# EXHIBIT LIST

Reference No: HOC/00001  
Petitioner: Jonathan and Elaine Loescher  
Published to Collaboration Area: Friday 08-Jun-2018

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Mitigation between Flats Lane and Packington Moor Farm.

Proposals have been put to HS2 Ltd to improve the mitigation between Flats Lane and Packington Moor Farm. (see attached plan). The proposal is for a simple, cost-effective 500m tree covered bund or similar.

This area is in an important area of green belt between Tamworth and Lichfield. The area affected by the mitigation measures include the Heart of England Way and Jerries Lane. Flats Lane and Jerries Lane are used by 100’s of recreational cyclists every week. The Heart of England Way, Jerries Lane and Flats Lane are important local horse riding routes. It is important that these Horse riding routes are shielded from the noise and visual shock of 250MPH trains as a matter of public safety.
Jerries Lane is a main conduit out of the village of Whittington. The Heart of England Way and surrounding area is a major amenity resource for local parishes. The proposals would massively improve the landscape and reduce the impact of HS2 Ltd in this critical area.

The principle of these mitigation proposals is supported by:
- Christopher Pincher MP
- Lichfield District Council
- Staffs County council
- Weeford Parish Council
- Swinfen and Packington Parish Council
- Whittington Parish Council
- Hints Parish Council
- National Farmers Union
- Heart of England Way Association
- Ex Owners of Packington Moor Farm
- Local Residents

It is a requirement of HS2 Ltd to use reasonable endeavours to adopt mitigation measures that will further reduce any adverse environmental impacts caused, insofar as these mitigation measures do not add unreasonable costs or delays to the construction.
Assurances were also offered during the Select Committee Process as regards noise mitigation, landscape mitigation, spoil movement. These assurances would dictate that additional mitigation can and should be achieved in between Flats Lane and Packington Moor Farm.
We need to hold HS2 Ltd to account to abide by these requirements and assurances.

Despite HS2 Ltd having been lobbied about these proposals they have done nothing but obstruct and offer a multitude of unconvincing excuses:

<table>
<thead>
<tr>
<th>HS2 Ltd Excuse</th>
<th>Answer</th>
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<tbody>
<tr>
<td>HS2 Ltd will have to compulsory purchase the land on which the mitigation is required</td>
<td>HS2 Ltd already own the land – Ex Blight notice served by previous owners.</td>
</tr>
<tr>
<td>The land HS2 Ltd have purchased was acquired under discretionary purchase schemes</td>
<td>The comment about land purchased under ‘discretionary property schemes’ is irrelevant. Packington Moor Farm was purchased under a blight notice which is not in itself a discretionary property scheme, but a well established principle of the Compensation Code.</td>
</tr>
<tr>
<td>The guidance in property information papers C4 and C6 prevent additional land at Packington Moor Farm being used for mitigation</td>
<td>The property information papers C4 and C6 deal with issues such as the &quot;Critchel Downs Rules&quot;. There is nothing within these information papers that prevents additional land that is used for mitigation being retained by HS2 Ltd and not offered back to the original owners. In any event, the original owners in this case have relocated and indicated their support for this mitigation scheme.</td>
</tr>
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<tr>
<td>The mitigation will cost too much</td>
<td>The cost of implementing the additional mitigation would be covered by assisting in preserving the asset value of Packington Moor Farm. The mitigation would mean that soil from the adjacent cutting could be used locally thereby saving costs of haulage and disruption to local communities. HS2 Ltd have already committed to planting many acres of trees within their budgets.</td>
</tr>
<tr>
<td>HS2 Ltd does not have powers outside the LLAU</td>
<td>The &quot;Limits of Land to be Acquired or Used&quot; (LLAU) is plenty wide enough for a tree covered bund and/or strip of trees in addition to that proposed to be used directly for the railway.</td>
</tr>
<tr>
<td>It will contravene the assurance about the take up of good agricultural land.</td>
<td>The proposals would only take a very small amount of agricultural land over that already required (less than 1Ha). The assurance in question was one sought by HS2 Ltd and was predominantly to do with maintaining the viability of ongoing farming businesses. The business as Packington Moor has already been extinguished. Other assurances were also offered during the Select Committee Process as regards noise mitigation, landscape mitigation, movement. These assurances would dictate that additional mitigation can and should be achieved in between Flats Lane and Packington Moor Farm.</td>
</tr>
<tr>
<td>Some of the land on which mitigation is proposed to be put is needed for construction</td>
<td>The land proposed to be used for construction could be put into mitigation after construction activities have ceased.</td>
</tr>
<tr>
<td>The proposals will need planning permission.</td>
<td>Planting trees does not need planning permission. Mitigation work (including noise bunds) within the LLAU does not need planning permission. LDC and SCC are on board anyway.</td>
</tr>
<tr>
<td>HS2 Ltd does not have an obligation to put in the mitigation as it was not included in the final act of parliament.</td>
<td>It is a requirement of HS2 Ltd to use reasonable endeavours to adopt mitigation measures that will further reduce any adverse environmental impacts caused, insofar as these mitigation measures do not add</td>
</tr>
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</table>
The proposals were originally put to HS2 Ltd in 2014. They were raised again with HS2 Ltd well before the Main Works Contractors were appointed. In March 2017 HS2 Ltd told local residents:—“Finally, in reference to your request to re-visit the mitigation proposed on the east side of HS2 between Packington Moor Farm and Flats Lane, I will investigate this with the main works contractor following their appointment.........”

The Main Works Contractors were appointed in July 2017. It now transpires (through a Freedom of Information Request) that there is no written record of the Main Works Contractors ever having been told about the mitigation proposals between in Packington Moor Farm and Flats Lane!

The following quote came from a HS2 Ltd spokesman (in the Guardian);—

“Alongside the economic benefits, HS2 will deliver a new ‘green corridor’ made up of woodland, wildlife habitats and amenity facilities, designed to blend the line into the landscape and leave a lasting legacy of high-quality green spaces all along the route.

We have had enough empty rhetoric, misinformation and excuses. We now need to hold HS2 Ltd to account to ensure that all the necessary mitigation is delivered in the Lichfield area.
Busy Heart Of England Footpath

No Mitigation

Busy Flats Lane and Jerries Lane that hosts hundreds of recreational cyclists and visitors to the green belt between Lichfield, Tamworth and the Birmingham Conurbation

Existing Mitigation
### Appendix 2 – Assurances Given by HS2 Ltd that Dictate the Mitigation Needs to be Put in Place

<table>
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<th>Assurance</th>
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| 2498      | HS2 Ltd will:  
- seek to maximise woodland planting on land bought in relation to HS2 – initial estimates suggest that this will be up to 50 hectares  
- establish a £5 million fund to support third party woodland planting projects to provide woodland enhancement beyond what is required under standing advice from Natural England and the Forestry Commission |
| 2499      | Recognising that the government’s and HS2’s ambition is that ours will be the first generation to leave the natural environment of England in a better state that we found it, the Department for Environment Food and Rural Affairs is developing an approach that will consider how better to mitigate and compensate for unavoidable losses to our natural capital, taking account of the services it provides us, and how best to restore or build-up our environmental assets in response. In this regard the government will:  
- publish its ‘25 year plan for the environment’  
- use this engagement to consider how best to compensate for losses to our irreplaceable ancient woodland and other habitats, drawing on this natural capital approach |
| 79        | The following measures to control airborne noise from altered roads and the operational railway will be considered by the nominated undertaker:  
- reduce noise generation at source;  
- reduce noise propagation through the design, specification, construction and maintenance of noise fence barriers and/or landscape earthworks; and  
- reduce the amount of noise entering eligible properties through the offer of noise insulation. |
Ms Alison Munro  
Chief Executive  
High Speed Two (HS2) Limited  
2nd Floor, Eland House  
Bressenden Place  
London  
SW1E 5DU30 Sept 2019

3rd March 2013

I am writing in response to Steven Kidd’s email of Friday 28 February 2014 timed at 4.43pm (see attached email and PDF file). I note specifically the time stamp as you should be aware that a pattern of behaviour has been noticed by my constituents by which HS2 tends to send “bad news” to affected communities near close of business on Friday regardless of how long that information has been available and prepared for circulation to residents. My constituents are understandably of the opinion that HS2 Ltd operates a “send and scarper” approach which does little to engender confidence. If HS2 Ltd does not operate such a policy, why are so many emails sent on the same day of the week and at the same time of day?

However, I would like to turn particularly to the community's anger and disappointment at the news from Mr Kidd, which I share. It is difficult to conceive of the stress and anxiety endured by these residents. Several are deeply traumatised by their experience. I am in receipt of two doctor’s letters confirming the effect that HS2 and the treatment by HS2 Ltd has had on the mental health of the members of the community. I have to say one letter in particular now leaves me extremely worried.

