

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (CREWE – MANCHESTER) BILL

Monday, 6 March 2023 (Afternoon)

In Committee Room 8

Evidence referred to during the session can be found [here](#)

A video of the proceedings can be found [here](#)

PRESENT:

Andrew Percy (Chair)

Tahir Ali

Dr Lisa Cameron

Antony Higginbotham

Grahame Morris

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FOR THE PROMOTER:

Timothy Mould KC, Lead Counsel, Department for Transport

Peter Miller, Head of Environment and Planning, HS2 Ltd

IN PUBLIC SESSION

INDEX

Subject	Page
Evidence of Mr Miller	3

(At 4.15 p.m.)

1. THE CHAIR: Good afternoon, everybody. Welcome to today's Committee. I'd like to welcome Tahir Ali for joining us. It's his first Committee as a new member of the Committee, so welcome, Tahir. You're here just in time for another briefing, which will be very useful for the work we've got coming ahead of us.

2. Mr Mould, before we start, I know there was some discussion about whether you were going to set out the standing of petitions thing. I think we'll do that tomorrow, as we're going to be hearing from some of the petitioners who are being challenged. I think it will flow more naturally if we do that at the beginning of tomorrow's meeting.

3. Just before I hand over, the same applies as previously. There's a lot of slides to get through. I'm very grateful for those but, obviously, you don't need to read out everything that's on every slide. We can see that for ourselves, but I do think this is a really important briefing because, of course, it is going to apply along the entire route, the issues that are contained within. So, without further ado, I'll hand over to you, Mr Mould.

4. MR MOULD KC (DfT): Thank you and, of course, this is the final one of these briefings. We move, as you know, into the business of the Committee hereafter. So there we are. Alongside me, to my right, is Mr Peter Miller, who is the environment and town planning director of HS2 Ltd. His short CV will be published on the website. I shall simply say that he has worked on the HS2 project since, essentially, its inception in 2009 but prior to that he worked on the Channel Tunnel Rail Link Bill in the 1990s and he also worked on the west coast rail modernisation programme. So he has considerable experience of schemes of this kind and he's been our expert witness on environmental matters throughout the HS2 legislative procedures. Mr Miller?

5. THE CHAIR: Excellent and, just before you start, Mr Miller, same rules apply as normal. If our members have any questions, just please jump in. We keep it fairly informal so if anybody wants to ask anything, just jump in. Thank you.

Evidence of Mr Miller

6. MR MILLER: Yes, what I'll do is I'll pause every now and then. There are some slides with aide memoire text on them and, as you say, rather than going through the

slide, I might just pause on those and others may have questions. Thank you and good to be here today.

7. I'm going to talk about the environmental work that's taken place on HS2 Phase 2B and I'm going to navigate you around that today, and I hope that that will provide a bit of an aide memoire for you. In the slides that are going to be presented to you today, there are various references to things like information papers, the environmental minimum requirements, the environmental statement and so forth. Whilst the pack is fairly long, I'm hoping it's going to be quite useful for you, that you can use it as a quick reference guide later on in the proceedings.

8. I'm going to outline the controls that will apply beyond these proceedings in the Commons and subsequently the Lords because there's a lot of control that will be handed on to local planning authorities and other regulators that I'm sure you'll be interested in hearing about, and I'll also indicate how we're going to go about delivering the significant environmental outcome that features in the plans for this phase of the works.

9. This is the order of the day. This is how the slides are presented. We can move on, I think. I think we can move on again. So the first part of the presentation is really all about design and for those of you who have come out on the site visits with us, I think you'll understand or have had a good feeling for how a new railway will need to fit into the landscape and if you attended the High Speed One visit, you will see a railway that has already been produced in this country and how it sits in some of the most sensitive areas in Kent, and it would be your judgment to decide whether we've got that right, going forward.

10. But what this diagram is showing is that it's not just about the route. There are a lot of features that need to be taken into account to develop a railway, not least of which are the soils and geology that we pass through and the lie of the land, but passing in between places where people live, we've endeavoured to thread our way through to avoid taking people's property, in so far as we've been able to, with a flat and straight railway.

11. Of course, there are a number of other features in the landscape. Ecology, I think you've gathered, is quite an issue on a project like this. The landscape character and the

visual aspects of the project, alongside things like noise that you've already heard about, are key in developing a railway like this in the modern era.

12. So I've referenced information paper E1. If you wanted to find out more about the general approach to the controls, you can see that in the top right-hand corner and you'll see these things feature in my slides, going forward.

13. So this diagram here is a cross-section of a railway grade. So if you look at point 5 on the diagram to the right-hand side of the railway, it's a two-track railway, basically on the level of the ground, and it's a cross-section, a slice through that railway and some earthworks beyond, and I'd like to draw your attention to point 4 and point 8. In developing these railways in the modern age, we have to think very carefully about how to mitigate and compensate for the effects of such a scheme and, in this particular diagram, we've shown some built up earthworks alongside the railway and you can see at points 2, 3 and 1 that that, coupled with planting and barriers, starts to provide an effective screen to the railway itself with the trains passing by and the overhead electrification. And at point 6, you can see that there's a person with a viewing line going left to right and the idea is to show you that we use various techniques to try and screen the railway and fit it into the landscape and you will have seen a little bit on that if you joined the visit on High Speed One.

14. Point 4 is really important because, whilst that looks like a huge area of land that's taken, and I'll show you some diagrams shortly which concern the construction land take, there's a scheme of restoration that comes along with a new railway. Ultimately, the railway will be about some 16 metres across with a bit of earthworks and a fence line 20-25 metres across, and then the area of land that's remaining will be returned back to its former condition.

15. So there's some principles behind the way we go about addressing the environmental effects of the scheme. In the first instance, we try and avoid causing any effects, and that's quite difficult with this flat and straight railway, but we have endeavoured to do that and the environmental statement which accompanies the Bill for this House includes chapters and descriptions of strategic and local alternatives that have been considered.

16. We also reduce effects where possible and we've repositioned some utilities to try

and avoid some ancient woodland as part of the scheme design. We try and abate the effects and, as I've just described, putting in planting, noise barriers and so forth, actually helps to screen the railway. And then we can repair, which is all about the restoration of the land back to its former use or an alternative use, and then there are measures for compensation, which I'll talk about. In particular for ancient woodland, we have funds, which take forward compensation measures outside of the redline boundary of the scheme to plant even more woodland to compensate for those ancient woodland losses.

17. THE CHAIR: You're going to do something on woodlands later, are you?

18. MR MILLER: Yes.

19. THE CHAIR: Because I will have a question about that but I'll wait until you come to that then.

20. MR MILLER: Yes, I've got several slides on woodland so I thought you might be interested in that and I can talk you through –

21. THE CHAIR: Looking forward to it.

22. MR MILLER: – some of the things that we've been going through on Phase One. I'd like to just indicate that the railway has been designed to be resilient and adaptive to climate change. That's to ensure that the railway infrastructure operates with future conditions in mind but the point I really want to make here is that it's not just for the railway purpose. Flood relief, for example, is becoming a bigger issue in the country and we've looked at the 1-in-1000-year event, so that's the more catastrophic end of the events and, through our designs, the length of the viaducts, for example, that's ensured that that future proofing is in place for those people who will become the neighbours of the high-speed railway. But it's clearly important that this railway is built in such a way that it maintains the connection for those communities across the country, the real purpose for the railway, to enable the future development sustainably out of HS2 and those major city regions.

23. So I'm going to move on to the drawings now. This first plan, this is an area called Rudheath, and you'll remember that, for those of you who were on the

Manchester trip a few weeks ago, if you look at the left-hand side – hopefully the cursor can go up the line of the road – we passed along that road, up to the second roundabout and turned right and you maybe remember from the commentary that this is the Shurlach Road. This is the road that we’re actually moving to the left-hand side of the railway and the railway will take up part of the carriageway of the existing road.

24. So just to key you in to where we are here, it’s a Bill plan that we’re looking at. It’s quite abstract in nature. In the middle of the plan there’s a black line from left to right, which describes what was called a scheduled work, and that’s a railway work, so that’s the centre line of HS2 there, and it’s associated with some dotted lines either side, which are limits of deviation. So the railway can ultimately move to a different location within those limits. I think I should say at this point that the approval that you give through these proceedings will give the project deemed planning approval and you can liken that to an outline planning approval, and what I will then talk about in terms of controls are the detailed matters that will come after these proceedings and after the Act is made.

25. So there’s a railway, which is described in this abstract form, and there are roads. You can see some road diversions either side there and then you can see some utility diversions. So I think we pointed out, on the Manchester trip, some overhead line electrification that needed to be moved and some underground, I think, gas pipelines that will need to be shunted around. All of that requires redefinition and the Act, the abstract form, describes all of that.

26. And then the grey areas on the plan, you’ll see, in between those grey areas, several numbers and those numbers correlate to the book of reference, which is part of the Bill, and that relates to people’s land interests: either they own the land or they’ve got some interests in that land, either above or below. And this is the reason why you see some petitions coming forward because it’s that land that’s affected, some of which is affected by compulsory purchase, which you’ve heard about from Michael Eckett.

27. I think I can move on to the next drawing. In the same location – sorry, we haven’t been able to orientate it exactly the same as the Bill plan that you’ve just seen, but if you focus in on the two roundabouts and that route that we took on the bus, you can see that the extent of the construction works depicted by the pink shading, the

orange and the brown shading, is quite extensive and that's describing the limits within which that construction has got to take place, either for the purposes of building the railway or for the roads or the utilities that will have to be moved out of the way. You can see green dotted lines on the roads and those depict the lorry movements that are anticipated and they're drafted up in the environmental statement. The orange areas are satellite construction compounds and the brown areas are sites where we will temporarily store materials that arise along the line of the route that will either be reused or taken away from site.

