Committee requested clarity on the Government's position on running both high speed and high frequency services. Your letter also raised concerns about the costs involved. It is worth noting that the business case is based on 17 trains running per hour which we believe is feasible and provides the best value for money. However, our work with the West Coast Partnership and on the plans for Euston will continue to inform our modelling and help determine the optimal service specification.

A study carried out by the University of Lisbon in 2009 looking at high speed railways around the world, and quoted in the European Court of Auditors 2018 [report](#) on High Speed Railways indicated that reducing the design speed of a new passenger railway from 350km/h to 300km/h only reduces the cost by around 4%. [Research](#) carried out on behalf of HS2 has indicated that if the design speed is reduced, the corresponding reduction in benefits caused by the increased journey time is much greater than the cost saving, resulting in the project being worse value for money

Reducing the journey time between our great cities brings businesses, suppliers and customers closer together bringing improved productivity and boosting the economy of the Midlands and the North.

We maintain that high frequency of operation is needed to serve as many destinations as possible and therefore spread the benefits of HS2 across the widest possible area. Reducing the frequency of trains would inevitably mean reducing the number of destinations served, cutting off those places from the great economic opportunities that high speed rail brings. Maximising the frequency of trains increases the benefits gained from the investment and therefore improves the value for money of the project.

Euston station

The Committee also requested an update on the plan and timescales for Euston Station. In response to the Oakervee Review, the Department has commissioned a study looking into the efficiency of the future station as a whole, with the objective of selecting an optimised design and delivery strategy for the HS2 Euston Station in the Autumn.

Work has also been commissioned to examine how Old Oak Common could operate as a temporary London terminus so as not to delay the start of HS2 services.

Minimising loss of biodiversity

In response to your query about habitat clearances, I can confirm there are 192 sites or areas where some form of vegetation clearance is currently scheduled, and will coincide with the 2020 bird nesting season.

I would also like to add that HS2 Ltd and its contractors are required to follow all relevant legislation for nesting birds. The HS2 Act does not disapply this legislation and all contractors working on HS2 must comply with it. All birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended) and all HS2 vegetation clearance (and other works) include measures to prevent any breach of the law.

HS2 Ltd has confirmed to me that all works are informed by comprehensive ecological surveys. Where habitat clearance needs to be carried out during the bird nesting season, it is done following guidance from trained ecologists in accordance with Natural England guidance. An appropriate Working Method Statement is completed in advance of clearance works commencing, and appropriate ecological supervision is provided. I enclose two redacted examples of Working Method Statements with this correspondence. They have also confirmed that work only begins once an ecologist has completed a pre-commencement site survey and approved a Permit to Clear.

Where breeding birds are present during works an appropriate buffer zone is put in place (determined on a case by case basis by an ecologist) so that work can continue in the surrounding area. There is also a requirement for all work to be monitored by the on-site ecologist who has the power to halt works if necessary.

The Department will continue to work closely with you and the Committee and will provide further detail on the areas covered this letter as and when there are developments as this work progresses.

ANDREW STEPHENSON MP

A handwritten signature in blue ink, appearing to read 'A. Stephenson', with a long horizontal flourish extending to the right.

MINISTER OF STATE FOR TRANSPORT

1EW02 Enabling Works – Area South

Document Title: Nesting Bird Working Method Statement

Document number: 1EW02-CSJ-HS-MST-S000-000096

Revision: Co1

WP Reference: WP012a

MDL Reference: TBA

Revision	Date	Author	Checked by	Approved by	Revision Details
Co1	28/02/2019	 Ecology Specialist	 Ecology Advisor	 Work Package Manager	Issued for Information
Signature					

Nesting Bird Working Method Statement

REVISION CHANGES, AUTHORISATION & ISSUE RECORD

Version	Date	Sections revised	Brief description of the revision	Prepared by	Checked by	Approved by	Reason for Issue	HS2 Acceptance Decal Code
Co1	28/02/2019	N/A	First revision				For information	

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1 Nesting Bird Inspection

1.1 Nesting Bird Inspections

- 1.1.1 The following method is required in order to undertake vegetation clearance within the nesting/breeding bird period (March to August inclusive, as per the HS2 Ecology Technical Standards). This method will be applied to all areas of the sites which will be impacted upon either directly or indirectly, as a result of the scheduled vegetation removal. The site assessment will be undertaken ideally in the morning, prior to any removal of vegetation on site. In addition, buildings scheduled for demolition will be inspected for active nests in advance of demolition and any buildings containing active nests will be retained until chicks have fledged and the nest is confirmed as inactive.
- 1.1.2 The results of a nesting bird inspection are valid for 24 hours, therefore the inspection should be carried out immediately prior to, or the day prior to, vegetation removal / building demolition.

1.2 Equipment

- 1.2.3 A range of equipment will be used depending on the habitat type and what is most appropriate to identify nests in each location. This will include, but will not be limited to:

- Binoculars
- Endoscope
- Mirrors (angled)



- 1.2.4 In some situations the Ecological Clerk of Works (ECoW) will advise the site clearance team to sectionally fell trees to allow for a more detailed inspection of trees where the leaf foliage is obscuring branches (i.e. conifers).