The residents have worked ceaselessly over the last two years to develop constructive and cost effective proposals to mitigate the undeniable predicament the HS2 project has left them in. Mr Loescher in particular has been keen to demonstrate that they are not opposed to the HS2 project in principle and they accept that it is going to happen. Their communication with HS2 Ltd may sometimes be blunt but I have every reason to believe that it is genuine. And it is in that spirit of genuine co operation that I feel very disappointed that HS2 Ltd has failed. If the community mitigation proposals had been decided upon promptly and had been implemented they could have provided a lifeline to members of the community to enable them to stay in the area and save businesses at risk.

I should remind you that it was HS2 Ltd that asked the community to develop their own mitigation plans two years ago through the community forum process. The residents of Flats Lane and Knox Grave Lane, as well as other communities in my constituency, responded and worked hard putting together constructive mitigation proposals and spent many hours presenting them to HS2 Ltd. All local communities (I include those at Hints, Swinfen and Drayton Bassett) now believe the process have been a sham. Many communities have yet to receive any explanation as to why HS2 Ltd ha:
TO WHOM IT MAY CONCERN

I have been asked to confirm that I have seen several patients in my capacity as GP in the local area who have been struggling quite significantly with both stress and mild depression as a consequence of the uncertainty surrounding the path for HIS2.

Kindest regards.

Yours faithfully

Dr Stuart Winchurch
MB ChB(Hons) DRCOG DA
From: Jonathan Lord <jonathan.lord@hs2.org.uk>
To: David Walton <davidjwalton@aol.com>
Sent: Fri, 13 Apr 2018 14:39
Subject: RE: MITIGATION

Dear David

Thank you for your email.

In regards to the mitigation proposed in the Act Environmental Statement (ES), the Act ES has assessed the visual and noise impacts on receptors with visual screening and noise mitigation proposed where required to abide by the general assurances given.

HS2’s Main Works Civil Contractor (BBV) will assess mitigation requirements through detailed design so as to not exceed these impacts.

I trust this addresses your concerns.

Regards
Jonathan

From: David Walton [mailto:davidjwalton@aol.com]
Sent: 22 March 2018 10:47
To: Jonathan Lord <jonathan.lord@hs2.org.uk>
Subject: Re: MITIGATION

Dear Jonathan

Thank you very much for your response to the Parish Council’s concerns. Whilst your letter is very helpful we do think that our concerns haven’t been fully addressed. We are pleased to hear however your confirmation that the main works contractor has now been provided with information on the mitigation proposed on the East Side of the line, in particular between Packington Moor Farm and Flats Lane.

We would you appreciate your comments on the second part of my letter........

“You refer to the assurance offered during the Select Committee Process as regards the “take” of agricultural land. The proposals would only take a very small amount of agricultural land over that already required (we understand it will be less than 1Ha). Other assurances were also offered during the Select Committee Process as regards noise mitigation, landscape mitigation, and movement. These assurances would require that additional mitigation can and should be achieved.”

........and, in particular, your confirmation that HS2 Ltd do have a responsibility to abide by the general assurances as regards noise mitigation, landscape mitigation, and spoil movement in this area.

Can you also confirm that HS2 Ltd would agree that the mitigation proposals need to be progressed in order for HS2 Ltd to meet its obligations under these assurances? As I understand it, the primary responsibility to comply with these assurances lies with the HS2 Ltd and not the main works contractor.

Regards David  Parish Clerk  Whittington and Fisherwick Parish Council
Secretary of State should first approach landowners to see whether they are able to suggest appropriate areas of land for the provision of the replacement right of way and, if suitable land can be found, the new right of way should be created through an agreement between the Secretary of State and the landowner. Compulsory acquisition should be the last resort.

**Liability for contractors**

50. In compulsory purchase cases, an acquiring authority deals with claimants and acquires interests in or over their land, but the construction work on the scheme is usually carried out by contractors and sub-contractors. In practice, claimants often find that the acquiring authority is reluctant to accept responsibility for the actions of contractors when they have caused loss or damage. The claimants in these cases have no direct legal relationship with the contractor. Only the Secretary of State or the Nominated Undertaker will have that relationship in the case of the construction of the Authorised Works. This is likely to lead to difficulties and delays in settling claims. It would be helpful if the Secretary of State expressly accepted that the Nominated Undertaker will be liable to claimants for the actions of its contractors and sub-contractors so that claimants understand that all dealings are to be with the Nominated Undertaker only and not directly with any other party.

51. Your Petitioner proposes to your honourable House that the duty of care mentioned above should include provision that the Nominated Undertaker will be liable for the actions of contractors and sub-contractors to those who are affected by the construction of the works, including those whose land and interests in land are to be acquired.

**Statutory Ombudsman**

52. The nature of a major scheme like Phase One of HS2 is that it will impact on the day-to-day lives and businesses of very many people. Inevitably there will be disputes and grievances on a wide range of matters, many of which will be minor in terms of economic impact, but which nevertheless cause distress to
those affected. Either as part of the duty of care proposed by your Petitioner above or separately, those affected should be able to have their grievances heard swiftly by an independent third party empowered to offer a remedy.

53. Your Petitioner proposes to your honourable House that the Bill should be amended so as to make provision for a statutory Ombudsman to handle complaints from claimants with powers to order remedies. In order for the proposal to be effective, the Ombudsman would need powers to fine HS2 Ltd or its contractors, or to order it to remedy matters where it had failed in its dealings with those aggrieved. Disputes over the amount of compensation payable in relation to any claim under the compensation code would still be referred to the Lands Chamber and would not form part of this proposal.

**Interest on payments**

54. The Acquisition of Land (Rate of Interest after Entry) Regulations 1995 ("the 1995 Regulations") specify the rate of interest that must be paid by an acquiring authority from the date of entry onto the land (which is the valuation date for compulsory purchase cases) until payment of compensation. Currently the rate specified is 0.5% below the standard rate, which in turn is defined in broad terms as meaning the base rate. Since March 2009, this has meant that no interest has been payable when compensation amounts have been agreed or determined but not paid, removing any incentive for acquiring authorities to make payments to claimants promptly, particularly under current circumstances where property values are generally increasing at a higher rate. The Bill should specify that all payments due to claimants are made promptly and that a positive compound interest rate will apply to overdue payments.

55. Your Petitioner proposes to your honourable House that the Bill should be amended so that the 1995 Regulations are disapplied in relation to compensation claims made in relation to the acquisition of land and interests in land under the Bill. Instead, your Petitioner proposes that the Bill should specify that compensation payments will attract interest from the date of entry.
Jonathan Loescher

Subject: FW, ICA review into your complaint against HS2 Ltd

From: ica Jonathan-Wigmore [mailto:ica.jonathan-Wigmore@dfg.gsi.gov.uk]
Sent: 16 November 2016 17:46
To: Jonathan Loescher <jonathan@loescheraccounts.co.uk>
Subject: ICA review into your complaint against HS2 Ltd

Dear Mr and Mrs Loescher

Thank you for your patience and good humour during the span of my review.

I attach my final report into your complaint. This concludes my involvement.

You’ll see that I have to a large extent upheld your complaint that HS2 Ltd’s handling of your questions and complaints fell below a reasonable standard. I balance that finding with a recognition that aspects of its handling were of a good standard. I remain of the view that as far as is practicable, a line needs to be drawn between service complaints and disputes about compensation. I have made a series of recommendations.

In the event that you feel I have fallen into error or you are unhappy about the conduct or process of the review, you are aware I know of the option of PHSO referral via an MP.

I am sure that there will be aspects of HS2 Ltd’s responses that you will dispute when you see them reproduced in the attached review. Please bear in mind that I am not saying who is right or wrong about the application of the compensation code to your case. From my perspective, it is entirely possible that you are correct. My focus is on the way that the Company has communicated its position not the accuracy of that position (I’d need impartial and expert advice to adjudicate over the central dispute in the accuracy of HS2 Ltd’s interpretation of the compensation code). I’m grateful to you for putting me right on some early assumptions I’d made based on my own reading.

I will keep your complaint about the RC on hold pending your decision about how to proceed.

I am very aware indeed of the approach of Royal Assent and that what has been for you a nightmare of dealing with HS2 Ltd is far from over. I watched the ITN programme you suggested that was shown just before the recent announcement of the route for the Manchester and Leeds legs. Although I thought it was balanced, it reinforced your account of the impact of the scheme on people’s lives.

I wish you well in the process of building your new home and should you refer the case for PHSO adjudication, I will stand corrected on any point where I am found to have erred.

With all good wishes

Jon

Jonathan Wigmore
Independent Complaints Assessor

Independent Complaints Assessor Administration
Department for Transport
Dear Mr and Mrs Loescher,

**HS2 complaints process**

Thank you for two letters both dated 3 April 2018 addressed to the Maladministration Complaints Department and the Minister about HS2 Ltd’s complaint process with which you have been engaged. Your letters have been passed to me to reply. Please take this response as a reply to both.

The issues you raise are a matter for HS2 Ltd because they have their own complaints procedure with which I note you are fully engaged. I have passed copies of your latest letters to HS2 Ltd for their information. I was informed by HS2 Ltd at that time that the CEO and Community Engagement Director (Julie King) are meeting with you on 4 May 2018 to discuss your concerns directly and hopefully work towards a resolution. I also understand that the Parliamentary and Health Service Ombudsman (PHSO) is looking into your case.