28. So if you just keep that picture in mind, if we flick to the next picture, you can see that this is the scheme in operation. So this plan view shows what the land take will look like and if you look right in the centre, just below where the two roundabouts are, you can see that that area is blank. If you just toggle back to the previous slide, you can see the big area of construction, the big area of orange. And toggle forward again, yes, that area has become blank. So that shows that the footprint, although it's quite large during construction, will ultimately be restored back to its original use and, again, if I go left to right, you can start seeing the railway being described in more detail.

29. So here's the Gad Brook viaduct that you will no doubt get to talk about in future proceedings. That's shown in grey and then just to the right of the viaduct, there is an embankment shown in the yellow kind of colour. You can see the road diversion, the final diversion of the road, at Penny's Lane and then going further left and in the centre line of the railway, the railway will pass through at grade, a bit like the cross-section I showed you earlier, and you can see a number of the features that Tim Smart pointed out from the route video, the balancing ponds and these features that are necessary, ancillary features that need to be put into the landscape to support the railway and then, indeed, there's the Shurlach Road, which gets realigned. We drove down roughly that road there. You can see the red lines, which are all the utility diversions in their final position, and then all the green notation, what that's talking about is the environmental mitigation.

30. So if I move on to the next slide, when it comes to this Committee hearing petitions, we're going to unpack that detail for you and we're going to show plans a little bit like this, which are going to be annotated, so hopefully that will enable you to quickly navigate what's going on in these plans.

31. THE CHAIR: And it'll be clearly marked like this, I presume, then.
32. MR MILLER: Yes.
33. THE CHAIR: Because obviously what we don't want is a load of detailed maps that require a lot of interpretation.
34. MR MILLER: No.
35. THE CHAIR: But this will have all of your environmental mitigations for every petitioned against section or in response to every petition, presumably, where an environmental issue is a consideration.
36. MR MILLER: Yes. So the team behind me are doing a lot of work at the moment, thinking about exhibits and how those come forward to you, to give those forward so that they're in a straightforward manner, so that we can get through those proceedings as quickly as we can.
37. THE CHAIR: I think that's important so that they're easily understandable, even though we're all very intelligent, articulate people, the finest Parliament has to offer.
38. MR MILLER: Indeed.
39. THE CHAIR: However, I think for the purpose of people who are watching at home or petitioners, and perhaps ourselves, it is important that we're able to easily appreciate what the mitigations are.
40. MR MILLER: We've got an awful lot of material and we know, when people have been consulted on that material, that people do find it difficult to read the plans and that information that's put forward.
41. THE CHAIR: I mean, this looks very clear, doesn't it, because it clearly sets out what the mitigations are, with some detail?
42. MR MILLER: Yes, so I think the important thing is that that enables the petitioners to understand our position as well, so that they can make up their minds whether we've actually resolved their issues or not.
43. So, overall, I'd like to point out that the extent of the environmental plan goes

quite some way away from the linear nature of the railway itself, and I think those who came along to the High Speed One visit will have got a view of that actually happening on the ground.

44. I'm going to move on. So here, if you find the balancing pond and the Gad Brook viaduct just in the bottom middle of this; this is the screenshot of the flythrough that you saw a few weeks ago. The two roundabouts to the left and where the orange roofs are of the housing there, you can see the railway moving north-westwards and this CGI image shows how the planting will actually ultimately come about, and shows how the railway will be screened and how that railway will fit into the landscape and, indeed, the roads, how those will fit into the landscape as well, and hopefully that will go some way to satisfying local people, local authorities and others that we've got the right plan in place.

45. So if we can move on, please. For those who weren't able to join us on our High Speed One visit, these aerial images were taken some time ago but the image on the left-hand side, this is in the Boxley Valley in Kent.

46. THE CHAIR: We visited this bit, didn't we?

47. MR MILLER: We did. In fact, on the right-hand side, you can just see a white bridge, two thirds of the way up the page. We were on top of that bridge, looking back this way, to the bottom.

48. THE CHAIR: I remember it well.

49. MR MILLER: And you'll remember that there were vineyards rather than arable crops there.

50. THE CHAIR: There were, yes. I remember, yes.

51. MR MILLER: Yes, so our chosen images, hopefully you're familiar with, but just to the left, the left image shows the planning construction and clearly that is a bigger area than is required for the final railway scheme, which is on the right-hand side of this diagram, and I think it gives you a fair idea of how these sorts of railways can fit into the landscape.

52. I'm going to pause there if anybody has any questions.

53. THE CHAIR: No, I think that's all self-explanatory. Anybody have any questions? No?
54. MS MUMBY-CROFT: I'll jump in if I get –
55. THE CHAIR: Go on then, Holly.
56. MS MUMBY-CROFT: No, no, I mean if I have one, I'll jump straight in.
57. THE CHAIR: Yes, no, please do. Just jump in whenever.
58. MR MILLER: We've also got the site visit on Wednesday, I believe, so if there's anything else that springs to mind – so you'll see construction live.
59. THE CHAIR: We have, yes, exactly. The actual tunnelling machines will be there or are they further along now?
60. MR MILLER: No, they're about 10 kilometres in now.
61. THE CHAIR: So, that would be six miles, wouldn't it, in proper measurements? So they're obviously all well in now, aren't they?
62. MR MILLER: They are. You will get to see the construction site where we're making the tunnel linings. You'll get to see the viaduct structures being manufactured. We're going to whizz you around to see the viaduct itself being built.
63. THE CHAIR: Presumably it's still a construction site, obviously, so you haven't started any of the environmental mitigations yet.
64. MR MILLER: Yes, we have.
65. THE CHAIR: You have? Right.
66. MR MILLER: Yes, well, you'll see it. You'll see that the material that comes out of the tunnels is being dried and that is now being used to raise the ground in readiness for the rewilding activity that will take place.
67. THE CHAIR: Right.
68. MR MILLER: So it won't look green, but it will look pretty good.

69. THE CHAIR: Well, tell us any more and we won't need to come. So we'll just need to save the rest for Wednesday.

70. MR MILLER: Okay, it's well worth seeing. The next two slides were touched on in – they're quite wordy, so I'm not going to read them out, but suffice to say that what comes along with a hybrid Bill of this nature is accompanied by an environmental statement and the important thing about that is that that describes the environmental effects of the scheme. Others will disagree with that and they will have a different view and you will see that – I think you've already seen that through the independent assessor's report that there are different views about the way that this railway comes about.

71. THE CHAIR: I asked this question on the noise – I've asked it of everyone so far – sorry to interrupt again. Do we know how many of the petitions relate to environmental matters?

72. MR MILLER: I don't know. Someone behind me might know the answer to that and if they pass me a post-it note –

73. THE CHAIR: It's just interesting, just to know, as a proportion, whether we know how many of them – because I think you said about 20% or a third were to do with noise, but they might have more than one –

74. MR MOULD KC (DfT): I can't give you a precise number but I think it's fair to say that the majority of the petitions raise, to some degree, environmental issues. I mean, of course, they're quite wide-ranging and they're from different perspectives: some from the perspective of a landowner, some from the perspective of a parish council speaking on behalf of their community. But, no, certainly noise, landscape and visual impact, traffic, community severance, those kinds of issues, as you would expect, do feature in a substantial number of the petitions that you're going to hear.

75. THE CHAIR: Yes, I'm just thinking distinctly, traffic is its own kind of distinct issue; noise is its own kind of distinct issue; and then we've got what I would classify, not just the broader environmental thing of noise and everything else, but actually things that relate to habitats and to wildlife and to forests and all the rest of it.

76. MR MILLER: Yes. You will hear from a number of different voices about those matters and you will hear from some of the nongovernmental organisations that will take up the issue of ancient woodland, which I'll touch on. No doubt the Wildlife Trusts will appear and so they are particularly focusing on certain topics. I think I pointed out on the Manchester site visit that you come across names of roads and locations of meres and mosses. Water is going to be a big issue going forward on this part of the project. It becomes much more relevant in the scheme design and you'll hear about that from us and others will be concerned about it.

77. So the point of the environmental statement is to bring that forward. It's carried out by independent assessment experts. That has been scrutinised by an independent assessor on behalf of Parliament and you've seen that report, and that independent assessor's report starts to frame the sort of things that you might want to bring forward as questions for us and, certainly, that's the way that I look at that report. And so I'm anticipating that the narrative of these sorts of sessions will draw upon those matters, as well as the petition issues that come up.

78. MR MOULD KC (DfT): It's perhaps worth, in response to your question, just before we leave it, mentioning that there tend to be two quite different and, to some degree, opposed perspectives on natural environmental issues of the kind you mention. On the one hand, one has the landowners who will necessarily have to receive environmental mitigation on their land, such as farmers and growers and so forth, and obviously they're concerned to ensure that, if you will, as little as possible of their land is affected by the needs of the railway.

79. The other perspective, of course, is from the sort of organisations that Mr Miller's just mentioned: Wildlife Trusts, non-governmental organisations such as the Woodland Trust and so forth, and obviously their perspective is to ensure that the railway is, as they would see it, effectively and properly mitigated in terms of its impact and you can see how those two perspectives are not always entirely consistent.

80. So you, I'm afraid, may find yourselves, to some degree, having to draw the balance. We've sought to draw it but I'm not going to suggest for a minute that we've necessarily drawn it in a way that is uncontroversial in every respect. So that is, from past experience, a balance that you may well find you have to consider.

81. MR MILLER: And you'll no doubt hear from the National Farmers Union about those sorts of matters and their concerns. And, yes, trying to strike the balance, we have a view on that, how that comes about; others will have a different view that will need to be taken into account. But suffice to say, on the environmental statements, they come forward as part standing orders that you're familiar with in this House and they do set up that independent consultation.

82. So if we just move on to the function of the environmental statements, they're a useful place, a repository for describing the proposed scheme in plain language, as opposed to what's written up in the draft legislation itself. I mentioned the reasonable alternatives but the important thing is, it describes the significant effects on the environment and people, and I will touch on, shortly, the environmental minimum requirements.

