

## MINUTES OF ORAL EVIDENCE

taken before the

### **HIGH SPEED RAIL (CREWE - MANCHESTER) BILL SELECT COMMITTEE**

#### PETITIONS AGAINST THE BILL

Monday, 27 March 2023 (Afternoon)

In Committee Room 8

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

#### PRESENT:

Andrew Percy (Chair)  
Tahir Ali  
Dr Lisa Cameron  
Antony Higginbotham  
Grahame Morris  
Martin Vickers

---

#### FOR THE PROMOTER:

Timothy Mould KC, Lead Counsel, Department for Transport  
James Strachan KC, Counsel, Department for Transport  
Tim Smart, Phase Two Managing Director, HS2 Ltd  
Peter Miller, Director of Environment and Town Planning, HS2 Ltd

Exhibits referred to by the promoter during the hearing with Wincham Parish Council can be found [here](#), and with Northwich Town Council can be found [here](#).

---

#### FOR THE PETITIONERS:

1. Wincham Parish Council
  - Councillor Kenton Barker
  - Councillor Ian Parr

Exhibits referred to by the petitioner during the hearing can be found [here](#).

2. Northwich Town Council
  - Councillor Andrew Cooper
  - Councillor Graham Emmett

### **IN PUBLIC SESSION**

## **INDEX**

| Subject                              | Page      |
|--------------------------------------|-----------|
| <b>Wincham Parish Council</b>        | <b>3</b>  |
| Submissions by Mr Barker and Mr Parr | 6         |
| Evidence of Mr Smart                 | 14        |
| Evidence of Mr Miller                | 21        |
| <b>Northwich Town Council</b>        | <b>31</b> |
| Submissions by Mr Cooper             | 34        |
| Evidence of Mr Smart                 | 39        |

(At 4.16 p.m.)

1. THE CHAIR: Good afternoon and welcome to this afternoon's Committee meeting of the High Speed Rail Hybrid Bill Select Committee. Before we commence, I just want to make a quick comment with regards to – this is for HS2's benefit.

2. A number of our petitions are collapsing at the last minute and whilst we're grateful that agreements are being reached and, indeed, the Committee actively encourages the parties to try to reach agreement, because of course that's in the interests of both parties, obviously this does affect the amount of time and the commitments members have and have made available to this Committee, which is sometimes restricted. So this is just a gentle reminder to ensure that everything is being done to ensure that assurances that are being offered by HS2 are being made as early as is possible and practicable by HS2 to the petitioners so that, if a petition does collapse, we are then able to backfill that with something else, so that we're able to move as quickly as possible through the petitioners, which is, of course, in the interests of all parties in these processes. So that's all I have to say on that.

### **Wincham Parish Council**

3. THE CHAIR: We are going to this afternoon commence with the first petitioner, which is Wincham Parish Council, which, judging by – I can see your Member of Parliament in the background, so I think I can guess which constituency this is in. I see Esther. So thank you for joining us today. The process will be as follows. Mr Strachan will do an introduction for the Committee, just to highlight the nature of where the area is along the route and what has been proposed up until now, and then I will offer over to Wincham Parish Council to petition. The encouragement is to, as clearly and as swiftly as possible, get to the points, which you wish the Committee to consider today, in particular what it is that you're seeking from the Committee, and as clear and as much clarity you can give to that, as early as possible, would be appreciated. Mr Strachan?

4. MR STRACHAN KC (DfT): Thank you very much. If I could put up P118 and that will show you the parish council boundary outlined in red and you can see the settlement of Higher Wincham at the top part of the parish; Wincham a little bit further down to the left; and the HS2 line of route is to the right of the parish, running north-

south. And if I take you to P119, you can get a bit more of a close-up of that and the closest point, I think, to the parish boundary is just to the right-hand side of the slide. You can see Linnards Lane coming down from Higher Wincham and the area of the line, which is shown in a pinkish colour, shows that it's on viaduct at that point and it's the Smoker Brook viaduct, which I know you've heard about already.

5. THE CHAIR: Last week, yes.

6. MR STRACHAN KC (DfT): It's the other part of it, crossing over Linnards Lane.

7. THE CHAIR: So, this is the other side of the viaduct from the side we looked at last week then, presumably.

8. MR STRACHAN KC (DfT): Absolutely. And you were looking at Ascol Drive in particular –

9. THE CHAIR: Yes.

10. MR STRACHAN KC (DfT): – which is on the – effectively the east side and you looked at some of the planting on the east side. This is now the west side of the viaduct that's of concern, I think, to the petition you're about to hear about.

11. If I could just show you P120, which is the maps you're becoming very familiar with but the construction map, you can see the line of route is altered now. It's running left to right. So north is to your right and the parish boundary shown in red again and the – just where the arrow is, that's the viaduct crossing Linnards Lane.