Let me explain for the sake of clarity the relationship that the Department for Transport (DfT) has with HS2 Ltd. HS2 Ltd is responsible for developing and promoting the UK’s new high speed rail network working to the remit set by the Secretary of State for Transport. This was clarified in June and November 2013.

In December 2014, HS2 Ltd signed a Development Agreement with the Department for Transport (DfT). The agreement set out the roles and responsibilities for the DfT as Project Sponsor and for HS2 Ltd as a delivery organisation; and a contractual relationship between the DfT and HS2 Ltd that clarifies their roles in delivering the HS2 Programme.
The agreement provides the capability for HS2 Ltd to be more autonomous, with decision making powers to take the Programme forward. It sets out a number of requirements for both HS2 Ltd and the DfT. As part of the agreement, HS2 Ltd will: deliver an operational high speed railway to the specification, cost and timetable set by the DfT; provide support functions to the DfT, including policy development, Bill design, stakeholder engagement and communications; and act as the proxy operator and, eventually, the infrastructure manager of the railway.

The HS2 Ltd Complaints process is fully owned by HS2 Ltd and is independent of DFT. You are following the right process by engaging direct with HS2 Ltd and the PHSO.

Yours sincerely

Graham Buckley

Graham Buckley
High Speed and Major Rail Projects
MEDIA RELEASE

NFU meeting hears high speed rail is having a severe impact on farm businesses and people’s health

29 May, 2018

More than 30 farmers struggling with the impact of high speed rail on their health, families and livelihoods raised concerns with the NFU at a Staffordshire meeting.

The group met senior NFU officeholders and staff at Lichfield Rugby Club last week (May 24) including union vice president Stuart Roberts.

Farmers criticised High Speed Rail (HS2) for a lack of communication and said the scheme was having a marked impact on their health and wellbeing as well as their businesses.

They also called for an independent ombudsman to oversee the rail project and called for fairness within the process.

Staffordshire members across Phase 2a and 2b were invited to the NFU meeting to raise any issues they had with Mr Roberts and they urged the union to keep lobbying on their behalf for changes and improvements.

Drayton Bassett farmer Robert Lockhart, who has seen HS2 cut across the western part of his farm, chaired the meeting and said the project was upsetting his family and there were shared frustrations and upset throughout the farming community.

He said: “I think the communication element is paramount really and farmers feel they’re not being spoken to and there’s been a degree of creativity in what they hear, there’s a general frustration from all of those involved.

“As the one directly affected on my farm I sort of deal with it day to day, but my wife and children find it all very bizarre and very upsetting about what’s going on where they have grown up, their home being invaded and having no power over what goes on.”

He agreed with members that there needed to be an impartial voice over the project and suggested an ombudsman would be a distinct advantage and agreed an alternate dispute resolution procedure for compulsory purchase needed to be found.

Farmers said there was a lack of evidence from HS2 to assist with petitioning, there seemed to be a churn a staff rather than regular people to deal with and there needed to be an overhaul of engagement on the ground.

NFU West Midlands, Southwater Way, Telford, Shropshire TF3 4NR
Tel: 01952 409235 • Fax: 01952 409380 • ISDN: 01952 210350
E-mail: oliver.cartwright@nfu.org.uk
Counties: Herefordshire, Shropshire, Staffordshire, Warwickshire, West Midlands, Worcestershire
Mr Roberts said: “The meeting brought to life the severity and day to day impacts high speed rail is having on farmers and their businesses.

“The time has come to add to our work further and impress on MPs, ministers and others the communications problem, how HS2 is affecting our members and how we can resolve some of those issues that should be easier to resolve than they are.”

Mr Roberts urged those who had not already spoken to the HS2 select committee to do so and said while it might seem intimidating the NFU could help farmers through the process.

Any members with concerns about HS2 are asked to contact NFU senior rural surveyor Louise Staples on 02476 858558 or louise.staples@nfu.org.uk by email.

Ends

Notes to Editors:

For further details and farmer contacts please call Oliver Cartwright, NFU West Midlands communications adviser, 01952 400500 or 07771 542547.

The NFU is the voice of British farming and provides professional representation and services to its farmer and grower members.
Dr Dan Mitchell C.Eng.,Hon Fellow I.Ag.E., F.R.S.
The Croft, Bascote Heath, Nr Southam, Warwickshire, CV47 2 DW
Telephone number 01926 814484
E-mail address drdamitchell@hotmail.co.uk

03 June 2018

Mr and Mrs Loescher
Cherry Trees
17 Flats Lane, Weeford
Lichfield Staffs
WS14 9QQ

Dear Mr and Mrs Loescher

I am writing in response to your request for information on how HS2 Ltd are treating residents in Warwickshire and surrounding areas.

We have been through communication problems on phase one for nearly 8 years now. Last year I attended 14 funerals and 7 were directly the result of stress from HS2 Ltd and their activities. It should be noted that the majority of the stress comes as a result of HS2 Ltd handling of the residents and poor communication rather than from the project itself. Compensation claims have been a nightmare. I petitioned re ground vibration above tunnels as one of my 3 petitions in the House of Commons and finally compensation was agreed for those over tunnels. A close friend who lived above a tunnel had his £750,000 house valued on the open market at £0. This resulted in a severe heart attack but we fought on and late last year he received £750,000.

More recently sub-contractors have started surveying and they and HS2 Ltd’s community liaison staff have no training and allow HS2 staff to hide behind another layer. Some years back Andrea Leadsom held a meeting in Portcullis house with representatives from action groups all along the line. I named 2 HS2 staff who were a disgrace in their communications and asked that they no longer appear in Warwickshire. This was actioned. However, little has improved since and communication remains as poor as ever.

We have regular meetings with Jeremy Wright MP and I have requested an urgent meeting because of worsening communication issues as surveying becomes more intense. HS2 closed a vital local road without informing Warwickshire County Council or our Police. Two farmers contacted me as they had been denied access to their properties. The subcontractors told them to F off as they should be able to understand a road closed sign. The farmers told the sub-contractors to shift the signs immediately or they would do it themselves with a Teleporter! The signs were removed.

I am asking that all road closures have signs stating road closed by HS2 and a contact number on the sign for local residents.

I hope this information helps and I confirm I am happy it is presented to the phase 2a select committee and put on public record. I whole heartedly support the idea of an Independent Ombudsman to regulate and hold HS2 Ltd to account. To date nothing else has worked.

Yours sincerely,

Dr Dan Mitchell C.Eng., Hon Fellow I.Ag.E., F.R.S

Dr Dan Mitchell
Mr James Duddridge MP  
Chair of the HS2 Ltd Select Committee

Dear Mr Duddridge,

We are a group of seven farmers based in the Ridwares, north of Lichfield. We are part of a tightly knit farming community. Our farms vary in size from 30 acres to approximately 3500 acres, including organic and mixed farming. The farms employ family and/or local labour.

We all share one thing in common. All of our businesses and most of our homes will be seriously affected by phase 2A of HS2. We have all made considerable efforts during the last 5 years to establish constructive dialogue with HS2 with a view to working with the company to hopefully achieve the best possible outcome under the circumstances. We have all come to accept that the project will go ahead and will therefore need to cross our farms. Despite this our objective has been to optimise the outcome for all parties involved.

Between us, we use three different land agents to represent us on HS2 matters. Our agents have been informed that we are sending this letter.

Unfortunately, achieving any meaningful dialogue with HS2 has been impossible to date.

We have found the following for example:

- Despite the prospect of HS2 potentially having a devastating effect on some of our businesses, HS2 Ltd have made no real efforts to understand the impacts. They are simply not interested.
- We have found it difficult to get meetings with the appropriately qualified individuals within HS2, (e.g engineers and farming specialists)
- Where meetings have been held, there has been little meaningful feedback and answers to questions.
- We have all made responses to the Environmental Statement which have received little feedback.
- Only 2 of us have had meetings as a result of our petitions. We have had no meaningful dialogue on our petitions and concerns.
Village Hall Road Shows were crowded and it was impossible to talk in private. One of us was told it was inappropriate to discuss their case at this forum. We all got the impression that meetings were simply a tick box exercise on behalf of HS2 Ltd and were of no use to us.

Most of the Petition Response Documents were generic and did little to address our concerns in plain English.

Some of us have been given dates to appear in front of the committee with only two weeks notice and sometimes in less than four weeks from receiving the Petition Response Document.

We have all had concerns about getting our professional fees paid to help us deal with HS2.

Unfortunately this lack of engagement has had serious implications, as follows:

- We are not privy to the necessary underlying information.
- We have found it is not possible to be prepared to present our petitions to your select committee as we have no idea of what the possible parameters might be.
- We have not been given clear indications as to what the impacts of the scheme will be on our properties. And what information we have been given is seriously flawed.
- The poor communication is causing massive uncertainty. As farmers we become used to dealing with adverse situations every day of our lives. However, the ongoing uncertainty caused by the lack of engagement is intolerable and outside of our control.
- Learning about the scheme was clearly distressing, however the additional stress and pressure caused by HS2 Limited’s lack of ability to communicate properly is causing both mental and physical ill health.

