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Dear Hilary,

Exceptional Hardship Scheme Consultation

I am writing in response to your letter of 31 July, which set out the HS2 Action Alliance's concerns regarding the Department for Transport's recent consultation on an Exceptional Hardship Scheme (EHS) and, in particular, the analysis of responses carried out by the Department's In-House Policy Resource (IHPR).

I have now spoken to those officials in DfT and HS2 Ltd who directly managed the handling and analysis of responses to the consultation (they were on leave at the time of our previous correspondence), and need to correct one point in my letter of 27 July. I said in that letter that IHPR had received your response dated 17 June 2010 and that it had been incorporated into their analysis. It now transpires that this was your briefing paper dated April 2010 (which included your detailed proposal for an alternative scheme to the EHS), and not your response letter of 17 June. Your final response arrived on the last day of the consultation. A mistake appears to have been made in handling the large volume of responses that arrived that day which meant that your letter did not reach IHPR, and I must therefore apologise both for the error in my earlier letter, and for this oversight.

I have asked IHPR to review and where necessary redraft their report and we will publish a revised version on the DfT website shortly. I have also brought this oversight to the attention of the Secretary of State, who has reviewed the advice that he was given, and on which he based his decision, and concluded that he does not wish to change his decision regarding the Exceptional Hardship Scheme.

In respect of the property blight data report, the position remains as set out in my previous letter. I have spoken with the relevant officials at HS2 Ltd and it is their recollection that whilst HS2 Ltd had agreed to take receipt of your report, and had acknowledged that its analysis could be helpful in informing a decision on the EHS, they did not make any specific commitment to include it formally in IHPR's analysis.

I should also reiterate the central point made in my earlier letter that in preparing advice for the Secretary of State I was aware of and took into account both your submissions to the consultation and your property blight data report. Indeed, the written advice I provided to the Secretary of State analysed aspects of your submission dated 17 June 2010 in some detail, including your proposals for an alternative compensation solution.

In the light of other concerns raised in your letter, I have reviewed the IHPR report (the purpose of which was to identify and summarise the main issues raised in consultation responses) and it remains my view that this is a reliable piece of work which provides an accurate overview of those issues. The fact that individual responses, or specific points made by particular respondents, may not have been mentioned in the analysis does not in my opinion undermine its value. Nor do I agree that the separation of the analysis into campaign and non-campaign responses biases the presentation of the results.

You also asked when we spoke on the phone about whether and how the HS2 Action Alliance might provide some input into the forthcoming work on options for a longer-term scheme to run alongside the statutory blight regime. HS2 Ltd will be leading the work on this issue and are keen to ensure that they give consideration to the full range of options for how such arrangements might operate, including property protection schemes of the type proposed by the HS2 Action Alliance and previously operated by Central Railways and BAA. They would very much welcome therefore the opportunity to discuss your proposals in detail, along with any changes or additional points that may have occurred since the previous discussion of this issue. They will get in touch with you shortly to set up a meeting.

Please accept my apologies for the mistakes that have been made in handling your submission and in my earlier letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Philip Graham', with a long, sweeping tail extending to the right.

Philip Graham