83. This is the main commitment that Mr Mould gave on behalf of the Secretary of State on day 1 of these proceedings that, going forward, the environmental effect of this scheme should be no greater than that in the environmental statement. That may well be modified by these Committee hearings through undertakings and assurances and so forth or, indeed, the additional provisions that come forward, but it's an important consideration because this outline planning permission that you will be giving approval for at this stage, making recommendations for, that will have to come good in detailed design after these proceedings have finished in both Houses and the Act comes good.

84. So that process is important to understand and I'm going to turn to that now. Sorry, no, I'm going to turn to engagement, sorry.

85. Notwithstanding the independent assessment and Parliament's engagement and the environmental statement, this slide and the next slide indicate the level of engagement that we, as a project, have had with local communities and others over a good number of years. I'm not going to dwell on this. You can see the numbers. It's pretty extensive but we, on the environmental side of things, we do consult on the scope and methodology of that assessment and we do take views from third parties to try and get that as right as possible so that they recognise the results that are finally reported.

86. MR MOULD KC (DfT): I think we can move on.

87. MR MILLER: I was going to pick out a little bit of future engagement, particularly associated with the design work and information paper D1 in the top right-hand corner, I think, is a worthwhile reference for you to perhaps have a look at in your own time, as the petitioners come forward. What that does is it sets up a number of aspects of design that will require some further detailed design. Key design elements, things like the main viaducts, maintenance bases in fairly sensitive areas, will be thought out differently and more extensive consultation will take place as the detailed design takes place, once the Act is given.

88. Common design elements – road bridges and noise barriers, getting that right along the length of the route is clearly important and will require further public engagement. And stations – I think it probably goes without saying that stations and how they actually fit into the landscape will require quite extensive engagement. And that engagement, that's got to comply with any undertakings and assurances that are given through these proceedings.

89. I think we can keep moving on. Mr Mould touched on this, or described the legal framework, in opening. I'm going to quickly canter through these. I will pause from time to time but suffice to say, here, the legal framework has three elements. First of all, there are controls within the Bill, so the scope of the works are controlled by the schedules and the scheduled works are the central lines that I showed you on that Bill diagram earlier. There are planning conditions that I'll touch on and bringing into use of scheduled works that everything that we've promised has come good, and that will be for much later on in the programme. Restoration I've touched on and you can see it's hard-baked into the legislative framework.

90. Then there are the controls outside of the Bill. These are the environmental minimum requirements. They're listed there and I will touch on those as I go through the next few slides and then there's existing legislation. There are aspects of the law that don't get disappplied by or reconstituted in this Act that we'll have to comply with and they are related to things like pollution control, habitats and I think you may have heard something about section 61 prior consents for noise.

91. So if we can move on, the next one is planning conditions. The point here is that planning authorities along the line of the route, and I'll touch on this in a later slide, we

expect all of the planning authorities along the line of the route between Crewe and Manchester to become qualifying authorities and that gives them the maximum extent of powers under the Act, or under the Bill and under the Act, and we've described that in a planning memorandum and we expect them to be signatories to that planning memorandum. The important thing there is, there's a quid pro quo on that, that not only do they enjoy fairly extensive powers of control for details later, both in construction and design, but they do that in a manner which enables the programme for HS2, this nationally important infrastructure project, to go forward unhindered. So getting the timing right with local planning authorities going forward is all part and parcel of that planning memorandum. So that's our way of working as those planning authorities sign up to those arrangements.

92. So if we could move on, please. And this is just a quick guide to the range of planning matters that are subject to conditions. They're all listed there. I'm not going to go through those. You'll hear about these individually as we bring the petitions forward and we'll point those out and the powers that others have later on to control those works.

93. If we can move forwards. Yes, I think I'll leave you to look at the slide but in the second bullet, bullet (a) and bullet (b), I think it's worth just dwelling on that, that the matters for refusal for those later planning approvals, or consent approvals, relate almost solely to the environmental condition. So you can imagine that conditions will be placed on HS2 for matters that could be undertaken to further preserve the local environment or local amenity, prevent effects of road safety and traffic flow or further respect aspects of historic interest and nature conservation value. So, again, this is how a future outcome is hard-baked into this law that you're assisting everyone to create and it's important to understand that those conditions can really only come forward if they are reasonably capable of being realised and carried out within the limits that we have approval for.

94. So if we can move forwards. Here is one. This is a viaduct; I think it's going to be the longest viaduct in the country. It's being built at the moment in the Colne Valley and you're going to get to see that on Wednesday. This was deemed to be a key design element under Phase One. It's subject to a lot of consultation. It was, I suppose, a split consent between one side of the River Colne in the London Borough of Hillingdon and

the other in the Chiltern District Council. Chiltern District Council has now been subsumed within Bucks County Council but, nevertheless, the design was eventually agreed through the schedule 17 approach and subsequent to that, the scheme, certainly on the Chiltern side of it, the scheme for mitigation was subsequently approved, which is the scheme which I described a bit earlier on, which is in the formative stages.

95. If we can move on. As part of the planning memorandum and the commitment that we require of the planning authorities along the line of the route, they must set out a document showing how they're going to give us the planning consents. To be fair, that's a negotiation with our schedule against their plans and their resources and we support them through service level agreements to enable all of that to happen. And the request for approval in this particular matter – this is from Phase 2A – you can see the sorts of matters for approval listed down in the left-hand column, and the timeline for getting those approvals to enable the schedule for the railway to be built and operated follows that programme just to the right.

96. We can move on. Schedule 15 – again, this comes back to the point of restoration, the general principle of restoring the land to its former condition, unless there are other reasons for it to change. That will be followed but, again, it's hard-baked into the legislation, or draft legislation, that's before you. And, in particular, that big area of orange and pink that I showed you in that triangle of land, that will go back to an agricultural use. So it's temporarily disruptive. And so you'll see this from time to time with petitioners that come forward, that there is what might be deemed to be quite an extensive disruption temporarily that will be restored and then they will get that back to use so that people can get back to business.

97. There are certain matters concerning highways approvals, approvals for the water environment and licences, and certain conditions relating to the Canal and River Trust. You can see all of those there and this is just an abstract from schedule 32. There are a whole variety of protective provisions for utility companies and so forth. They're not all listed here but if you go to schedule 32, there are lots of matters that approval will need to be sought for doing certain things. So in the water environment, for example, going into ground water or flood plains and that sort of thing will require further licence approval from the Environment Agency. So those sorts of matters are reconstituted in this law, which is the wrapper around HS2.

98. And if I can turn to the minimum requirements now. So as I mentioned before, the environmental minimum requirements work in conjunction with the environmental statement. That's all set out in the general principles. There are some provisos in those general principles and we have found on earlier phases of the project that, for example, with best intentions, we've made certain assumptions about groundworks and we've subsequently found that those ground conditions have not come through, when we've done boreholes and things like that, and we've actually had to change the plans. So we've had to then go back to local planning authorities and describe all of that. So there are some circumstances where the environmental minimum requirements don't apply but, generally, the principle is that the environmental effect should not be any greater than that assessed.

99. In the suite of documents, going beyond the general principles, there's a code of construction practice planning memorandum, which I've already described; a heritage memorandum with Historic England; and an environmental memorandum, which describe us working with the environmental regulators both in England and in Scotland in this particular instance. That's all to ensure that the right scrutiny is taking place around the project and that we're doing the right thing and everything is coming together smoothly. So I'll quickly rattle through those with the next few slides. I'm not going to say any more about that because I think I've said enough about it, the general principles.

100. So the next one, the code of construction practice. This is a series of contractually binding requirements on our contractors when they eventually get on board. These are at the early works stage, the main civils construction stage or the systems fit-out stage. Each of those will be required to proportionately meet these requirements.

101. I was just going to bring up the contents page of the code of construction practice because it's quite extensive and it's a useful gauge of what's included. So if you can just pause there. It talks about management principles and the setting up and how it works with the environmental minimum requirements, what enforcement looks like from those various bodies that I've described. There are general requirements so working hours, for example, are generally 8.00 in the morning until 6.00 at night during weekdays; 8.00 in the morning until 1.00 on Saturdays with an hour either side for setup

and closing down of those sites. There are some exceptions to that. The tunnel boring operation, for example, will be running 24 hours. Once it starts, you can't stop it, apart from planned breaks, so they'll be getting on with that and we'll describe that, I think, on the meeting on Wednesday.

102. So there are general issues that we'll take into account, things like pollution incident control and things do go wrong on sites and so you've got to be able to tackle those. And then there are various measures for a whole range of topics and this largely emulates the topics which you find in assessment in the environmental statement that's before this House, so agriculture, air equality, cultural heritage, ecology, all of these different matters that you described a little bit earlier, beyond noise, but it does include noise, waste materials and those sorts of things. So it's a pretty comprehensive set of requirements that we require our contractors to respond to.

103. So if we can flip back to the slides. There are just some highlights in here. The first one is the management plans. The contractors will be required to produce environmental management plans. We will publish those. We publish data on our website to show local people what's going on a few weeks in advance of every stage of the works along the way, so they can be kept informed of things that are happening, whether the works are potentially disruptive, whether the works are going to operate outside of hours, for example, and that sets up local engagement for future phases of the work.

104. THE CHAIR: If a local authority refuses one of these, what happens then?

105. MR MILLER: Ordinarily we would be looking at negotiating a remedy with those local authorities. So in the process of getting consents, or approval for details, there's a lot of pre-application that goes on. There have been some issues with traffic routes, for example. In the Chilterns there have been some issues. There's no doubt about that and Hillingdon, London areas, quite congested. But we've gone back to them and we've talked about the routing, timings of things, particularly where – and this might feature in some of the petitions – things like school finishing times or school breaks or whatever. How can those sorts of things be accommodated? And our contractors do try and accommodate those sorts of matters before approval is given. We've been largely successful in getting these. I don't think there's been anything

that's been refused point blank.