To sum up, as a community we feel extremely let down by HS2 Ltd and in a position where it is impossible for either our agents or ourselves to properly represent our cases in front of your committee. We are unsure of what the Select Committee can do about this, but we felt that our concerns should be put on public record. It was brought to our attention that unfortunately we are not alone in our experiences. We have been passed a copy of a survey carried out into treatment by HS2 Limited. We are attaching a copy for your information and you will note that this indicates over 90% of respondents have categorised HS2 Ltd’s engagement as poor or very poor.

We should be grateful if this correspondence could be put on public record on the committee’s website.

Yours faithfully,

RJ Smith
Survey into Treatment by HS2 Ltd

27 April 2018 to 10 May 2018

Methodology

- **Collection method** – “Viral” email initially sent to 25 affected property owners – Email reproduced at Appendix 1
- **Target respondents** – Those whose property is affected directly or indirectly by HS2.
- **Total responding numbers** – 111
- **Period survey carried out** – 14 days 27 April 2018 to 10 May 2018
- **Software used** – Survey Monkey

Survey Results

- See pages 1 to 14 attached

Appendices

1. Copy of response collection email
2. Graph of numbers responding by date
Q1 Which phase of HS2 affects you?

Answered: 111  Skipped: 0

![Bar Chart]

**Answer Choices**

- Phase 1: 18.02% (20 responses)
- Phase 2a: 44.14% (49 responses)
- Rest of Phase 2: 37.64% (42 responses)

**Total**: 111 responses
Q2 How does HS2 affect your property interests?

Answered: 111   Skipped: 0

**ANSWER CHOICES**

<table>
<thead>
<tr>
<th>Option</th>
<th>RESPONSES</th>
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<tr>
<td>All my property will be taken by HS2 Ltd</td>
<td>4.50% 5</td>
</tr>
<tr>
<td>Some of my property will be taken by HS2 Ltd</td>
<td>18.92% 21</td>
</tr>
<tr>
<td>None of my property will be taken but my property will be affected by the construction or operation of HS2</td>
<td>75.68% 84</td>
</tr>
<tr>
<td>A HS2 will not have a material impact on the value of my property or my enjoyment of it.</td>
<td>0.90% 1</td>
</tr>
</tbody>
</table>
| **TOTAL**                                                              |           | 111
Q3 How do you rate HS2 Ltd's engagement with you over the last 2 years? (i.e the way HS2 Ltd have given you the information you require and listened to your concerns)

Answered: 110    Skipped: 1

<table>
<thead>
<tr>
<th>Star Rating</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Poor</td>
<td>73.64%</td>
</tr>
<tr>
<td>Poor</td>
<td>18.18%</td>
</tr>
<tr>
<td>Average</td>
<td>7.27%</td>
</tr>
<tr>
<td>Good</td>
<td>0.91%</td>
</tr>
<tr>
<td>Excellent</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

Total: 110
Weighted Average: 1.35

# PLEASE ADD COMMENT
1. do not respond very much at all
2. Contact has been minimal and HS2 have said that their representative was not authorized to agree terms on which they have taken action.
3. Very bad in the beginning better as relationships have progressed, would have been impossible without our own land agents/solicitors
4. Incompetent, disconnection between their own departments. Do not listen creating problems for us and HS2. Total shambles.
5. Forced engagement. Land agent very persistent but also very costly to us.
6. We have not been given any worth while answers to and questions of any importance!
7. No compliancy at all!
8. They don’t listen or answer a question to satisfaction
9. They are dishonest & present everything as a done deal
10. Letter stating we are directly impacted by AP. Looked at website, links didn’t work so was sent paper docs. These showed our close as being required by HS2...shocked and upset. Subsequent investigations advised that this was an admin error. No letter of apology or update received. Absolutely appalled, created weeks of stress and uncertainty.
11. Lies and do not answer queries
12. I have lodged petitions with the Commons and Lords Select Committees, yet still get HS2 mail addressed to “The Occupier”. I was treated with contempt by HS2 QCs at the Select Committee hearings.
13. they might listen but no action
14. they are just not interested
Treatment by HS2 Ltd - Please send this survey to others affected by HS2.

15. they appear to listen but walk away having ticked yet another box. Mushroom complex comes to mind 'kept in the dark etc etc'. They have no idea of what they are doing or the area they are affecting. This is MY money they are spending and I am very angry and disappointed. They have no empathy with residents in the affected areas. Head and brick wall comes to mind.

16. Poorer than very poor

17. HS2 have denied me information negotiated claiming that their negotiator was not authorised to agree terms. Responses to correspondence has been appalling.

18. Waffling answers, few facts.

19. They're never clear and engage in subterfuge or just get things completely wrong. Rather aggressive.

20. Make promises to communicate but do not deliver. Are not proactive, only give info when constantly reminded to do so. Info often inaccurate, or misleading at best. Do not respond to emails and return phone calls.

21. Listen but have only stock answers. Local knowledge.

22. Heard about the land they wanted from someone else had a meeting at local village hall the people you need to speak to weren't there im paying beggars to email on my behalf when face to face chat would solve a lot of problems they just seem unprofessional with no idea or are they trying to pull the wool over eyes?

23. They have no answers to questions.

24. There response is slow and often wrong.

25. Conflicting and inaccurate information

26. HS2 staff at road shows have either been ill informed of the impact a construction like this will have on people or they are very naive or brain washed.

27. Had a number of meetings with HS2 but not achieved very much.

28. We have received a letter saying refer to map and report for proposed changes. The letter says one thing and the map shows our how being compulsory purchased. We have had a verbal call to say this is wrong and we are not losing our house but 6 weeks later still waiting for a letter to confirm this. The danger is you are lying and we have missed the short window to petition against this. HS2 employ's idiots.

29. Communication?

30. Indifferent

31. Had none

32. They have not listening or given out correct information

33. Words cannot explain how poor HS2 have been. At the first event I want to, the HS2 representatives had brought maps of the wrong village! HS2 are constantly tripping up and contradicting themselves over their own facts and figures. Their publicity documentation is incorrect (for example, the northern loop to Leeds which IS NOT part of the funded HS2 project). Demolition figures are incorrect, yet when presented with evidence they bury their heads in the sand. The list goes on and on...

34. HS2 unable to answer questions despite them promising to get back to us

35. No information from HS2 whatsoever

36. Will happen anyway and utter waste of taxpayers money

37. Questions not answered. Minimal chances of meeting face to face.

38. No contact from F2F reps. All information received from action groups

39. We live on the estate next to the one mainly affected and have received nothing

40. Cannot get a straight answer as to how bad the noise will affect my home

41. Others on my estate both near to and further away have received written communications that I haven't. I attended an information event and didn't get answers to all my questions.
Treatment by HS2 Ltd - Please send this survey to others affected by HS2.

42 No response
43 still waiting
44 Very poor information. Can’t answer questions. Misleading information. Conflicting answers.... economic with the truths/ facts.
45 Wish there was a rating lower than very poor.
46 Very little information, don’t seem to answer any question
47 only follow rules won’t meet you halfway on any subject
48 HS2 Ltd have made two visits to the school of which I am Chair of Governors, on neither occasion following up with minutes, offers of mitigation or further communications. HS2 Ltd have been difficult to deal with in fixing future meetings, with enough notice
49 At the meetings that we have attended, we have had no real detail regarding how it will affect the village
50 HS2 have failed, time and time again, to answer questions truthfully and promptly. It’s necessary to involve our MP to elicit responses, time after time.
51 Absolutely no information coming out of HS2 at this current time. No updates on the proposals for this region or any indication of whether the Parkway Station will go ahead.
52 We have had some meetings with HS2 but they did not give us any indication about how they were going to address the serious issues we are facing. We had no feedback from the meetings and no response to our requests for information since then.
53 Always found them polite and helpful, but it would be more realistic if their properties were being blighted by HS2.
54 terrible sack the lot
55 nobody is able to answer or make decisions
56 Meeting with evasive answer and blatant un truths
57 we have had 2 visits and learned nothing, they are just walking all over us and we are very depressed and under the doctors
58 Very little engagement with our village, although very heavily affected
59 HS2 promise to hold meetings but don’t honour their written commitment to do so. HS2 arrange meetings and then cancel at short notice because they do not have anybody available to attend the meeting. When HS2 do hold meetings they arrange them during the working day with less than one week's notice. Finally, HS2 attend meetings without the correct maps and documentation. They give the impression that meetings are a tick box exercise and do not try to engage effectively with the public.
60 HS2 have no interest in helping those affected
61 lack of direct communication and no replies to questions asked
62 I have had to chase up constantly for information
63 They are appalling - arrogant, clueless bullies
64 quite affable face to face but finding out what is happening to us has been a guessing game with no clear rules

SurveyMonkey

5/1/2018 5:36 PM
5/1/2018 5:24 PM
5/1/2018 2:05 PM
5/1/2018 12:20 PM
5/1/2018 11:12 AM
4/30/2018 10:21 PM
4/30/2018 9:43 PM
4/30/2018 11:59 AM
4/29/2018 7:58 PM
4/29/2018 9:34 AM
4/27/2018 10:38 PM
4/27/2018 7:04 PM
4/27/2018 6:53 PM
4/27/2018 6:48 PM
4/27/2018 5:43 PM
4/27/2018 4:36 PM
4/27/2018 3:27 PM
4/27/2018 2:46 PM
4/27/2018 2:41 PM
4/27/2018 2:09 PM

5 / 14

A162 (24)
Q4 Do you think HS2 Ltd have always been honest with you?

