



Department for Transport

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From the Minister of State
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Dear Rob,

Thank you for your email of 19 October enclosing correspondence from your constituent, Tom Walsh of Wendover Parish Council, regarding the use of Transport & Works Act Orders (TWAOs) on HS2.

As set out in my detailed letter to you of 30 March, the Government's primary reason for not promoting a mined tunnel at Wendover is that, following extensive assessment and independent corroboration, it is considered to be more expensive and harder to construct than the scheme already approved by Parliament (which itself considered proposals for a tunnel at Wendover and rejected them). This has always been the overriding rationale for rejecting the mined tunnel proposal, though schedule risks associated with seeking a TWAO would have been a complicating factor, which have been acknowledged in correspondence on this issue from my predecessors.

My March letter also explained our view that the proposed change at Wendover "could not be taken forward within the powers of the Phase One Act". This remains the case, and whilst seeking a TWAO to supplement the powers in the Act remains a course of action available to my Department in principle, I and my predecessors have explained at length why we remain unconvinced of its merits. My assessment is that the mined tunnel proposal remains harder and more expensive to construct than the consented scheme.

It may be helpful if I explain the position at Bromford as there are crucial differences in the approach being taken there to that proposed for Wendover by your constituents. The Bromford tunnel extension was identified by HS2 contractors BBV as an innovation after MWCC contract award in July 2017. The proposed solution uses the existing Tunnel Boring Machines to extend the tunnel and BBV's assessment was that extending the tunnel in this way was easier and cheaper than completing the surface route at Bromford which is complex and through an urban environment.

Extending this tunnel therefore provides significant cost and construction benefits, which as I have explained, is the opposite conclusion to that which HS2 Ltd and subsequently EKFB came to in relation to your constituents' proposals for Wendover.

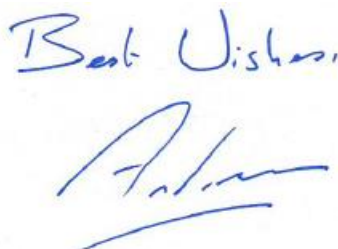
HS2 Ltd considered the proposal from BBV and formally accepted it as the preferred option for the area in August 2018, with detailed design work and public consultation taking place thereafter. Internal legal review by HS2 Ltd indicated that the Bromford proposal was consistent with the powers contained in the Act. However, a subsequent Departmental review in 2020 recommended that a TWAO be sought as a precautionary measure.

It is true that the costs attached to pursuing additional consent through a TWAO (or other means) are a relevant consideration, not least due to the significant additional time that is required to undertake an application. However, it is important to recognise that the benefits at Bromford outweigh this risks. It is also relevant that the Bromford proposal was identified as an efficiency by HS2 contractors themselves a number of years ago, whereas no such efficiency was identified by EKFB at Wendover.

I hope this response helps to explain the situation for your constituents and reassures them that, even though they may disagree with the outcome, these decisions have been taken properly and on the basis of the evidence in each case.

Finally, and in reference to your constituent's inference on the significance of the use of RMM by HS2 Ltd, I am informed by them that RMM is only used within the railway systems arena (signalling, rails, overhead lines etc) and would therefore not impact upon the overall costs of the civil works at Wendover in either a surface or tunnel scenario. In fact, installing systems underground is typically more expensive than on the surface routes due to the greater complexities involved.

I hope this letter helps to answer your constituent's concerns.

A handwritten signature in blue ink, appearing to read 'Andrew Stephenson', with a stylized flourish at the end.

ANDREW STEPHENSON MP

MINISTER OF STATE FOR TRANSPORT