12. And then P121, I think, we'll come to in the petitioner's concerns but this shows you in the railway, once constructed, including mitigation in and around the railway, and you looked at some of the planting shown by the tree notation that's to the east side of the viaduct and you can see to the west, i.e. up the page, there is a some hedgerow planting along the line you can see there and Higher Wincham, you can see the settlement is up towards the top of the page. And if it helps at this stage, because I know that you're going to hear about the viaduct in particular, P122 is a slide which identifies some cross-sections. This plan just identifies where the cross-sections are. There are two cross-sections running from 1A to 1B and 2A to 2B. Point 1A and 2A show you where they're taken from. 1A is just to one side of Linnards Lane and 2A is

from Home Farm, and if I just show you the cross-sections then you can see what we're talking about. P123, these show, from those points, 1A and 2A respectively, where the viaduct lies and you have to go to the right-hand side. You can see it's pointed out, Smoker Brook viaduct, you can see, and these cross-sections try and give you a sense both of the distance from those locations, which is shown in numbers you probably can't read, but broadly speaking they're about 500 metres from those points and then, within that, you get some of the topography of the land and also existing trees and mitigation planting that lies on the other side. So it just gives you an idea. We'll no doubt come back to those in due course. It gives you an idea of what's proposed.

13. THE CHAIR: 1B and 2B are the spots which are in Wincham parish, yes, or is it the other side?

14. MR STRACHAN KC (DfT): No, the other way.

15. THE CHAIR: It's the other way.

16. MR STRACHAN KC (DfT): It's the other way. 1A and 2A are halfway towards —

17. THE CHAIR: Home Farm, yes.

18. MR STRACHAN KC (DfT): They're in the parish and they're halfway towards Higher Wincham.

19. THE CHAIR: Right, okay.

20. MR STRACHAN KC (DfT): But they're on that road down from Linnards Lane and 1B and 2B go the other way towards the viaduct, if that makes sense. I can go back to 122 and you can just see those.

21. THE CHAIR: No, that's fine.

22. MR STRACHAN KC (DfT): But the points are marked on the plan. And the other aspect which we're going to touch on, I believe, in terms of issues, is construction traffic in the Wincham Parish Council area and the Committee has some slides, which we'll get to at some point, regarding construction traffic. P126(1), just so we can focus on what's coming, there aren't any construction traffic routes for HS2 HGVs or similar

traffic through Wincham parish. Those, as you know, are marked with the green hatched lines. There are some diversionary traffic effects in the Wincham parish as a result of HS2 construction activity and those have been assessed in terms of modelled numbers of anticipated vehicles diverted on to other roads. We'll come to the detail as necessary in the tables, and also we've modelled the effects on junctions within the parish.

23. And then just finally, where we've got to in terms of the petition and HS2, there's a letter dated 13 March 2023, P128(1) in your pack. This was a letter sent to the petitioner, which picks up on what we understand to be the outstanding issues and our response to them. Construction traffic is the first at the bottom of P128(1). We've referred to our petition response and the measures that are in place to address the effect of diversionary traffic in the area, principally through the code of construction practice and local transport management plans, which I know the Committee's heard about already. But that's the first section of the letter responding to their concern about construction traffic.

24. And then, at the bottom of P128(2), there is the issue of visual mitigation, sound, noise and vibration, raised in the petition, principally around the location of the railway in that area that I've just referred you to, the Smoker Brook viaduct, and we've set out our response on visual mitigation, the design of the viaduct coming in due course, and in the petition response document, the balance that needs to be struck between, for example, planting a lot more trees and the effect on farmers in the area, and we'll come to that as necessary.

25. And then I think, finally, there's just one correction in the petition response document on page 3, that there was a typographical error in the petition response document, which referred to the viaduct being 10 metres lower than the eastern edge of Higher Wincham. It's 10 metres higher and that was corrected in the letter. But other than that, I'll leave the petitioners then to say whatever they want to and we'll respond in due course. I hope that's helpful.

26. THE CHAIR: Thank you, Mr Strachan, for that. Councillor Barker, Councillor Parr, over to you.

**Submissions by Mr Barker and Mr Parr**

27. MR BARKER: Thank you very much, Chair. If it's okay, we've split the details between the pair of us to try and help. There's a bit of background about Wincham and I think it's important. We're about 1,000 households in Wincham. We're not a big village. We're built on the edge of the plan as shown. If you could bring up reference A15, really the route of HS2 is around a kilometre away from the houses on the edge of the track. So I'll pass over to my colleague for a bit more detail.