Answered: 110  Skipped: 1

**Answer Choices**

- Yes
  - 0.00%
- No
  - 88.16%
  - 1.82%
- Not applicable
  - 10.00%
- Not sure

**Responses**

- Yes: 0
- No: 97
- Not applicable: 2
- Not sure: 11
- Total: 110

**PLEASE ADD COMMENT**

1. See Q3
2. Their intercommunication with contractors is not good and we rely on direct communication with contractors whilst on site. They have not done what they have said they have at times causing more hassle and time away from the business than we would wish.
3. They have the power to do just what they want with no consideration for the landowners. Incorrect plans and dates for surveys. Assurances achieved within the Hybrid Bill agreements and highway plans not completed even after Solicitor letters have been sent.
4. Never get a quick answer, and then only a 'we think'
5. They know more than they will say and avoided most of what we wanted to know
6. They operate by stealth when it comes down to it.
7. Limited info provided and not always to understand how we are impacted.
8. Don't tell the truth and changes made without consultation
9. A contractor's van smashed our outside wall and drove off. It was only because my husband, who was working from home, witnessed it and legged it down the road to catch the driver, that the wall was then rebuilt.
10. Aren't consistent with responses
Treatment by HS2 Ltd - Please send this survey to others affected by HS2.

11. Lied about HS1 putting land back to how it was originally.
12. They do not understand what they are doing. Have challenged them on numerous occasions but cannot give definitive answers to my questions.
13. No confidence for them at all.
14. See Q3.
16. See comments above. They do not give accurate and timely information and are secretive. Residents have NO voice in their discussions even where we are directly and adversely impacted by their works.
17. They don't know enough to be able to be honest.
18. Fail to do what they say they will.
19. Traffic affecting the village during construction.
20. Areas of compensation boundary have been changed to the detriment of many householders.
21. We won't know until they start building.
22. Too many to list, we have to chase replies when it is there mistake. HS2 send out people to inform us who know nothing about the local issues. HS2 replace the staff every 12/18 months we apparently have no handover notes. They hold meetings away from the village when stating they wont as we are directly affected but still dont the list goes on.
23. Feel they need to be open and honest and stop bull***ing is about!
24. Still not clear about if we are in the zone that will mean our house will be affected.
25. Too many lies and not enough proper info.
26. 100% definitely not.
27. Always felt I was being mislead.
28. Not engaged with them yet.
30. Only say what they want you to hear and it's not all true.
31. No I fact I had 2 colleagues red faced at an information at event as they both gave different answers to the same question. HS2 have misled people with demolition figures, original information to parliament has changed significantly several times. Reason for changing the route has changed several times. They have ignored the results of the consultation.
32. Can't be honest as dont know what they doing themselves.
33. Failure to provide relevant documentation, failure to make full disclosure.
34. No real information, and lack of knowledge regarding the people available to speak to.
35. HS2 have lied about the residential impact of Phase 2b. They have used false impact figures that, when scrutinised, they can't substantiate.
36. Definitely not. They are being deliberately secretive regarding impacts in our area and have misled the government in pushing false information on the route impacts.
37. We have not had any engagement with them yet.
38. Don't give precise information.
40. They always promise to send info, never do.
41. They have promised meetings in writing and then gone back on their word.
42. Blatant liars.
43. I think they have known more information and only drip fed the details to the public.
44. A lot of evasion to deep questions or nil response.

7 / 14
<table>
<thead>
<tr>
<th></th>
<th>The whole project is based on lies - how could they be especially as it hasn't happened yet</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>problem is what we don't know we don't know especially as it hasn't happened yet</td>
</tr>
</tbody>
</table>
Q5 How would you characterize HS2 Ltd's negotiation of your compensation claims?

Answered: 111  Skipped: 0

- Excellent - Addresses all the impacts of HS2 on my property interests.
- Fair and reasonable
- Unfair and failing to address the impact of HS2 on my property interests
- Bullying or confrontational and completely unfair
- Not applicable - not got to that stage with HS2 Ltd or not relevant

**PLEASE ADD COMMENT**

1. very much in the dark not seen any body from HS2
2. difficult to say as land agents negotiation is good however we have not yet received any compensation as such just payment for surveys and being on site.
3. Nothing as yet even though we have been served with Schedule 2 and 16 Notices and land has been occupied
4. There is not enough space here to even begin listing what has happened with our case. I am presuming the remit for HS2 is to get everyones land at a discount and pay under the minimum requirement for compensation.
5. Our property has been described as a "perfect miss". An HS2 construction route will come down our road but not require any of our land. Our home will still be blighted but we do not qualify for compensation.
6. 40 yards from track
7. I have not tried yet.
8. Hear they are hard to deal with
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Not reached that stage yet</td>
<td>5/2/2018 3:15 PM</td>
</tr>
<tr>
<td>10</td>
<td>we do not qualify even though within half a mile, we work in the location so add to cost to travel and time and affect on family life is rated minimal. there is no personal aspect to this, all people working for hs2 are mercenary.</td>
<td>5/2/2018 2:46 PM</td>
</tr>
<tr>
<td>11</td>
<td>Still waiting</td>
<td>5/2/2018 5:36 AM</td>
</tr>
<tr>
<td>12</td>
<td>Not at that stage yet</td>
<td>5/1/2018 11:07 PM</td>
</tr>
<tr>
<td>13</td>
<td>Still waiting....</td>
<td>5/1/2018 10:17 PM</td>
</tr>
<tr>
<td>14</td>
<td>In RSZ will be looking to sell in near future</td>
<td>5/1/2018 10:13 PM</td>
</tr>
<tr>
<td>15</td>
<td>We are just above the 300 yrd Mark yet will affect us still massively</td>
<td>5/1/2018 8:22 PM</td>
</tr>
<tr>
<td>16</td>
<td>We will all be effected by distribution and noise</td>
<td>5/1/2018 5:58 PM</td>
</tr>
<tr>
<td>17</td>
<td>very poor wont listen</td>
<td>5/1/2018 2:05 PM</td>
</tr>
<tr>
<td>18</td>
<td>HS2 are unable to provide noise impact information for my home, which is 200 metres from the route.</td>
<td>4/30/2018 10:21 PM</td>
</tr>
<tr>
<td>19</td>
<td>Not had any negotiations</td>
<td>4/30/2018 11:59 AM</td>
</tr>
<tr>
<td>20</td>
<td>they took out some of our crops 2 weeks before harvest just enetered before they served a notice not a penny yet.</td>
<td>4/2/2018 6:53 PM</td>
</tr>
<tr>
<td>21</td>
<td>Have heard nothing since my original claim</td>
<td>4/27/2018 6:48 PM</td>
</tr>
<tr>
<td>22</td>
<td>I am aware of friends in Phase 1 who had to threaten litigation to get a fair deal.</td>
<td>4/27/2018 5:43 PM</td>
</tr>
<tr>
<td>23</td>
<td>my property and business are directly effected by the construction route but HS2 are dismissing this and have refused my blight application</td>
<td>4/27/2018 3:27 PM</td>
</tr>
<tr>
<td>24</td>
<td>Have yet to star; that final hurdle as we have a Atypical claim under process but now into the 11th week with no response</td>
<td>4/27/2018 2:46 PM</td>
</tr>
</tbody>
</table>
Q6 Overall, how would you rate the quality of your customer service experience from HS2 Ltd?

Answered: 108   Skipped: 3

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very positive</td>
<td>0.00%</td>
<td>5/8/2018 5:01 PM</td>
</tr>
<tr>
<td>Somewhat positive</td>
<td>0.93%</td>
<td>5/8/2018 4:02 PM</td>
</tr>
<tr>
<td>Neutral</td>
<td>17.59%</td>
<td>5/8/2018 3:51 PM</td>
</tr>
<tr>
<td>Somewhat negative</td>
<td>18.52%</td>
<td>5/8/2018 1:20 PM</td>
</tr>
<tr>
<td>Very negative</td>
<td>62.96%</td>
<td>5/5/2018 8:50 AM</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

PLEASE ADD COMMENT

1. Land taken with a Schedule 16 notice boundary hedgerows removed outside of the notice area and not replaced as promised.

DATE: 5/8/2018 5:01 PM

2. HS2 London 'suits' have no idea how this affects property & business owners and don't really care. Even the complaints procedure is useless.

DATE: 5/8/2018 4:02 PM

3. Good from some very poor from the people that matter. There just in it for the money.

DATE: 5/8/2018 3:51 PM

4. one gets back standard replies that say nothing about answering the question I asked.

