

UK Project Management Round Up



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INTRODUCTION

It has been quite difficult to decide what to report this month as the main theme of the past year or so has subsided into the background. So this is an opportunity to play catch up and see what has been happening in the wider project world. As the month closes, there are two main themes dominating the news: Coronavirus and legal challenges to projects. Hopefully, there will be some Good News to off-set the less good and I'll save that for the end.

BAD NEWS

It always depresses me that the Fifth Estate (or the Great British Press) seem to find bad news wherever they look. This means the papers and TV News is rarely cheerful. They can be excused, though, for seeing serious bad news as the Court of Appeal ruled that the plans for the Heathrow Extension are unlawful. They reasoned that the UK Government treaty commitments had been ignored. The UN Paris agreement commits the British government to limiting activity that could increase global temperatures. The judges claimed that the refusal to consider these commitments properly was “legally fatal. The Appeal Court said that the government acted unlawfully in 2018 when it failed to take the Paris Agreement into account in drawing up the airports national policy statement — which in effect granted Heathrow outline planning permission.

Needless to say, anyone who had lost an appeal recently now believes that a case can be made to re-open planning cases. The newspapers zoomed in on airport expansion plans at Gatwick, Birmingham, Manchester, Bristol, Leeds Bradford, Southampton and Bournemouth airport. *The Times* reported that the four gas-fired turbines at Drax power station in North Yorkshire approved by the government in October is under threat because the government overturned a decision by its planning inspectorate. A High Court challenge is under way.



Drax Power Station (Image: Industry Europe)

Other threatened projects that could be challenged on the same grounds, include the a route between Oxford and Cambridge, the A303 Stonehenge tunnel and the Lower Thames Crossing, a 14-mile motorway and tunnel to the east of the Dartford Crossing that is the biggest scheme of its kind in decades.

Interestingly, although the court made no judgment on the merits of Heathrow expansion or whether a third runway could ultimately comply with environmental law. The rationale is that to have done so would raise the spectre of political interference by judges who are supposed to be fully independent of political and financial influences. Recently, High Court and Appeal Court judges have been accused of just this sort of bias. The fear is that a petulant Government could start appointing judges in a similar way to Supreme Court Judges are appointed in USA.

From a project perspective, the whole of the Government's infrastructure plan is under threat. According to *Jonathan Church*, a climate lawyer at Client Earth; "This sets a precedent . . . to consider the Paris Agreement. The government must start taking climate change into account when considering major projects." Not even HS/2 is safe and is just as controversial as the Heathrow Expansion. *Adam Marshall*, Director-General of the British Chambers of Commerce, said that the third runway was an opportunity to create thousands of jobs and that hundreds of companies were already depending on it.

While left wing politicians were cock-a-hoop, claiming victory for "the people", some should be careful what they wish for as it is not just the much-needed road and rail

schemes that are under threat. Major hospital builds and school are just as much threatened by this decision.

The only certain thing is that the Government is frantically looking at its major projects and not just in the way that Our Illustrious Leader (OIL), Boris Johnson, promised in the General Election hustings. I would not like to be the Chancellor of the Exchequer just now. He has to plan government finances for the next three years and all the Major Assumptions have been thrown up in the air.

The other big story in the Bad News category is the continuing Coronavirus scare. Cases in UK have mercifully been few to date with almost all cases linked to either hot spots in Northern Italy or China. However, as we close for press, a single case has been reported involving someone who had not travelled out of UK for several years and had no known contact with other cases. Tracing contacts and quarantining is under way in another emergency project.

GOOD NEWS

Best news of the month has been the lack of news on BREXIT. Sure, we have had a little posturing from the EU on their “requirements” and OIL responded in like measure but now we are getting some serious contemplation of just what leaving actually means. People are beginning to ask the kind of questions they should have been asking 3 or 4 years ago – simple things like how well will our infrastructure hold up with fewer migrant workers, how will exports be treated, will I still be able to get medicines and many other down to earth, practical questions they were too stupid to think about with all the emotional pressures from both sides of the argument.

One interesting situation is building in the North east of UK where the world’s most efficient car production plant is located. They were warned that the plant owners would have no reason to support the continued use of the plant if leaving the EU meant problems with exporting the output to Europe. Guess what, it seems leaving the Customs Union will do just that. Now the region wants the Government to guarantee not just the EU development fund money they will no longer be getting but to replace the income from the plant.

Now the really good news – the US Men’s National Team has achieved ODI status. For those not familiar with the jargon, ODI stands for One Day International Cricket. ODI is one of the short forms of the game. As the Chairman said in the US Cricket Annual Report, out last week, “This is the first time since 2004 that the team is consistently playing ODI matches and it marks the dawning of a new day for cricket in America. ICC Cricket World Cup League 2 presents the national team with 36 ODIs against top quality cricketing nations and includes 12 matches played in the USA.” Success! Well done USA Cricket!

CLOSING REMARKS

So we have a potentially shattering decision from the Courts on the future of well over £600 billion of infrastructure projects, £100 billion of rail projects and countless other projects in construction and transport to say nothing of waste management and recycling projects. I think I prefer BREXIT!

About the Author



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Miles Shepherd is an executive editorial advisor and international correspondent for the PM World Journal in the United Kingdom. He is also managing director for MS Projects Ltd, a consulting company supporting various UK and overseas Government agencies, nuclear industry organisations and other businesses. Miles has over 30+ years' experience on a variety of projects in UK, Eastern Europe and Russia. His PM experience includes defence, major IT projects, decommissioning of nuclear reactors, nuclear security, rail and business projects for the UK Government and EU. Past Chair and Fellow of the Association for Project Management (APM), Miles is also past president, chair and a Fellow of the International Project Management Association (IPMA). He was recently a Director for PMI's Global Accreditation Centre and is immediate past Chair of the ISO committee developing new international standards for Project Management and for Program/Portfolio Management. He was involved in setting up APM's team developing guidelines for project management oversight and governance. Miles is based in Salisbury, England and can be contacted at miles.shepherd@m-sp-ltd.co.uk.