Mr James Duddridge MP  
Chair of the High Speed Rail (West Midlands -- Crewe) Bill Select Committee  
Private Bill Office, House of Commons

Dear Mr Duddridge,

Need for "Check and Balance" to Regulate how HS2 Ltd Treats Those Affected by HS2

Our local NFU representative sent a link to the end of last yesterday’s hearing with Mr Bedson’s client’s. We were pleased to note your comments and that the Committee recognise the problem and are looking for solutions.

Can I make a few short comments that seek to set out the criteria of any solution that might make the outcome most effective?

- The solution needs to be completely independent of the DfT and HS2 Ltd. To be an effective check and balance the solution needs to deal with the root cause of the “conflict of interest” and “imbalance of power”.
- The solution needs to have “teeth” and powers to enforce action.
- Issues are handled quicker. (It takes 2 years to get the PHSO) It should be possible to get through the HS2 Ltd complaints process to an alternative solution in 40 days!
- The solution will be dealt with by a “specialist”. (The PHSO are not specialist and have little experience in infrastructure projects).
- Any solution should be able to offer a far wider range of remedies than the PHSO. The PHSO are only allowed to offer compensation in retrospect for maladministration. They cannot order HS2 Ltd “to put things right” or ask HS2 Ltd to “engage” or deal with other practical issues at the appropriate time.
- Any Solution should have a role in policing and upholding assurances given by the Promotor. We understand that there is no legal remedy available to affected parties to ensure assurances are upheld.

We note the Committee’s comments about an Ombudsman being an additional level of bureaucracy. It has occurred to us that an “infrastructure” Ombudsman may be beneficial for all national infrastructure projects (Heathrow, HS3, Northern Link). This is particularly so where Government (perhaps for good reasons) chooses to carry infrastructure projects through commercial entities. It may be appropriate for this matter to be passed to the PACAC for consideration.

We are happy for this response to be made public and if necessary passed to the Promotor. Hopefully the committee will find these comments helpful in their deliberations.

Yours sincerely,

Jonathan and Elaine Loescher

CC Mr C Pincher MP