DATE: 5/8/2018 1:20 PM

5. See above comments

DATE: 5/5/2018 8:50 AM

6. Disgusting the way they talk to you in person or via email

DATE: 5/5/2018 6:53 AM

7. cannot get to see the people who can give you honest answers

DATE: 5/4/2018 1:49 PM

8. ?

DATE: 5/4/2018 11:14 AM

9. useless

DATE: 5/3/2018 3:25 PM

10. Community Engagement is a misnomer and smokescreen used by HS2 to keep us in the dark. Completely.

DATE: 5/3/2018 9:20 AM
Treatment by HS2 Ltd - Please send this survey to others affected by HS2.

11. After 5 years HS2 still refer to me as "the occupier" in circulated correspondence.
12. Most only in it for there big salaries! Then move on.
13. Very negative and obstructive
14. See all of the above
15. People at meeting are quite indifferent...it doesn't affect them.....so honesty they could not care less!
16. Worst customer service ever
17. Polite when face-to-face, but unable to offer sufficient answers
18. No engaged with them yet
19. Had no contact
20. For the reasons given earlier
21. They are not professionally equipped with information on areas
22. Customer service..... that's laughable
23. It has taken 9 months to obtain a response to a request for information re. communications.
24. See above comments
25. HS2 evade answering questions and have lied about impacts.
26. I have not heard one single positive comment on their dealings with the public. They are arrogant, secretive and play property owners off against each other so one homeowner accepts a price for their property. This is then used to push a lower price on the other owners.
27. No direct service at all
28. Promise to get back to us but rarely do.
29. We keep asking questions they never answer questions and the people keep changing
30. Have heard nothing since my original claim
31. They see customer exercise as an undesirable tick box exercise with no genuine interest on their part.
32. No questions ever have a response after promising to reply. They have no one to hold them to account
33. They are purposely complicated and give very little or no direct answers
34. Help desk useless and forwards on complaints etc supposedly but no responses ever forthcoming
35. Some of the original team were very receptive to our concerns but their manag frequently would not let them talk to us, cancelling meetings...

SurveyMonkey

5/2/2018 6:10 PM
5/2/2018 5:41 PM
5/2/2018 3:51 PM
5/2/2018 2:46 PM
5/2/2018 9:09 AM
5/1/2018 11:07 PM
5/1/2018 10:17 PM
5/1/2018 10:13 PM
5/1/2018 7:07 PM
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5/1/2018 5:30 PM
5/1/2018 12:20 PM
5/1/2018 11:12 AM
4/30/2018 10:21 PM
4/30/2018 9:43 PM
4/30/2018 11:59 AM
4/29/2018 8:57 PM
4/27/2018 6:53 PM
4/27/2018 6:48 PM
4/27/2018 5:43 PM
4/27/2018 4:36 PM
4/27/2018 3:27 PM
4/27/2018 2:46 PM
4/27/2018 2:09 PM
Q7 Have you or your professionals (solicitor or agent) had difficulty or concern about their fees being paid by HS2 Ltd?

Answered: 110  Skipped: 1

Yes 19.08% 21
No 2.73% 3
I do not know 10.00% 11
Not applicable 68.18% 75
TOTAL 110

PLEASE ADD ANY COMMENT

1 however I understand this will change with HS2 contact direct with myself in future
2 fees no compensation for loss of land and business use we are yet to see
3 Received nothing since the Hybrid Bill was passed by Parliament other than an access Agreement with their contractors.
4 very slow paying
5 eventually agreed to pay prof fees direct, but these fees are then not being paid to our agents on time, 90 days plus, will we get to the stage where our agents will refuse to take on our work, as they are not being paid on time!
6 HS2 will raise air pollution and ruin many people's lives--all for the benefit of the few.
7 had to do 2 consulation papers due to 1 being done because they didn't include entry after planting trees 2 inspect them
8 They are wasting loads of public money.
9 Refusal to pay some of the fees we have incurred
10 we have paid our agent all their fees.

DATE
5/8/2018 7:52 PM
5/8/2018 7:56 PM
5/8/2018 5:01 PM
5/8/2018 4:34 PM
5/8/2018 4:02 PM
5/8/2018 1:20 PM
5/2/2018 8:43 PM
5/2/2018 5:41 PM
4/30/2018 11:59 AM
4/27/2018 6:53 PM
Treatment by HS2 Ltd - Please send this survey to others affected by HS2.

<table>
<thead>
<tr>
<th></th>
<th>Fees. We are individuals and small communities. We do not have the budget that HS2 have. It is a very one sided interaction and HS2 know this.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>not got that far yet</td>
</tr>
</tbody>
</table>

SurveyMonkey

4/27/2018 5:43 PM

4/27/2018 3:27 PM
Survey into Treatment by HS2 Ltd

Appendix 1
Copy of response collection email

Subject: Are you directly affected by HS2 Ltd? Please fill in this online survey.

See below. I have been passed this survey in respect of our treatment by HS2 Ltd. Can you please fill in this survey and pass on to everybody you know is affected by HS2?

All,
Are you directly affected by HS2 Ltd? How have you found dealing with HS2 Ltd in practice?
We are looking for 2 minutes of your time to fill out this simple online survey. We hope to establish a fair picture of how HS2 Ltd are dealing with people directly affected by the proposed HS2 scheme in practice.
Please be honest and please only fill in the survey once no matter how strongly you feel.
Individual responses will be kept confidential.
To complete the survey, please visit link below:

https://www.surveymonkey.co.uk/r/HCJR5Z7

Please pass this email to anyone else you know who is directly affected by HS2 Ltd.
We hope to publicise the results of this survey once enough results are gathered. The results will be passed to Members of Parliament.
Again, please pass this email to anyone else you know who is directly affected by HS2 Ltd.

Thank you

Please note that the authors of this survey are currently in negotiations with HS2 on their own property interests so understandable wish to remain anonymous at this stage.
Survey into Treatment by HS2 Ltd

Appendix 2

Graph of numbers responding by date.
From the Parliamentary
Under Secretary of State
Nusrat Ghani MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: nusrat.ghani@dtf.gov.uk
Web site: www.gov.uk/dtt
Our Ref: MC/2262/61

24 MAY 2012

Dear Chris,

Thank you for your email of 1 May, enclosing correspondence from your constituent, Jonathan Loescher of Cherry Trees, 17 Flats Lane, Weeford, Nr Lichfield, Staffs, WS14 9QQ, about the HS2 complaints process.

I am sorry that Mr Loescher remains dissatisfied with the HS2 Ltd complaints procedure and has felt it necessary to raise a number of concerns with the revisions that have recently been introduced. I should, however point out that the issues that Mr Loescher raises are a matter for HS2 Ltd because they have their own complaints procedure which is completely independent of the Department for Transport (DfT). The detailed points that Mr Loescher makes on their complaints procedure can only properly be addressed by HS2 Ltd.

I have asked DfT Officials to forward a copy of Mr Loescher's letter of 1 May to the Public Response Team in HS2 Ltd as it is essential that they are made fully aware of any concerns about changes that have been made to their processes and that the issues raised by any complainant can be properly dealt with.

Yours sincerely,

NUSRAT GHANI
Community engagement communications

Community engagement is generally working well. The low volume of concerns on this topic raised with me recently reflects the substantial improvements that HS2 Ltd has made since 2015.

Local area engagement managers who know and are able to actively engage with their communities are now in place across Phases One and 2a. There has also been a significant increase in the number of HS2 Ltd and partner staff supporting communities affected by Phase 2b.

Tailored Local Area Engagement plans are now being put in place for Phase One, although the roll out of these is taking some time. In discussions with HS2 Ltd’s Director of Community Engagement, I have expressed encouragement for the plans to contain real and measurable targets, appropriate to the communities they affect. This will enable communities to hold HS2 Ltd and its delivery partners to account. For example, if a commitment is made to measure lorry movements, the community must be able to see: the starting point for this measure; where the monitoring is taking place; and track measurable progress.

The Community Engagement Strategy states that progress for the ten Community Commitments will be measured and reported. I urge the Director of Community Engagement to publish these key performance indicators at the earliest opportunity although, of course, some of the commitments – such as providing a positive and sustainable legacy – are unlikely to be in place for some time yet.

**Recommendation:** HS2 Ltd should begin publishing the measures for the Community Commitments as soon as possible.
Learning from the past experience of applicants

There is much that can be learned from those individuals who have already gone through the process of selling their property to HS2 Ltd under one of the property schemes. As part of the Government’s review of the accessibility of the Need to Sell scheme, it suggested collecting information from applicants to get a better understanding of any difficulties.

I believe this measure should be extended. The experiences of homeowners who have been through any one of the current property scheme processes could provide a valuable insight to simplify, quicken, and generally improve each of them.

Recommendation: The DfT and/or HS2 Ltd should consider measures to learn from the experiences of the approximately 800 homeowners who have already been through one of the existing property schemes.