106. On traffic routes, clearly, we've got limitations. I think you've noticed that out on the Manchester route visit, actually, there were quite limited routes to get in to some of these rural areas to build the railway. So in answer to local planning authorities who might refuse, there are some natural limitations to what you can achieve but we have done other things, changing the way we've operated construction sites, for example. In Old Oak Common, there was a lot of concern about lorries backing up on roads and that's all been stopped now. There are different techniques that have been deployed on those sites. So there's a fair amount of flexibility later on, still, to resolve local issues.

107. THE CHAIR: Right.

108. MR MOULD KC (DfT): The Bill also modifies the arrangements under the Control of Pollution Act. It's schedule 26 and, in effect, if, notwithstanding everything that Mr Miller has said, it's necessary to find a formal solution to a disagreement, then the Secretary of State is the person who is in place to do that. There's also an arrangement for arbitration if the nominated undertaker and the authority concerned would prefer to run matters through that route.

109. THE CHAIR: And if you have a local authority that doesn't particularly want the railway, this is a tool to frustrate everything, isn't it?

110. MR MOULD KC (DfT): Well, that's precisely why the statutory regime under the Bill makes some modifications so as to ensure that the delivery of the railway can be kept, broadly speaking, to programme, yes.

111. THE CHAIR: So, effectively, do you appeal then to the Secretary of State?

112. MR MILLER: We've had a number of appeals on Phase One and, yes, that's talked through with the Department in the first instance. That will go to the Planning Inspectorate, which will look at those planning appeals. They try and get through those, with degrees of success, as swiftly as possible, to resolve matters. And if those matters can't be resolved, I think there are call-in arrangements that the Secretary of State – I think it's the Secretary of State for Transport and/or Housing and Levelling Up. They have to look at that in conjunction so it's not a fait accompli from one Secretary of

State. And that has been deployed but I would say not to any great extent. There are some matters that are frustrating. There's no doubt about that and we are trying our level best to get those resolved as quickly as possible because, if it does get frustrated, then clearly, particularly if you've let contracts, those contracts are spending public money. So we do urge local planning authorities, through pre-application stage, to really air all of their issues so that we can get to grips with those and once we get to grips with those, we put the applications in and we're expecting those to be turned around within the requisite time, rather than going to appeal but that is a mechanism of resolution. But we do try and work the situation so that we can remedy the situation before we get to it, anywhere near that, because if we can resolve it, clearly that's of benefit to us.

113. Okay, we'll move on. I've talked about these sorts of things and shown you the contents list. I think Rick Methold probably talked to you a little bit about construction noise, about prior consents for construction noise. We've adopted that practice so that we can get that engagement with the relevant authorities forward at the earliest stage and before works actually start on site. For some of the bigger and longer construction activities, that's a progressive approach but we think that's one that works and, once we get that settled, we can move forward confidently with those environmental health officers who will be looking in on us from time to time.

114. Okay, I think we can move on. I've already talked about the planning memorandum. You can look at that. Really what that's about is setting up the qualifying authorities and getting them to be signatories to this at the end of this particular process so that they can run the planning regime going forward in conjunction with us as nominated undertaker.

115. THE CHAIR: Can a local authority refuse to –

116. MR MILLER: Yes, they don't have to become signatories but they enjoy a much reduced list – that list I showed you of the areas that they have some control over – and that's largely those construction details that would fall away. It wouldn't be the design details of the building works; it would be those sorts of construction activities. So, I mean, I would say that it's not in the interests of a local planning authority to reduce their powers and, as I understand it, Cheshire East – I think in Phase 2A, when that was

debated in their members' meetings, the recommendation was to go for the full powers. Clearly, that means that they're in a better position to represent their constituents, our near neighbours, during construction and offer the best value of controls from a local planning authority perspective. And when you look at the aspects of conditions that might well be applied, or settling the arrangements for construction, then they're going to have a better say in all of them.

117. THE CHAIR: If you sign up as a qualifying authority, what do you gain in terms of powers then?

118. MR MOULD KC (DfT): Can we go back to slide 21?

119. THE CHAIR: We saw it but I kind of interpreted it in a different way.

120. MR MILLER: So I'd describe this as the powers that you get for being a qualifying authority. So in that case –

121. THE CHAIR: If you're not a qualifying authority, who exercises these powers?

122. MR MILLER: Sorry?

123. THE CHAIR: If you're not a qualifying authority, who exercises the powers that the qualifying authority gets?

124. MR MILLER: I think it's basically the construction arrangements on here and anything to do with construction.

125. MR MOULD KC (DfT): Well, the answer is that the decisions are made by the nominated undertaker. Take for example road transport. The powers under paragraph 6 are exercisable by a local authority which is a qualifying authority. So in the event that HS2 were running lorries along roads in an area where the local authority hadn't signed the undertakings and so become a qualifying authority, then there would be no need for the nominated undertaker to obtain local approval for those routes. But, in fact – I think this is right, isn't it, Mr Miller – hitherto, both on Phase One and Phase 2A, all line of route authorities have signed the undertakings and become qualifying authorities.

126. THE CHAIR: I would assume they would.

127. MR MOULD KC (DfT): Yes, yes.

128. THE CHAIR: But if you're an authority that's very opposed, the risk of that is you then get potentially presented as the people who are allowing it to happen. So I just wondered whether anybody had chosen not to.

129. MR MOULD KC (DfT): Well, forgive me if I step in here, but experience with Phase One, which obviously is the most mature in terms of the operation of this scheme of control, certainly suggests that qualifying authorities have robustly exercised their powers in cases where they have felt that they should do so. And as Mr Miller has said, there had been a small but significant number of cases where it has been necessary to launch appeal proceedings under the schedule and that reflects the fact that, in those cases – if not in all of them, certainly in a number of them – there was a difference of view between the nominated undertaker, HS2 Ltd, and the authority in question as to whether the controls ought to be operated in a certain way and the local authority stood their ground. Whether it's been seen as such by local communities, certainly local authorities have not simply seen it as a rubber-stamping exercise.

130. THE CHAIR: An appeal against the powers that are granted to a qualifying authority is the same as all – it just all goes via PINS, does it?

131. MR MOULD KC (DfT): It does, yes, ordinarily. There have been one or two – and again this mirrors the position with the conventional planning process – where the decisions have actually been made by the Secretaries of State themselves.

132. THE CHAIR: The Secretary of State has called in the –

133. MR MOULD KC (DfT): Yes. But, no, the general pattern is that the decisions are made by the inspectorate, yes.

134. THE CHAIR: It's the same as a normal planning process.

135. MR MOULD KC (DfT): Yes. I mean, there are two differences with the conventional planning appeals process. The first is that the grounds on which decisions can be made are circumscribed under the terms of the schedule itself and Mr Miller showed you an example of that a few moments ago with regard to paragraph 2, the building works.

136. The second is that the timescales for decision making are abbreviated as compared to the conventional planning – and the reason for both of those is what Mr Miller said a few minutes ago. It is to draw the balance between the timely delivery of this major project and ensuring an appropriate measure of local control.

137. THE CHAIR: Yes, okay, thank you.

138. MR MILLER: So, I think we can skip back to the minimum requirements. I think we'd got on to the heritage memorandum. So there's a heritage memorandum, which, I suppose, does what it says on the tin really. It sets up a specialist heritage subgroup and takes account of archaeological and listed building matters, and I believe that's already been set up and is operating.

139. The next one is the environmental memorandum and this sets up a national environment forum of the regulators: Natural England, the Environment Agency, Historic England and also those equivalent authorities in Scotland in this instance. That's a forum for enabling discussion with the nominated undertaker, HS2, to enable the environmental matters to be discussed and scrutinised from time to time.

140. We can move on to the next slide. As part of the environmental minimum requirements – this came up in opening as well – through these proceedings, a variety of undertakings and assurances will be entered into within individuals and other groups and these will all be recorded in the public domain and progress will be recorded periodically and a spreadsheet of these commitments will be set out as each of those are made. And it's important to understand that the undertaker's assurances have to be discharged by HS2 as nominated undertaker under the terms of the Bill and then the Act, and they are matters that need to be taken into account by local planning authorities as they are giving their detailed approvals going forward in detailed design stage. So we can move on. I mentioned the existing legislation, so there are just three examples there. We can move on.

141. And just as an aide memoire – again, this came up in opening – through these proceedings, we will have to look at the implications of the Habitats Regulations assessments. There's work ongoing at the moment to try and limit the effects on such features and avoid, insofar as we're able to, the need for carrying out these assessments. But at a point in time, you're the nominated group in Parliament to carry out the

assessments aided by Natural England Advice as we produce those reports in due course.

142. I don't think we have any timeframes for that at the moment. That will come forward in due course as we complete the various additional provisions, so things may well change through time, so we've got to think about the timing for that, but suffice to say, we will ensure that there's sufficient time for that exercise to be carried out and you can fulfil your function.

143. The next bit I'm going to turn to is how it all sort of comes good from a project perspective. Let me move on. Within HS2 we have five pillars of activity which we continue beyond these processes in Parliament and beyond the assessment processes, and I think it's fair to say that the assessment process – although it's a written document in the environmental statement, the assessment continues into that detailed design phase.

144. We have a number of initiatives that we're trying to tackle. I'll talk about green corridor at the end of this part of the presentation, but we intend to create a green corridor along the line of the route. We are looking carefully at climate change and implications that a new railway has. We are looking to improve our community experience, or continually improve our community experience, with those living alongside the route who'll receive the railway.

145. We will have a big historic environment programme and we're running one of the biggest archaeological programmes already in this country, if not Europe, possibly even beyond. We're also looking very carefully about how we consume materials on the project and what we do by way of waste.

146. Move on to our upgraded sustainability vision. So we're aiming to create as sustainable a railway as we can practically. You'll be aware of the Climate Change Act in 2008 setting the scene for net zero by 2050, and also more recent Environment Act 2021, which places greater emphasis on the natural environment.

147. In both instances we've taken up the challenge and within HS2 we now have formed, over the last three years, I think it is, a board and executive – two groups – a board and an executive group that looks particularly at environmental issues. That means that we've got these matters front and centre within the business, alongside

things like cost and schedule that you can imagine is important in the boardroom. But our project takes these matters very, very seriously.