28. MR PARR: Thank you. The first part of our petition concerned concerns that we have with the construction phase. So Wincham is basically a commuter village with very few local facilities and, essentially, as you can see from the map that has been shown already, or for the one that's on there right now, if you've located Wincham, Higher Wincham there, there are four ways in and out of the village. Broadly speaking, although it's on a bit of a slant, it's north, south, east and west, and HS2 will affect three of those.

29. So the concern that we have is that, whilst it's absolutely true that there will be no construction traffic through the parish itself, the residents of the parish will be severely affected by the construction work and the effects that it has on the routes that people take to and from work or for leisure activities, shopping, medical, you name it.

30. We have had a detailed presentation from HS2 and I guess we'll see some of that in the exhibits later but they have a very detailed plan of liaising with the local highway authority, Cheshire West, to minimise the traffic disruption during construction, but their responses on this seem to focus on traffic within small areas. They're just looking at each little piece in turn and we're not getting the impression that they're looking area-wide at what the impact will be in the broader sense across the wider area, which of course concerns our residents tremendously.

31. We've had experience in the past of engineering works, large-scale engineering works, occurring in most of the places that you can see, so between Wincham and Manchester, works at the airport, works at the M6 junction 19, bridge replacement and motorway widening at the M56 from junction 7 and 8. So this leaves us, if HS2 are working simultaneously in all these places, feeling that it's going to be like the past but multiplied by four or five, because to get to Manchester, you're going to have to go through four or five sets of HS2 works and that's the problem that we have really. We

don't feel that HS2 are looking at this as an area-wide issue.

32. THE CHAIR: Thank you.

33. MR BARKER: And just to add, we do feel as if Wincham will be very much landlocked when the development starts because, as I say, three out of the four accesses to the village, exits from the village, will be affected. So the traffic on the fourth will be even heavier so we do feel very much closed in. We have small events like the Cheshire Show just down the road from us, not far from us, and those two days are a nightmare for us as it is, taking us an hour to get out the village. This is going to exemplify this even bigger.

34. Moving on, though, to the construction noise, we are a bit concerned that the Bill seems to disapply some environmental regulations to the control of sound, not only during the construction phase, during the operational phase as well. HS2 have detailed their processes for noise management during the construction in their information papers E1, E9 and E13, but the parish's concerns regarding the escalation processes for the noise complaints still remain.

35. Whilst it's reasonable for handling complaints primarily to rest within the HS2 project, the escalation path for such complaints within HS2, ultimately to the Secretary of State, does not give us confidence for them to be dealt with fairly. The rationale for the disapplication of the relevant legislation in section 26, section 2, is it provides consistency and certainty for national significant projects. We note that, since 2002, there's been 12 Secretaries of State for Transport, only four of whom were in post for more than three years and five for less than 12 months. So this does not give us confidence that there will be consistency, especially during multiple decades of construction and operation.

36. The reference A16 also states that the Secretary of State is also answerable to Parliament, securing compliance. Since the HS2 project was sponsored by the Secretary of State, how can the Secretary of State be regarded as being independent of this and a fair and objective arbiter regarding complaints about the project?

37. It also seems unclear to us what powers Parliament might have to provide redress to communities, or individuals, in the event that the Secretary of State is unable to

compel HS2 Ltd or its subcontractors to achieve the EMRs.

38. The key points for the construction is, our key worries are: the disapplication of the legislation controlling noise and vibration leaves us entirely reliant on HS2 Ltd for rectification of any unforeseen problems. If HS2 and the Secretary of State fail to resolve problems, what powers will Parliament have to redress such failures?

39. MR PARR: Okay, so moving on to operational phase concerns, a major concern with the parish council regarding the operation of HS2 Phase 2B – the visual impact. And at this point, I have to acknowledge we did make some errors in our submission, which have been correct, hopefully, now. The Smoker Brook viaduct's design changed a few years ago. It's now 897 metres long instead of over a kilometre. I don't think that has any great relevance to our case.

40. The Smoker Brook viaduct is going to be up to 25 metres above the present ground level across the A556, two waterways and Linnards Lane. You've seen some cross-sections. We can show another cross-section. Reference A21, if we could pull that up, please. This is from an HS2 document, the latest, and it's a little bit hard to read but you can see on there, hopefully if we can blow it up big enough, where it crosses Linnards Lane. Have we got that? There we go, over towards the right-hand side. So what we're looking at here on the right-hand side is a little double dip. The deepest part is where the Smoker Brook, the actual stream itself, flows and then you can see the level of the roadway, which goes down through there. And of course, above that, you can see the track level, which is between 20 and 23 metres above the lowest point there.

41. Simple reference to OS maps or to any decent mapping application will show that the height between the ground level around Wincham and the Smoker Brook, at the bottom of the lowest part there, leaves us with the rail level on the viaduct being about 15 metres above the level of land around Wincham. So if you add five metres of train on top of that, the train top is going to be 20 metres above surrounding ground level.