Alternative dispute resolution guidance

Despite the HS2 Ltd Chief Executive’s comments in his response to my last report, the alternative dispute resolution guidance is still not available. A commitment to produce this by May 2017 was also given in the House of Commons.

The compulsory purchase of residential property is now taking place with the guidance still absent. Whilst I am aware that in some individual cases, alternative dispute resolution has been proposed by HS2 Ltd, it is part of the information that should be readily available to those going through a blight acquisition process, who struggle to find any helpful information.

Recommendation: As a matter of urgency, HS2 Ltd should publish alternative dispute resolution guidance and provide it to all those looking to apply through the Express Purchase scheme or issue a Blight Notice.
Dear Mr Loescher,

FOI14-013

I am writing regarding your request for information received 21 October 2013. Your request has been considered under Environmental Information Regulations (EIR) 2004.

In your request you asked:

1. Does HS2 Ltd have a mental health risk assessment in place for Flats Lane and Knox Grave Lane?

2. Does HS2 Ltd have mental health risk assessments in place for any other communities?

3. Does HS2 Ltd have mental health risk assessments in place for HS2 Ltd Staff (and contractors staff)?

4. If the answer is yes to any of the above 3 questions can we see copes and please confirm when they were put in place.

Please be advised, in answer to your first and second questions, There has been no Mental Health Risk Assessment for Flats Lane and Knox Grave Lane or other communities as there is not a requirement to undertake one to meet the requirements of the EIA Regulations. A separate Health Impact Assessment, which supports the hybrid Bill however, considers potential mental health issues on a route-wide basis and is made available at:


In regard to your third question, High Speed Two (HS2) does not have mental health risk assessments in place for staff or contractors.

With regard to question 4, the question is not applicable given the answers to the previous questions.

If you are unhappy with the way we have handled your request or with the decisions made in relation to your request, you may complain in writing to HS2 Ltd at the above address. Please also see attached details of HS2 Ltd’s complaints procedure and your right to complain to the Information Commissioner.

Please remember to quote reference number FOI14-013 in any future communication relating to this request.

Kind Regards

Freedom of Information Team | HS2 Ltd
Mr Thurston’s Quotes on Mental Health

The following excerpt from an article in the 22 March 2018 edition of Construction News reporting on an interview with Mark Thurston:

“But it is not just in HS2’s delivery that Mr Thurston wants contractors to be pioneers; the CEO also wants to address the wellbeing of workers in a different way – particularly their mental health. HS2 has already begun work to train its line managers to better understand and identify mental health issues. It will also roll out a number of training sessions for staff, develop a network of mental health first aiders, and give staff access to psychological support. “It is becoming a major issue for the sector,” Mr Thurston adds.”

When Challenged about the way HS2 Ltd deals with the mental health issues suffered by those dealt with by HS2 Ltd at a meeting on 4 May 2018 Mr Thurston responded:

“Our people do not go to work to create stress for constituents on the route”.

When pressed neither of you were able to confirm that staff had any training or indeed there were any measures in place to address the wellbeing and mental health issues of residents affected by the scheme. This is all in stark contrast Mr Thurston’s concern for HS2 Ltd’s own workers.
From: Boaden Anna <Anna.Boaden@ombudsman.org.uk>
Sent: 11 March 2014 11:58
To: Jonathan Loescher <jonathan@loescheraccounts.co.uk>
Subject: RE: HS2 Ltd Accountability

Dear Mr Loescher,

In response to your question about HS2 Ltd’s accountability and the Ombudsman’s role in this, I thought it would be helpful to set out our jurisdiction.

HS2 Ltd is listed in Schedule 2 to the Parliamentary Commissioner Act 1967. Our jurisdiction over it is the same as for all organisations listed in Schedule 2 (notes at the end of the Schedule notwithstanding). We can investigate complaints of injustice in consequence of maladministration from people about actions taken by, or on behalf of, HS2 Ltd in the exercise of its administrative functions, subject to the restrictions in section 6 of the Parliamentary Commissioner Act 1967 and Schedule 3 to the Act.

You can find a copy of the Parliamentary Commissioner Act 1967 here:

Ultimately, the Secretary of State for Transport is accountable to Parliament for the activities and performance of HS2 Ltd. Responsibility for the scrutiny of ministers therefore rests with MPs.

I hope this information helps.

Many thanks,

Anna

Anna Boaden
Investigator
Parliamentary and Health Service Ombudsman
T: 0300 061 4089
E: anna.boaden@ombudsman.org.uk
W: www.ombudsman.org.uk

Follow us on

From: Jonathan Loescher [mailto:jonathan@loescheraccounts.co.uk]
Sent: 10 March 2014 11:32
To: Boaden Anna
Subject: HS2 Ltd Accountability

Hi Anna
In the context of the question as a whole:

It has become apparent to communities along the route that there is a clear conflict between HS2 Ltd’s mandate to build the HS2 railway as cheaply and quickly as possible and HS2 Ltd’s ability to deal fairly and honestly with those residents and businesses affected by the scheme. It is becoming increasingly clear that HS2 Ltd is struggling to manage this conflict appropriately.

To whom is HS2 Ltd accountable for the way it deals with individuals who are due to lose their homes, businesses and communities as a result of HS2, and critically, how and by whom is that accountability being monitored?

I guess, what I am asking is, does PHSO Ltd have a role in assisting HS2 Ltd to manage its conflict of interest? Does PHSO have a proactive (as opposed to a reactive) role in monitoring HS2 Ltd accountability to Parliament?

It would be helpful if someone could clarify if this is PHSO perception of its role?

Thanks

Jonathan

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Dear Mr Loescher,

Thank you for your email of 16 February 2014 noting your view that the response to your fifth and seventh formal complaints is inadequate.

In accordance with our complaints procedure I have investigated the points you have raised.

Fifth formal complaint

Your points 2, 3, 4 and 5 all relate to your questions about HS2 Ltd's accountabilities. We have provided you with our Governance details, and this information is published on our website. I recognise that you do not consider this addresses your points, but I am afraid that there is nothing further that I can add.

Regarding your point 2, Ms West notes that there is no evidence that Steven refused to give an answer or a timeline in the email of 16 January 2014. While I agree that there was no date specified, the email stated that a response to the question was being prepared and that we would be in touch in due course, but that this 'could not be guaranteed that day'. I therefore agree with Ms West's conclusion on this point.

Seventh formal complaint

Similarly your questions in this complaint concern accountability, so I am afraid that again I cannot add to the information you have already been given.

On your point 3, I consider that we have provided information to answer the points you have raised.

Further points raised

You have raised further points on which I can make some specific points below.

We have submitted the hybrid Bill to Parliament and we are required to follow the full procedures of the parliamentary process. The Bill must pass and be approved through both Houses. In this respect, both HS2 Ltd and the Secretary of State are accountable to Parliament through the mechanisms set out in the parliamentary process. These mechanisms are set out on the Parliament website. HS2 Ltd governance information has been provided which sets out the relationships and accountabilities between HS2, DfT and the Secretary of State.
I note your opinions about whether the Chair of HS2 Ltd is able to deal with accountability although I do not find evidence to support this view. You have met with a number of HS2 Ltd staff on site during the past 18 months, including Director level staff. Your MP is in correspondence with Sir David Higgins, who has received the request to meet at your properties. Sir Higgins is considering this request and will respond to Mr Pincher in due course.

I note your views that the Department for Transport does not provide effective monitoring of the accountability for how HS2 Ltd deals with residents. I have nothing further to add on this point.

In your email you have further listed the points you have raised previously in the various correspondence with us. I consider that these have been addressed in previous responses and I have no further comments to make.

I note your suggestion of a new independent group that would “monitor the processes for dealing with affected communities, businesses and residents to ensure they meet proper standards” and “review all complaints about HS2 Ltd”.

We do have in place a ‘Consultation Peer Review Group’ that enables peer review by outside experts of the strategic planning of our consultation and engagement activities and considers the lessons learned from their implementation. This helps ensure that we adopt best professional standards in consultation and engagement as far as possible.

I can also assure you that we continually seek to ensure that HS2 Ltd’s organisational culture is one of professionalism, openness - where possible - and respect for others, most of all for those adversely affected by the scheme.

The second function of the independent group you propose would be to review complaints. As you are aware, the existing role of the Parliamentary Ombudsman is to investigate complaints against government departments and public organisations, including HS2 Ltd.

You may also be aware that for previous rail infrastructure projects such as HS1 and Crossrail, the office of ‘Complaints Commissioner’ was established to address complaints arising during the implementation of the scheme. We are currently considering similar arrangements for HS2. The draft Code of Construction Practice sets out the principle of this approach and we will provide further details in due course.

Yours sincerely,

Alison Munro
Chief Executive
Dear Mr Pincher,

Thank you for your letter of 3 April 2014 registering concerns about the governance of HS2 Ltd and its treatment of communities affected by the proposed route.