148. Just to go through what that really means, to briefly summarise, we've spent about four and a half years working on forecasts for electricity generation in the country, and of course HS2 is an electrically powered railway, and for the service on the new tracks that power will be carbon-free from day one. So we've already committed in the Phase 2A proceedings that would be the case.

149. The carbon emissions from construction – we have a great opportunity on HS2 with the value of public money being put into HS2 and its build, and the rolling stock and the system itself, to lead the way and develop a project which will clean up construction, clean up all of those processes in design and build of various elements of HS2, and it's our intention to construct in a net zero way from 2035, and we think that we may still have to offset some of the carbon that may be generated at that stage, but we're trying our level best to accelerate the programme for net zero as a consequence of the public money being spent on HS2. As an organisation, we are intending to be net zero from 2025.

150. And then turning to biodiversity, we've looked at that point in depth over the last couple of years and we've agreed to emulate the requirement for a 10% biodiversity net gain from the Environment Act, which seeks to further improve the biodiversity of development. And at the moment we're waiting on Defra to finalise its metric for measuring what biodiversity net gain actually is; we're expecting that later on this month and then we can start finalising our plans, and at a point in the autumn of this year, it's our intention to publish our biodiversity action plan. For Phase 2B, you'll see that 10% net gain featuring.

151. We've also said that we would take a look at Phase 2A and Phase One to see what else we could do. We were using prevailing standards at the time of getting the approval for those phases, so we have a commitment to deliver no net loss, to maintain the status quo for biodiversity, but we are also looking to try and improve earlier phases of the work.

152. So HS2, I think, has taken its responsibilities very seriously in this area for these important changes that the country sees are necessary to curb carbon emissions and

benefit from net zero as part of a net zero economy going forward. We're going to play our part and similarly, from nature recovery, we're going to play our part in delivering that better going forward, and Phase 2B is the real focus for that. So we can move on.

153. Biodiversity net gain is not constituted in the plans that we have. I think there was an earlier question about whether we just replace like for like. We don't, even in the scheme design, for things like biodiversity; there's always a lot more habitat put into that that's taken. But as an additional overlay, the 10% net gain will go beyond those arrangements within the Bill scheme.

154. It's our intention to seek partnership going forward. So later on this year, and with our new chairman coming on board, we'll be looking at having various meetings with relevant NGOs and regulators to see what else we can do outside of the red line boundary, but we have baked in 10% net gain into our overall budgeting arrangements. Not all of that will be seen within the scheme design, although a lot of it, I think, will be quite close to the scheme design.

155. MR HIGGINBOTHAM: Have you ever quantified the cost of that? I mean, how much does it cost to deliver a 10% net gain versus the cost of not doing that –

156. THE CHAIR: Like for like.

157. MR HIGGINBOTHAM: Yeah, like for like.

158. MR MILLER: We haven't, because the way we do it – or the way we've been doing it to date – is looking at measures of cost, project to project. So the way that the cost build-up operates on High Speed Two, it's based on experience from projects like High Speed One, Crossrail, west coast route modernisation, other schemes around the country, and so they're aggregated factors that produce the overall costing. We're not costing up every tree along the line of the route.

159. THE CHAIR: But I think your point is, does adding 10% net gain equate to 10% additional budget?

160. MR MILLER: No, no.

161. THE CHAIR: Is that quantifiable in any way? There's been a lot of criticism of

the cost of this process. There's a lot of criticism of being able to do any big infrastructure project in this country anymore because of all the various requirements and everything that are necessary.

162. MS MUMBY-CROFT: Have we used the Phase One woodland fund? It says '£1.4 million of the Phase One woodland fund'.

163. MR MILLER: Yeah, that's not a costed – that's not a costed-up plan for an outcome. That's a fund where we try and get the most out of the money.

164. MS MUMBY-CROFT: How many acres is that? It says '£1.4 million has so far delivered 324 acres of new woodland'.

165. MR MILLER: You just need to be a little bit careful about that.

166. MS MUMBY-CROFT: I could get a calculator and divide it, and then I'll know how much it is an acre.

167. MR MILLER: I've got the sums here – oh, you've got them in acres. This idea of biodiversity net gain is quite novel, which is one of our concerns – was one of our concerns in thinking about how do we bake in 10% biodiversity net gain into this phase? We have done some background work on that. Just to give you an indication of what the commercial market is starting to look like, it's looking like £25,000 per biodiversity net gain unit.

168. The reason why I'm being a little bit guarded about that is because we don't know finally what the metric is going to be. We are looking at it, but we don't really know what the published metric is going to be until Defra actually publishes, but it's something like that, and that might equate to an acre of a certain type of outcome. So it's difficult to judge at the moment because, if that was agricultural land, you might then have to buy agricultural land at a premium in one location compared to not so much in another area because it's lesser value. So I don't actually have a costing for that, so I can't answer that question. It's certainly not 10% of the overall cost of Phase 2B; these are much smaller works. These are –

169. THE CHAIR: It's a 10% gain across the whole route. So if there's an impacted forest somewhere, you might do a like-for-like replacement there, or would you have to

do the 10% uplift there as well, or is the 10% made up somewhere else on the route?

170. MR MILLER: It will depend on the nature of the woodland. If it's highly prized woodland, it's ancient woodland, it's a site of special scientific interest, it's got a lot of biodiversity interest, that will attract a premium in terms of the metric that we're –

171. MS MUMBY-CROFT: It might not be based purely on size; it might be quality. It might be exactly what it is.

172. MR MILLER: No, it is.

173. MS MUMBY-CROFT: It might be size; it could be anything. If it's acid grass or something, it's better than if it's woods or –

174. MR MILLER: That's exactly right and the metric is looking at area-based habitats, and we're expecting a scale because some habitats are not going to be particularly productive, other habitats are going to be particularly sensitive, and you'll get a different response for 10% net gain. Linear habitats like hedgerows, similarly, your response is going to be different, and water-based habitats, again, it will be different once again.

175. So it's difficult to judge it, but we have – my commercial market indicator gives you a guide – or that's what we've been using as partly a guide to say that we can go forward and deliver 10% biodiversity net gain. Of course, when it comes to it, we will be looking at efficiencies, so it won't be 10% on top of the project price; it'll be a much lower figure just because of the nature of the works. It would be nothing like concrete works in a bridge structure, for example; that's much more costly.

176. THE CHAIR: I mean, everybody wants to see environmental enhancements, no doubt about that, but it's whether or not they're justifiable within the package of how much this project is costing more broadly, so that's why I don't think anybody's against it; it's just interesting to know how much additional taxpayer's money is going to be required. Like for like, absolutely, nobody –

177. MR MILLER: So the overall cost for the 10% net gain, I don't have a figure for it, but I can tell you that it's within the cost envelope that we've put forward for the phase.

178. MR HIGGINBOTHAM: Because the question I'm trying to answer in my head is, if you look at the previous slide, the sustainability vision, if you took all of those things away and said, for example, 11% reduction in HGV emissions by 2027, we're just interested in the cheapest HGV, and then if you said, 'Well, first diesel-free works in site 2022' – 'Well we're not, we're just going to focus everything on pound and get in the cheapest high-speed rail to realise the environmental benefits once it's up and running'. The question I'm trying to get an answer to is: how much does it cost to do all of this now versus not doing it and then realising the environmental benefit?

179. MR MILLER: It varies. If I take the diesel-free construction sites, that's not costing you at all because of the fuel price acceleration. So the red diesel that was originally used in construction, that benefit was taken away a year or so ago. A year ago, a certain event took place in Ukraine and the fuel price escalated; everyone saw that. And so the business case for moving towards a different fuel type justified that move and so it's actually cheaper for us to innovate and do something different in those circumstances.

180. So it's not a straightforward 'everything costs' equation here. An environment shouldn't cost. There is a payback, which is the environmental impact assessment, and getting the right outcome and making sure that those habitats are supported, the ones that are affected, to do that well. The general push is for 10% biodiversity net gain. That will cost; there's no doubt about that, and I'm sorry I don't have the figure for that. There are other things that push the balance in the opposite direction.

181. So the fuel one has been very interesting. What we've been able to do on the project, because of the scale – the scale of the project effectively amortises us to do things differently and that's how we are starting to clean up the construction. That's how we've got to this sort of policy position.

182. We don't naturally go into something which is going to cost loads more money; our paymasters don't allow that. What we do do is look at: can we do more and can we do that efficiently? And so that's why on the next slide we talk about partnership, and that partnership might come about in a number of different ways. You'll hear – sorry to bore you on this – but you will hear no doubt from NGOs saying that we should be doing an awful lot more. We are meeting the requirements of the Environment Act here

because that's the latest thing. They are ideal candidates, in my view, to be working with us in partnership to realise that biodiversity net gain. So that's what we got committed to.

183. We could work with them and we could probably get a much more efficient way of delivering the outcome rather than going to the open market. But we're not going to preclude the open market because we've set our objectives.

184. MR HIGGINBOTHAM: Yeah, I think you've kind of answered my question. The way I'm looking at it is HS2 is supposed to deliver a high-speed rail line from London to Manchester. That's kind of benefit 1 with a cost attached to it. What I'm trying to understand is there's a secondary benefit, which is doing biodiversity net gain and all the other things, some of which have a cost, some of which save money somewhere else. And I'm trying to understand what that number is compared to the – so if you just did HS2, no bells and whistles, just did concrete, tunnel through etc, it would cost this much, but then we want to maximise the potential of what we're doing, some of which has a cost, some of which has a benefit. That's the two numbers I'm trying to figure out, but it doesn't sound like it's an easy –

185. MR MILLER: I'm sorry I don't have the financial number for that.

186. MR HIGGINBOTHAM: No, that's okay.

187. MR MILLER: I should say though that the way that the approval comes about through the hybrid Bill requires the consideration of those environmental effects, so that's the environmental statement. So there's always going to be a certain amount baked in.