1.3 Methodology

- 1.3.5 The precise methodology will be decided by the ECoW and will be driven by the habitat type present. The inspection effort will be based on previous survey information on breeding bird assemblages.

Stage 1: Initial Observations

- 1.3.6 The ECoW will take some time to assess the area and will observe from a distance. During this time the surveyor will consider:
- **Habitat** – could the vegetation support nesting birds?
 - **Birds present**

Nesting Bird Working Method Statement

- Could the species identified likely nest in the habitat/s present?
- Are they displaying signs of nesting activity?:
 - Singing males
 - Territories being defended
 - Agitated behavior
 - Nest building (carrying sticks/debris)
 - Birds carrying food
 - Repeat visits to an area



Stage 2: Detailed Inspections

- 1.3.7 Once the initial assessment has been undertaken some territories or possible nests may have been identified and a more detailed inspection would be required:
- **Cold search** – this is the traditional searching of all vegetation to be cleared to look for active nests. Active nests will typically be made with fresh material (old nests look worn and often have leaf litter in the cup) and may contain eggs or young. If the ECoW is unsure, they will retreat and watch the nest site to look for any breeding bird behaviours (i.e. back to stage 1). Where required the vegetation will be carefully searched by hand prior to clearance (fingertip searching).
 - **Alarm calling** – if the birds are giving off alarm calls when the ECoW approaches the vegetation they will study the alarm calling bird to see if it leads them to a nest.
 - **Gentle disturbance** – as a last resort, gentle disturbance (tapping) by the ECoW might flush birds from the nest and reveal the nest location.
- 1.3.8 Where vegetation is sparse and any nests will be clearly visible, the above methods may not be necessary as long as nests can be identified without significant disturbance. This decision will be made by the ECoW dependant on the type and structure of the vegetation to be removed.
- 1.3.9 In the event that an active nest is found the ECoW will alert the site team so that they can erect a suitable nest buffer / exclusion zone. .
- 1.3.10 In some mature trees it is possible that birds will be nesting in the canopy or in cavities within the trunk and branches. If the stage 1: initial observations does not uncover any signs of nests in current use, a further close inspection may be carried out by the ECoW or appointed person (such as arborist or non-ecologist tree climber) to access the canopy using rope access to look for any nests. The appointed person would be supervised by the ECoW so that they can advise in the event of finding a nest. An endoscope will be used where required in order to inspect any cavities.

Further Information

- 1.3.11 The timing of the stage 1: initial observations will be important in order to coincide with when clearance works will not be carried out on site and disturbance will be at a normal level.

Reporting and Monitoring

- 1.3.12 The location of any confirmed active or inactive nest will be included in the ECoW tracker, and flagged to the CSjv Ecology team immediately. The ECoW tracker will be completed each day that an ECoW is present on site detailing the works undertaken and any findings.
- 1.3.13 All active nests will be marked on site using flagging tape or other suitable method in order to clearly identify areas of the site that should not be cleared. Contractors undertaking the vegetation clearance and demolition will be notified of any areas of the site not to be disturbed where the presence of nesting birds is identified.
- 1.3.14 Any active nests will be observed closely in order to determine the level of use, the species of bird that is occupying it and the developmental stage of juvenile birds that are observed. This information will guide the level of active nest monitoring required along with the likely amount of time before the nest will become inactive (when the chicks have fledged). Once the individual nest has been classified as inactive, the area of the site will be re-inspected for any more active nests before it can be cleared.
- 1.3.15 In areas where nests are determined to be active the site team will erect a nest buffer/exclusion zone of a minimum of 5 metres depending on the vegetation types present. This will be overseen by the ECoW. Appropriate signage will be installed to detail that a nesting bird is present and entry is not allowed into the area.
- 1.3.16 The level of protection for individual nests will be determined by the ECoW and will be dependent on a number of factors such as the species of bird and the type or structure of the vegetation to be removed.

Any nests that show clear signs that they are not in use will not require any further inspection and will be classified as inactive.

Nesting Bird Working Method Statement

Example of ECoW Tracker

Week Commencing:	
Updated by:	

Date	Site	Description of the works	Name of ECoW	Contact Number	Timing	Reason for watching brief / site walkover	Discussions had on site	Findings	Actions taken on findings	Pictures	Notes

Details for nesting birds should include

1. Species observed;
2. Description of nests observed;
3. Site location (GPS);
4. Description of vegetative habitat(s); and
5. Description of the developmental stage and the anticipated fledge date.

2 Photographs of Example Nests

Obscured Nest Example 1

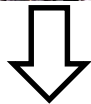
Identified by watching adult feeding young



Close up of nest – mouth of chick circled

Obscured Nest Example 2

Identified from gentle disturbance / tapping



Close up of the nest

Obscured Nest Examples 3

Identified from Cold Searching



Active Nest in Building Example

Pigeon identified in building



Exclusion Zone – nest circled



1EW02 Enabling Works – Area South

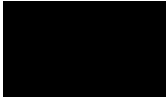
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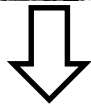
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