The concerns you raised are ones that I have seen before and as you are probably aware steps to address these were announced as part of last week’s improved property compensation package. This included the establishment of a new, Independent Residents’ Commissioner (IRC) to hold HS2 Ltd to account on their handling of property applications and the development of a residents’ charter. The latter will contain a number of principles against which HS2 Ltd will be measured in terms of their communications with people affected by the development of the railway. Part of the role of the IRC, (who will report directly to Sir David Higgins) will be to ensure that HS2 Ltd adhere to the commitments made in the charter.

I do however realise that these issues are of great importance to those affected by the route. I therefore plan to raise the concerns you’ve put to me with both my Secretary of State and HS2 Ltd. I would also be pleased to meet with you to discuss these issues further if you feel that would be helpful.

Yours sincerely,

Philip Rutnam
Our ref: MP14-026

Mr Gavin Williamson MP
Jubilee House
59 Wolverhampton Road
Codsall
South Staffordshire
WV8 1PL

High Speed Two (HS2) Limited
2nd Floor, Eland House,
Bressenden Place,
London SW1E 5DU
Tel: 020 7944 4908
www.hs2.org.uk
Email: hs2enquiries@hs2.org.uk

3 February 2014

Dear Mr Williamson,

Thank you for your letter dated 16 January on behalf of your constituent regarding HS2 Ltd’s accountability.

As a public body, charged with delivering a remit set by the Secretary of State for Transport, HS2 Ltd aims to adopt a fully professional approach in dealing with members of public, businesses and communities. If someone feels the service they have received from an HS2 Ltd member of staff falls below acceptable standards they should follow the complaints procedure (at the link below) and if not satisfied with HS2 Ltd’s response, may complain to their MP who may take the matter up with the Parliamentary Ombudsman.

HS2 Ltd’s complaints procedure is detailed on the HS2 website at: www.hs2.org.uk/about-hs2-ltd/contact-us.

The Corporate Plan and Governance documents, which set out HS2 Ltd’s current remit from the Secretary of State, are available at: www.hs2.org.uk/about-hs2-ltd/annual-accounts-corporate-plan.

Alongside the HS2 Phase One hybrid Bill, we published a series of information papers to support the Bill documentation and provide a guide to our policies and strategies. The arrangements proposed for the provision of information and assistance to owners and occupiers of property subject to compulsory purchase under the Bill are available in Paper C1: Information for Property Owners on the HS2 website at: www.hs2.org.uk/hse-phase-one-hybrid-bill/hybrid-bill.

I hope that information is helpful for you at.

Yours sincerely,

Alison Munro
Chief Executive
Dear David

Thank you for your email.

In regards to the mitigation proposed in the Act Environmental Statement (ES), the Act ES has assessed the visual and noise impacts on receptors with visual screening and noise mitigation proposed where required to abide by the general assurances given.

HS2's Main Works Civil Contractor (BBV) will assess mitigation requirements through detailed design so as to not exceed these impacts.

I trust this addresses your concerns.
6 June 2018

Dear Mr Loescher,

**HS2 PROPERTY SCHEMES: ALTERNATIVE DISPUTE RESOLUTION (ADR) GUIDANCE FOR COMPULSORY PURCHASE CLAIMS**

Thank you for drawing this guidance to my attention. I had not seen it before I received it from you, but I now see it has been noted on the CAAV (Central Association of Agricultural Valuers) website (caav.org.uk) and the government’s own website ([https://www.gov.uk/government/publications/hss-phase-one-safeguarding-for-property-owners](https://www.gov.uk/government/publications/hss-phase-one-safeguarding-for-property-owners)), both as of 30 May 2018.

You asked me for my opinion of the guidance with regard to the types of dispute that can arise from a project like HS2 and the compulsory acquisition of land and rights therein.

Broadly I think the publication of the guidance is very welcome. In particular I think the commitment to the use of ADR approaches by HS2 is very much to be welcomed given the particular difficulties and obstacles to the presentation of a dispute to the Upper Tribunal (Lands Chamber). You have seen some of the practical difficulties and financial risks around a Tribunal reference I outlined in my Estates Gazette article recently. The range of options for ADR is also to be welcomed.

The approach outlined by HS2 does however leave me with some reservations. These are as follows:

- The initial emphasis is placed on the choice of a mediator, evaluator or independent expert from a panel already contracted to HS2. The guidance goes on to offer further choices – the claimant’s own suggestion, an appointment by the RICS or other bodies – but nevertheless the initial suggestions may be taken by sensitive claimants to suggest that the process is a little loaded towards HS2’s interests.
- The options do not include the choice of an arbitrator acting under the terms of the Arbitration Act. I don’t know why this option was excluded but in my view its exclusion is regrettable. I will comment on this further below.

Regulated by RICS

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Twitter: @charlescowap
Section 2 on p4 of the document states that ADR would not be appropriate where complex legal principles are involved. Had arbitration been included as an option it is open to an arbitrator to sit with a legal assessor or to state a case on legal questions for consideration by higher courts.

Section 3.3 on p5 says that an independent expert makes a determination based on the evidence submitted by the parties. This confuses the role of an independent expert with that of an arbitrator. The very essence of independent expert determination is that the expert is expected to use his or her expertise independently, whereas an arbitrator is expected to confine him or herself to the evidence that has been submitted. As written section 3.3 is a description of arbitration not expert determination, although this is then contradicted to some extent later in the document.

Section 5 on p7 seems to give HS2 a one-sided right to accept or reject a proposal for ADR without any further mention of review or administrative appeal. This seems to me to be unbalanced although it must also be recognised that a claimant has the same right. Nevertheless the only remaining option for the claimant is then to pursue a potentially expensive reference to the Upper Tribunal (Lands Chamber) which in my view only goes some way to rebalancing the power between the parties and their legitimate interests. In short the possibility remains that HS2 could effectively mount a blocking action leaving a claimant with no recourse other than an expensive and risky reference to the Upper Tribunal.

I have a minor observation on the working of early neutral evaluation. In the early stages (see section 10.3, p11) the evaluators may also set out the information they require rather than simply reacting to the information provided to them. I will pick up a further point regarding costs in a more general comment below.

Annex C (section 12 on p15) purports to describe the role of an Independent Expert. In fact the words describe something far more akin to arbitration. Examples of this confusion include the following:

- The opening paragraph refers to the ability of the expert to use their own experience and knowledge in forming their decision. This contradicts an earlier statement in the paper, but as a statement is generally true of independent expert determination;
- Section 12.1 goes on to say that an independent expert’s decision is binding on the parties and is not subject to challenge unless the expert has erred in some way by answering the wrong question or there is evidence of fraud or bias. This raises a number of concerns. An independent expert’s status is entirely determined by the terms of their appointment. The policy stated would be more true of an arbitrator. An independent expert can be sued in his or her own right for professional negligence, a remedy not available against an arbitrator where there is the option to challenge on a point of law – which can include the categories described in the note.
- Section 12.3 reads much more like the procedures for an arbitration than IED. The comment on costs awards also strengthens this perception.
- Independent expert determination is presented as a final determination with no mention of onward reference to the Upper Tribunal (Lands Chamber).

Regarding costs generally the sections on evaluation and mediation both refer to a 50:50 division of costs. This would be entirely appropriate in a commercial arm’s length dispute but is questionable in a dispute involving compulsory acquisition. The starting point for the Upper Tribunal for example is that the expectation is upon acquiring authorities to bear costs other than where a claimant has gone beyond the bounds of reasonableness in presenting their claim for consideration. In a free-market contract the parties have the ultimate freedom to walk away – this is not a privilege.
afforded to those in the way of major infrastructure projects supported by compulsory purchase powers.

- Furthermore the confidentiality of two of the procedures would seem to proscribe the presentation of a claim for costs to the Upper Tribunal (Lands Chamber) based on the reasonableness of earlier efforts to arrive at a settlement without further resort to formal costs offers in ‘without prejudice’ correspondence, the use of Caldebank Offers and so on.
- The cloak of confidentiality means that there will be little opportunity for wider learning to arise from any disputes which are considered under these arrangements. A commitment to suitably anonymous review of outcomes would be helpful with regard to the more general advancement of good practice.

To sum up the more important of my comments:

- Independent Expert Determination seems to be confused with Arbitration as a means of dispute resolution;
- The guidance on costs remains problematic, particularly with regard to any subsequent references to the Upper Tribunal Lands Chamber;
- It would have been helpful to include formal arbitration as a fourth option, with a clear distinction drawn between arbitration and independent expert determination;
- It would be helpful to set out more fully the circumstances in which ADR would not be considered appropriate, including consideration of methods by which legal interpretations might be resolved without recourse to the courts;
- It would be helpful to relate this guidance more fully to procedures for a reference to the Upper Tribunal (Lands Chamber);
- A commitment to approaches by which HS2 AND claimants’ advisers can learn from proceedings initiated under this guidance would be most welcome.

Having said all that, I reiterate my initial comment that HS2’s publication of this guidance, and its commitment to its use, is most welcome as an example of a positive development in the field of compulsory purchase and compensation more generally.

I hope you will find these comments helpful, please do not hesitate to contact me if you would like me to clarify any of the points I have made.

Yours sincerely

Charles Cowap
Chartered Surveyor and RICS Registered Valuer

Regulated by RICS

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