188. The addition which comes through these other two pieces of legislation – we are taking that into account because we're a Government-funded project, public money, and we're trying to meet all of those outcomes, but we are trying to do that as efficiently as we can.

189. THE CHAIR: Can we just go back to page 1 for Martin and maybe start it all again, and then we'll just carry on through?

190. With the NGOs you mentioned, by that you're talking about groups such as the

Woodland Trust who may well have petitioned about this. So the aim is to try and – but you're not currently working in partnership with those organisations.

191. MR MILLER: No.

192. THE CHAIR: Is it because it's too early or is it that there is a reluctance to do that?

193. MR MILLER: I think there was a fundamental objection from those two organisations that you – Wildlife Trusts and Woodland Trust. I think we've seen it elsewhere on other projects they've taken the stance. And clearly, you'll have to ask them their view when they turn up. But I certainly think that they are concerned that the effect on the natural environment as a consequence of a project like this is a step too far.

194. That is their view and they would rather not see those effects coming about. Our view is that this country requires effective infrastructure, that's part of a Government plan that enjoys a significant parliamentary support, and you can see that through all of the Second Readings that have gone before the House here.

195. That important infrastructure has to come along with the right response. And what I'm saying to you is the right response is partly that which comes through the environmental statement that we will talk to you about in due course – sorry, I don't have the pound, shillings and pence on that – but there's no doubt an outcome there which addresses the environmental effects of the scheme. So it's talking to those people who are petitioning and those NGOs.

196. And then we've gone the extra mile, which is the way that legislation has been changing in recent years, to do more for carbon and to do more for biodiversity. The challenge going forward is to do that as efficiently as possible, and I put the challenge back to the NGOs that this project is going to happen. There are a whole variety of funds and objectives to go for, and working in partnership with HS2 will help them realise these overall objectives for biodiversity and climate change going forward.

197. MS MUMBY-CROFT: I have one more quick question, if I may.

198. THE CHAIR: Yes, of course. Is it related to buying British steel from Scunthorpe in relation to the steel elements?

199. MS MUMBY-CROFT: Yeah, well, it's an important point. It's just to ask – at which point does that 10% gain be realised? Is it immediately at the end of the project or is it 50 years' time, 100 years' time? When is the 10% gain in place?

200. MR MILLER: So the way the legislation sets it out is it's over a 30-year period. So throughout the development, if it's another nationally important project, you would have to get committed to a plan for 30 years. What happens after 30 years, I'm not sure, but that's not –

201. MS MUMBY-CROFT: It doesn't reach its sort of peak until the 30-year point.

202. MR MILLER: No.

203. MS MUMBY-CROFT: That's the design of it.

204. MR MILLER: Yeah.

205. MS MUMBY-CROFT: Okay.

206. MR MILLER: I think that necessarily, that legislation has had to put a time horizon against the outcome; otherwise people wouldn't know what they're in for, what the obligation actually is.

207. THE CHAIR: And if in 30 years' time that obligation hasn't been met, what happens?

208. MR MILLER: Well, I think the way it would ordinarily work, outside of our commitment and through this Bill, is that Natural England would want to be satisfied that that outcome is going – first of all, they would want to be satisfied that that outcome is going to happen. So they need to be bona fide schemes which come forward. Then I believe that there is a measure of review to ensure that that takes place.

209. THE CHAIR: Right. Can we move on to ancient woodland strategy?

210. MR MOULD KC (DfT): Might I just ask Mr Miller just to go to the next slide, because these questions that you've been asking over the last few minutes – Mr Miller, I just wonder whether it's worth reminding ourselves of the fact that the biodiversity action plan is due to be published later this year. I think one of the points you made a

few minutes ago was that completion of that document was in part dependent upon the conclusion of what you called the biodiversity metric.

211. MR MILLER: Yes.

212. MR MOULD KC (DfT): And is it right that that is a device which is intended in part to enable some more confident quantification of the cost and value of biodiversity net gain in relation, not simply to HS2, but to development projects across the country?

213. MR MILLER: It is. We've seen earlier versions of the biodiversity metric. This is something that's been developed, I think back to 2014, where there's some pilot schemes for offsetting biodiversity being talked about by Defra and Natural England. So through the years, that has sort of gained traction and ultimately it's built into the new legislation. But that hasn't actually been published yet.

214. THE CHAIR: And that's with Defra.

215. MR MILLER: That's with Defra, yeah. We will be looking at that in due course. Ideally, I would like to have been able to publish a biodiversity action plan now so that you could have looked at that at your leisure and decided whether it was fit for purpose or not, but that that won't come until the autumn time now because we're going to have to do a bit of work on this.

216. One of the things I should say is that these sorts of measures, I don't believe they've really taken into account a scale project like this. This is altogether different compared to an ordinary housing development, which is a different scale entirely. So it means one thing for that type of development but for this sort of development, it is a really big outcome. We're talking maybe thousands of acres that have got to be found for this biodiversity.

217. And clearly, on this slide, the second point is working in partnership is going to be a good thing, so if we can find NGOs that are able to accommodate this, I think we would actually be able to serve their objectives for biodiversity as well as satisfying the developments objectives of biodiversity that we've got committed to.

218. MR MOULD KC (DfT): So we may be able to give you some more precise information later this year when that document is published.

219. I should also just say to you before you move to conclude the presentation that the means of delivery of the 10% net gain policy objective, in other words the identification of those projects etc, through which that objective is intended to be achieved, must be identified by the end of the construction period for the Phase 2B railway. So as you can see, there's quite a long lead during which that policy is to be given effect. We're talking about moving into the 2030s.

220. THE CHAIR: Right, okay. And just on that, the 10% has to be delivered how close to the route? So is there a window within which the – or can the additional biodiversity be in the East Riding of Yorkshire? Does it have to be in Cheshire? Does it have to be within a mile or two of the route, or 10 miles of the route?

221. MR MILLER: I think in theory it could be anywhere in the country.

222. THE CHAIR: Right.

223. MR MILLER: But our objective under the environmental statement is to try and mitigate the effect where the effect takes place, so that we don't disadvantage local people who would otherwise have enjoyed those sorts of features. So I think the general principle would be that we would endeavour to try and find that biodiversity net gain in the locality. So I would say, maybe it's something like 20 miles inside of the railway, so within a reasonable boundary of a local authority area. It would seem to me to be sensible to be doing that sort of thing to provide that payback where the effect of the railway is really taking place.

224. So within that sort of confine – and I'm sorry I'm talking a little bit off the top of my head here – I think that if we were able to work in partnership with local planning authorities, NGOs, other organisations, we could deliver this really quite effectively.

225. THE CHAIR: Do the powers of compulsory purchase apply to this element of the project, in terms of compulsorily purchasing land to provide the biodiversity and replacement or enhancement?

226. MR MILLER: We've thought about that with the scheme design for the mitigation set out in the environmental statement. Even saying that, there will be areas of land that farmers and landowners will want to take back, even if it's got a change of

use on it; it's got a habitat on it, new woodland and so forth, because that may well fit with their objectives on their –

227. THE CHAIR: Countryside stewardship and all the rest of it.

228. MR MILLER: Exactly, yeah.

229. THE CHAIR: I get that, but what I'm saying is, if you want to provide some new habitat somewhere and you're unable to purchase the land to do that, or come to an agreement, can you use the compulsory power or not?

230. MR MILLER: I'm going to let Mr Mould answer this.

231. MR MOULD KC (DfT): I mean, that's really a legal question so I'm going to deal with that. The land that is included within the Bill limits and therefore subject to compulsory purchase, ordinarily, that land is not included with a view to it being used for delivering biodiversity net gain. The land which is within the Bill limits is included where it is primarily required for environmental mitigation and compensation purposes in order to enable the project to achieve no net loss in biodiversity, in other words to mitigate the railway, to compensate where necessary. That is why the objective is expressed in more qualified – the net gain objective is expressed in more qualified terms – 'to seek to deliver'.

232. Now, the legal policy is in a state of some flux in relation to this in development, because we're moving, I think, inexorably towards a world in which it will become increasingly considered justifiable within the principles that govern compulsory purchase to exercise compulsory purchase powers in order to achieve biodiversity gains.

233. But whether that is compellingly justified for that purpose and that purpose alone, for example, to take a farmer's land so as to deliver on a commitment to 10% net gain, is something that is – as far as I'm aware – still at an early stage in being tested through public inquiry and indeed through the courts. So it's not the purpose of the powers which grant compulsory purchase powers under this Bill. It's not their principal purpose to enable that objective to be delivered.

234. As Mr Miller says, that's not to say there won't be opportunities through the exercise of those powers, particularly in relation to land that might otherwise not be

required for the railway, to use that residual land in partnership with the landowner, with the former landowner, for that purpose.

235. THE CHAIR: By agreement rather than –

236. MR MOULD KC (DfT): Yes, yes, yes.

237. THE CHAIR: Okay.

238. MR MOULD KC (DfT): And we do emphasise that point because it is necessary to recognise the limited extent to which the powers which will be available to get land in under this Bill once it becomes law – to the limited degree to which they have been drawn with a view to achieving that policy objective.

239. THE CHAIR: Of building the line and ensuring no net environmental dis-benefit.

240. MR MOULD KC (DfT): Loss – yes, yes. It must do that and that's what it's designed to do. The net gain aspiration, as Mr Miller has said, essentially in the context of this project is still a policy objective. It's important, it's vital, but it is a policy objective and it sits alongside the legal obligations under the Environment Act that apply to other projects and against which this project, as a matter of policy, is willing to be measured.

241. THE CHAIR: Right. Okay, good. Ancient woodlands.

242. MR MILLER: So moving on to ancient woodlands, this has been subject to great debate through earlier phases of the project and through these sorts of proceedings. I don't think that's going to change in these proceedings but in the next few slides I just wanted to point out a few measures that we're taking to address ancient woodland.

243. I mentioned earlier that the railway is rather flat and straight. I know this particular railway curves round to the east of Manchester, just before it enters Manchester, but it's generally a straight railway and there are a large number of ancient woodlands dotted around the country. So they're small remnants of ancient woodlands.

244. THE CHAIR: What's the definition of an ancient woodland again, sorry?

245. MR MILLER: It's basically a woodland that's been recognised on historic maps

from about 400 years ago, so it's consistently been mapped in that location.

246. THE CHAIR: Of course, a lot of people think then that means we've got 500, 600-year-old trees or whatever, but an ancient woodland may have –

247. MR MILLER: You might have a few old trees.

248. THE CHAIR: They're not predominantly old growth woodlands.

249. MR MILLER: No.

250. THE CHAIR: The trees are obviously a lot younger than that.

251. MR MILLER: Yeah. And it depends on the type of ancient woodland. So there are very few, actually, natural ancient woodlands, which you would see some of those very big – what are deemed to be called – veteran trees in them, and there are some very ancient trees around.

252. Woodland does get managed. It does get cut from time to time. There were some articles on the news from the Wildlife Trusts recently about cutting down trees to coppice trees for nature conservation. That doesn't mean that that's not ancient woodland; it just means that it's managed in a different way.

253. THE CHAIR: I think from a habitat point of view – sorry to interrupt – but something that is designated an ancient woodland could have exactly the same habitat or offer exactly the same habitat biodiversity as a woodland that's 100 years old or 150 years old, for example.

254. MR MILLER: Yeah, they might do –

255. MS MUMBY-CROFT: Above the ground, not necessarily under the ground.

256. THE CHAIR: Yes, that's what I'm trying to get to, whether there's a significant difference in terms of habitat and biodiversity between a designated ancient woodland or not, because if it's a designated ancient woodland that's been around for 500, 600 years but most of the trees have obviously been managed, died, replaced, whatever, is that offering a different biodiversity to a more modern woodland? It may do, of course.

257. MR MILLER: Almost certainly, it's going to be much more species rich within

the ground, within the soils, and all of the different stages of the flora, going up to the tree level, so almost certainly. The reason for saying ‘almost’ is that you can have a very small remnant of ancient woodland that doesn’t exhibit a lot of those features. It’s still ancient woodland because it’s on the woodland itinerary, but it might not be that species diverse and in those circumstances an equivalent area of more modern woodland might have an equivalent form of biodiversity.

258. When we – and I’ll touch on it in a minute – when we look at – if we take a part of ancient woodland, what we’ll do is we’ll try and save the root balls of trees where there would be coppice type trees and translocate those, move those to a different place, and also take the soils with us, normally next door to the woodland that we’ve just been affecting. So you’ll start to see some of this come through our plans, and the idea of that is to try and use the resource that we are affecting as effectively as possible and quite often to join up other woodlands and then supplement the planting. So the idea is that we try and use as much of the ancient woodland asset, if you will, to recreate the habitat type.

259. THE CHAIR: I think it’s just because we’ve all been in receipt of the national campaign emails as constituency MPs, not because of this Committee, over the last few years on the Woodland Trust campaigns against ancient woodland, and I think if you read those, and perhaps the people sending it – although I shouldn’t put words into their mouth – you assume they’re sending it on the basis that every ancient woodland that’s been – the perception probably is that every ancient woodland there is being knocked down is something unique and something that isn’t similar to a more modern woodland, if that’s the right phrase, and that the biodiversity that’s being lost is very specific and very ancient.

260. What it seems is that that may be true in some cases, or some parts of an ancient woodland, but it may not be true in other parts. I suppose the question I’m seeking to ask is really: is there a way in which it’s possible to measure, within a designated ancient woodland, what actually is ancient and different about it versus what is more similar to woodlands generally? Does that make sense?

261. MR MILLER: Through the impact assessment process, as I mentioned earlier, we’ve got a wide range of ecological specialists who look at this sort of thing, so they

will look at historic data around those woodlands. They will also carry out surveys and they will also look at existing material from the likes of the Woodland Trust, Wildlife Trusts and Natural England and make some judgments about that.

262. THE CHAIR: Am I right in thinking that ancient woodland A that's been affected by this line compared to ancient woodland B could be very, very different in terms of what they're offering them? So the impact from a damage to ancient woodland is potentially very different. So compared to another woodland, which is just – I don't know what it's called, a normal woodland, a modern woodland, whatever we're calling it – a non-ancient woodland, actually that designated ancient woodland could resemble far more a non-ancient woodland in its biodiversity.

263. MR MILLER: It does.

264. THE CHAIR: But the campaigns obviously give a very different impression that everything that's been lost is unique and specifically ancient, but it might not be the case.

265. MR MILLER: Yes. So there are ancient woodlands that exhibit good ecological conditions and there are some ancient woodlands that frankly need restoration. And I'll come on to the woodland fund in a minute, but that's part of it.

266. We will create new woodland alongside, we'll translocate the soils, try and use the asset as much as possible and retain as much of that biodiversity as possible, try and join up woodlands to make up something which is bigger and better overall, which would support the biodiversity, because if you can do that and get a bigger woodland, it's going to be more biodiverse.

267. And then we've got an ancient woodland plan through our ancient woodland funds, which actually I'd quite like the Woodland Trust to come alongside because we think they're best placed to actually help us with this. And we're restoring many hundreds of acres of ancient woodland that's got into disrepair, i.e. not so ecologically diverse, actually helping that woodland out as well as creating new woodland itself.

268. Shall I take you through those slides?

269. MS MUMBY-CROFT: Is quantity of diversity the main issue then, as much

different stuff as possible, or is it there are some things which are particularly rare and particularly special?

270. MR MILLER: Well, there's no doubt there's the quality of the biodiversity, and as you pointed out, an ancient woodland that's been around for a long while is likely to be a much more species-diverse. What we've tried to do is try to avoid interrupting that species diversity. Where we do, we're trying our level best to use that asset and restore and create new woodland that will support the remnants of ancient woodland that are left.

271. THE CHAIR: I suppose we're probably getting into what will be the arguments some of the petitioners will be making. None of us are environmental experts, so it's just interesting to try to establish some of the basics here.

272. MR MOULD KC (DfT): It may be helpful just to make this point by way of context. As you will know, the National Planning Policy Framework, which sets out the Government's position, takes a very strict line on ancient woodland, and essentially, the policy is that development which involves the loss of ancient woodland should ordinarily be refused. And it doesn't seek to distinguish between –

273. THE CHAIR: Quality.

274. MR MOULD KC (DfT): No, exactly. And indeed it characterises ancient woodland as 'irreplaceable'. So the project, as you will readily understand – the design of the railway is firmly set against that policy requirement.

275. THE CHAIR: The starting point is what we're losing is high quality and high value, and there's no assessment of whether one ancient woodland is of higher quality than another. That's the basis of – losing this is –

276. MR MOULD KC (DfT): Yeah. In terms of design response, the project, as a Government scheme, has necessarily taken that strict approach that I've mentioned.

277. Now, plainly it hasn't been possible to avoid some loss of ancient woodland, as Mr Miller has told you, but the design response has been to seek to minimise the degree to which it's necessary to take – to remove either ancient woodland or, indeed, ancient and veteran trees which are also given strict protection under the National Planning

Policy Framework.

278. THE CHAIR: A veteran tree is how old?

279. MR MOULD KC (DfT): I'm afraid I'll have to leave that to the expert.

280. MR MILLER: Similar age. So if I take you through these slides, it'll give you an idea of our response to what's actually happening with ancient woodland.

281. So on Phase 2B, we've got an ancient woodland strategy, which sets out our plan for each ancient woodland that we are affecting. I should say at this stage that there may be tunes played on the amount of ancient woodland that's potentially affected because of additional provisions and any deliberations that take place in this room. But at the moment we've got 14 acres of ancient woodland affected across 18 ancient woodlands themselves. And then the compensation –

282. THE CHAIR: For Phase 2B?

283. MR MILLER: For Phase 2B, yeah. So the quantity of response is as follows. So you can see there 101 hectares of new woodland planting, and then of the 14 acres of ancient woodland affected, we will attempt to use all of the ancient woodland soils and translocate that to a different location to try and preserve that biodiversity in those soils.

284. And then on day 1 of these proceedings we announced the £1.2 million addition to the woodland fund, and we continue our approach to that mitigation hierarchy I showed you earlier to further reduce the effect on ancient woodland.

285. And on Phase One – we'll move to the next slide, if that's okay. On Phase One, the starting point of Phase One was that we were affecting 72 acres of ancient woodland and we subsequently have reduced that to 51 acres of ancient woodland, so about 29% reduction. So we're very much with the cause of protecting ancient woodland or conserving ancient woodland as far as we can, so we do continue to try and avoid it.

286. On the Phase One scheme, just to give you a measure of how important the woodland fund is – and actually what else we're doing in the scheme design – so in the scheme design on Phase One, we're creating 234 hectares of new woodland, 38 acres of soils being translocated, and just over 20 acres of ancient woodland being restored. So

that's existing ancient woodland which is in a poor state and we're bringing it up to a much better condition.

287. And then if you look at the woodland fund, which is a £5 million fund on Phase One, we've already delivered out of the first £1.4 million of that fund a further 324 acres of new woodland and a further 175 acres of restoration of ancient woodland which is in a poor state.

288. So we can't avoid, because of the straight and flat nature of this railway, some of the ancient woodlands. But I think that we have made a significant response to this. I've had to rely on the Phase One scheme because that's where we are with things and you can project out; if we can continue that – what I believe to be – success out of that £1.4 million of the ancient woodland fund for all the other funds including the Phase 2B fund, the response for compensation for those ancient woodland losses is substantial.

289. If we move on to the next slide, there has been great debate previously about whether the soils translocation is actually effective. Our policy is to do the soils translocation because we believe it's the right thing to do to get the biodiversity back into the ground and supporting woodland, supporting nature overall. Where we link up existing ancient woodland with other woodlands, we deliver a bigger and better response overall.

290. What I wanted to show on here is that HS2 is committed to a 50-year site monitoring plan for its ancient woodland activities, and through the Phase 2A proceedings, we also committed to a research project looking at the efficacy of the ancient woodland soils translocation that we propose and are implementing on HS2, so that we improve our knowledge around that and improve the science of dealing with these sorts of matters as other projects might have to face up to them in due course.

291. So I think it's a pretty comprehensive response to ancient woodland. No doubt others will have a different view but I think it's worth you understanding the level of commitment that we've made and the promoter's commitment to do something really good for ancient woodland.

292. Again, just to reiterate the point, I think working in partnership with the Woodland Trust as an NGO would be a great way forward. At the moment, we're doing well with

the regulator, the Forestry Commission, to get the woodland fund working well for us and they're doing a great job, but others could well be benefitting from the funds going forward. And we'd like to hear about that with them.

293. THE CHAIR: You can work with local authorities as well. I mean, our local authority is planting a million trees—is it that?

294. MS MUMBY-CROFT: It is 170,000. One for everyone in the area. I planted the first one.

295. MR MILLER: So those opportunities, going back to the biodiversity net gain, are there. Everyone's got this on their minds. So it seems to me that a meeting of minds along the way, if you're receiving an HS2 in your area, is a good way of actually helping you realise your biodiversity objectives.

296. So if we can come together through partnership, and maybe this is sort of what gets tested out with the NGOs going forward, I think we are going to be really successful and to the –

297. THE CHAIR: The Northern Forest must pass through this route, mustn't it? The Northern Forest – that's going from –

298. MR MILLER: It think it's further up.

299. THE CHAIR: It starts in our area.

300. MS MUMBY-CROFT: We've got a lot of trees, haven't we?

301. THE CHAIR: But I thought it went all the way to Manchester. Anyway, I'm just thinking it's a broader national benefit as well, but anyway, sorry.

302. MR MILLER: It may well be that, to deliver biodiversity net gain and to deliver some of these ancient woodland objectives, we have to look wider to fulfil those objectives. I think we've endeavoured to try and keep the woodland compensation within a reasonable boundary of the railway itself.

303. THE CHAIR: Of course, I think that's probably especially important when it's the ancient woodland element, right? Because if you're taking it from the local area

you'd hope that it would be restored somewhere local as well. I would've thought so – anyway. Right.

304. MR MILLER: Moving on to other funds, so we've announced some further funding for the community environment fund and the business and local economy fund. And what this is about is trying to help local people in close proximity to the railway, who might not be particularly affected by the construction of the railway, but who will put up with the general disruption on the roads of the construction activity nearby and so forth. It gives them an opportunity to actually contribute, or get some benefit out of HS2 locally. So the funds are working very well.

305. If I can flip on to the next slide, a wide range of projects, community initiatives, new halls – there's an announcement of a new hall at a place called Burton Green on the Phase One project that has been successfully implemented. Here, we've got a couple of schemes, one in Camden and one in Staffordshire, different initiatives. On Phase One, out of £40 million which was put up for Phase One, the largest section of our route, 225 projects benefited for £30 million of funding. They're different scales of projects, some of them quite large-scale some of them are quite small scale depending on –

306. THE CHAIR: Sorry to interrupt again. I get the CEF fund. That's very similar to Section 106, to the wind farm funds we have in our patch there, the usual community benefit funds. The business and local economy fund – what's the example of a project from that? I don't quite –

307. MR MILLER: So this is where business initiatives have really come forward and this is to try and help them maintain their business locally. So I think in this example with the sailing club here, that's enabled them to develop their facilities so that they could expand their club.

308. THE CHAIR: Obviously we asked the question in one of the earlier briefings, I think the transport briefing, or I asked the question, which was with regards to businesses that are affected, for example, by the sinking of one of the ventilation shafts and whether there would be any compensation for a business that was impacted as a result of them being unable to – or being slowed down. Obviously the answer was no. Does this business and local economy fund provide them compensation? I'm interested in how it's structured.

309. MR MILLER: So a scheme could come forward, a bit like one of the schemes I think we've got going in Camden, where there are a number of restaurants to the side of the main construction works. The sort of disruption is that people are walking by and they're not getting the footfall, but then we've introduced safe walking routes and signage so that we can maintain the sort of vibrancy of that area of business. So it's that sort of thing which actually helps the businesses thrive whilst the construction is actually –

310. THE CHAIR: This is not something you can directly apply to for compensation for loss of business then.

311. MR MOULD KC (DfT): It's not intended to supplement the compensation legislation.

312. MS MUMBY-CROFT: What do these sailing club people have, then? Have they had some form of investment, some money they can spend? What have the sailing club in this picture –

313. MR MILLER: Probably a better one that I can illustrate rather than that one – one that I know fairly well ; in the Wendover area a couple of miles away from the railway, one of our funds actually helped to develop a – or supplemented funds for a community facility. So that enabled a restaurant to come about, new toilet facilities, facilities for ease of walking for a wide range of people, so all ages and all abilities. And that enabled a previous facility to thrive. So it's in a way sort of supplemented and developed their business.

314. THE CHAIR: So do people have to bid to this thing – community groups?

315. MR MILLER: Yes.

316. THE CHAIR: So are you doing anything to help – so Holly and I, because we're very effective and popular local Members of Parliament, run a bid-writing service from our offices where we actually help groups write bids for funding projects. And the reason we do that is because you end up – or you can end up with a preponderance of bids from certain types of communities, where people perhaps have more confidence or more skills in putting paperwork together and writing bids. So you then end up seeing –

certain groups perhaps have a bigger – so I’m thinking particularly where you have a more socially deprived area, do you provide support to help people actually come forward and write these bids to these? Often, it can be very off-putting to groups who perhaps don’t have some of the skill base.

317. MR MILLER: We do. And the scheme is currently operated by – or the grant provider is the Groundwork Trust.

318. THE CHAIR: I know Groundworks, but do they go in and actually – they are going in and writing the –

319. MS MUMBY-CROFT: These have had 10 grand for refurbishing a clubhouse.

320. MR MILLER: So the smaller schemes, you don’t want to have hundreds and hundreds of pages being produced because that’s counterproductive for the – it’s not balanced or proportionate. So we have a web-based tool which enables people to go on and test their eligibility for the fund in the first instance, and then they can make an application. They can talk to people at Groundwork. Groundwork will then talk to them about the sort of gaps that they might have in the bid that they might be putting forward and help them with pointers as to what is necessary to become eligible, and then they can submit their bid. Even if a bid is not successful, that’s not to say – it might not meet one of the eligibility criteria – that’s not to say that it would be ignored. It may well be put back with some advice to say, ‘If you could come forward with this information then you could make a subsequent application for the money’.

321. So we’ve tried to make it as easy entry as possible for schemes up to £75,000. Beyond £75,000 there’s a different level of scrutiny around it and a different test. But even that, we’ve been trying to make sure that that is kept as simple as possible.

322. So we’ve looked at a lot of grant funding schemes, and one of my team has come from one of those – actually from Sports England, where a lot of grant funding has taken place. So we’ve got a lot of experience in this area. And on Phase One it’s been run for about five years, I think it is. So it’s been running for quite some period of time. And we also have an independent panel to enable us to look at improvements for the programme so that this money gets forward as quickly as possible.

323. THE CHAIR: I get all that. I think my point was about accessing in, because for a lot of people, the process and application process –

324. MR MILLER: We are making it easier.

325. THE CHAIR: – can be very, very off-putting, particularly for groups that have less confidence or are in more socially deprived areas, and that is one of the problems we found in our area, which is why we set up the system we have to actually go and do all that paperwork for them so that they're able to access it in the same way as better organised and perhaps better resourced groups, so that the funding is more evenly and fairly distributed, and not just going to the same types of groups in the same types of socioeconomic areas.

326. But anyway, I think you've answered my question. I've made the point if nothing else.

327. MR MILLER: We have done that; we've made it as simple as we think it's necessary to maintain a level of scrutiny around public money. But the balance along the line of the route – we had a lot of bids very early on from the London boroughs and Buckinghamshire, for example, perhaps more well versed in making these bid applications. And so the independent panel that looks into this looked very carefully at those statistics and rebalanced.

328. So that panel enables us to ensure that the monies go in an equitable way across the line of route, and that's certainly taken place on Phase One and I don't think it's going to stop on other phases.

329. THE CHAIR: Okay, sure. Right, I'm conscious of time, so we'll let you get to your final slides and then we'll –

330. MR MOULD KC (DfT): I can tell you – if you want to know what the sailing club got money for, I can tell you that.

331. THE CHAIR: £10,000 for a clubhouse.

332. MR MOULD KC (DfT): Did you find out?

333. MS MUMBY-CROFT: It was for clubhouse refurbishments.

334. MR MOULD KC (DfT): Yes, thank you.

335. THE CHAIR: The value of Google.

336. MS MUMBY-CROFT: They ran out of money; they found out the roof needed fixing. ‘What shall we do? HS2’.

337. MR MILLER: The last thing really is to put a wrap around all of this. We’ve got a wide range of environmental initiatives within the scheme design. There are a lot of controls in future stages of the detailed design and the construction of the railway. Local authorities and other regulators will have a say in the outcome.

338. We have a range of funding mechanisms to address particular concerns that arise as a result of the design and construction of the railway like this, and the aim broadly is to create a green corridor. That’s not a linear feature; it obviously follows a linear piece of infrastructure but goes beyond to work well for local communities and other organisations, and to do that well in partnership with others.

339. The one thing I should have said about the community environment fund on Phase One, with about £30 million being attracted in, is that that has attracted in partnership funding of an additional £23 million, so it’s one of the best performing schemes in the UK, as far as I can see. It’s very well thought about and it’s engaging local communities with HS2 as this big infrastructure comes along.

340. And that’s the end of my presentation.

341. THE CHAIR: Excellent, thank you. I think that was really useful, really interesting for us; I appreciate it. So thank you very much. We’ve no further business, so I’ll call an end to the meeting.