42. So we also discussed with HS2 the planting that they're planning and, essentially, if you saw the diagram I showed earlier, on the Wincham side of the track, the planting that's going to go in is either down at the bottom of the valley, around the base of the viaduct, and the only planting which is up on the ground level where the village is, is a hedgerow, and we don't feel that a hedgerow is going to do much to screen a railway

that's running 15 metres above ground level. As you can see in HS2's responses, which I guess I'll cover later on, they think this is obviously adequately planting and they don't want to do any more but we would disagree with that.

43. THE CHAIR: You would actively like to see improved planting, trees instead of hedgerows, if possible, to screen it.

44. MR BARKER: Yes, and I do think it's difficult. Unless you're importing American redwoods, there's not going to be many trees that will screen 15 to 20 metres above ground level and especially with –

45. THE CHAIR: Isn't that above – but, sorry, did you not say it was above the lowest point, which is –

46. MR BARKER: It's 25 metres above the lowest point.

47. THE CHAIR: Yes, but where the planting would be, the land would presumably be higher.

48. MR PARR: It would be about 10 metres higher than that, yes.

49. MR BARKER: Hedges are not –

50. THE CHAIR: But obviously the distance you are from as well has an impact, doesn't it? So is your argument the hedgerow isn't sufficient, but you would wish to see other planting instead?

51. MR BARKER: Yes, partly because when you're looking – Higher Wincham, as it's referred to, is a very flat level ground. It's just a brook, where you go down to the brook. So if you look across, from the houses, you can see the trees that are going to supposedly hide the line, which are not going to be 15-metres-high trees. So you are going to see, as a minimum, concrete track going across the top of the treeline that we're seeing at the moment, along with the 12 trains every hour, shooting past there as well, as well as the gantry that's on top of that.

52. THE CHAIR: I'm sure HS2 in their response will be able to explain the planting issue and we'll look forward to them responding to that.

53. MR BARKER: Yes. The trouble is, we did meet with HS2 and discussed the mitigation, and they assured us that they have no further plans to do any additional planting.

54. THE CHAIR: You wish them to do additional planting.

55. MR BARKER: We wish them to try to block the visual impact.

56. THE CHAIR: More effectively as you see it, okay.

57. MR BARKER: Effectively, yes, yes.

58. THE CHAIR: Okay, thank you.

59. MR BARKER: If we come on with regards to the noise levels, if that's okay with you.

60. THE CHAIR: Yes, absolutely.

61. MR BARKER: We were told by HS2 that there's no significant noise issues in Wincham but we're concerned that the modelling – what happens if the modelling proves to be incorrect? We're told that there's no impact from the A556, which is the main dual carriageway that runs at a lower level to Wincham and is screened heavily by trees that we can't see but we can still hear that. So we don't believe that the sound will be not applying for us, as it were. HS2 – so their model is that wouldn't be significant but we're concerned that if that proves to be incorrect, either during the construction phase or during the operation in the future, and the HS2 escalation process fails, we'll be in a position where we'll be, again, leading to the Bill preventing any legal action from communities or individuals in response to any of these unforeseen issues.

62. Working in construction, I know, no matter the small things you do, there's many, many unforeseen things that happen. You can't foresee everything and with all the modelling in the world – we did get told about travelling modelling and all the rest of it – it rarely seems to appear on site as it is mentioned.

63. MR PARR: So we just have one final point on the operational noise and that really was that, impressive as it is, HS2's monitoring processes, we just felt that, if the process is so good and everything works out according to the models, that would be

lovely. But, if that's the case and they're 100% confident that everything will work absolutely perfectly, then why is there a need to disapply existing legislation that would provide enforcement for noise problems in the future?

64. THE CHAIR: Thank you. Thank you very much. I appreciate that. Do members have any questions. Lisa?

65. DR CAMERON: Yes. You had mentioned that the access to the village would be compromised in three different sections. Is there something that you're looking for in terms of staging of things so that there's better access, rather than three routes being blocked off at once? What it is you're hoping for there?

66. MR PARR: I think what we're hoping for is that HS2, who have shown that they have picked up on local concerns in some of these routes already, would continue to do that but not only look at individual points but consider the whole area, in terms of a journey, rather than just looking at, say, the A556 over 300 yards in isolation and seeing what impact that has on an extremely local basis. It's to look at everything they're doing around and consider the traffic flows around the wider area. I think that's what we would like them to do.

67. MR BARKER: And I think, to add to that, it would be trying to do as much work – if they were doing any redirection or anything else, to do that first and then close off the roads as need be for as short a time as possible, rather than like we see on motorways, where you have 25 miles' worth of roadworks and 200 yards of actual – any work going on. It's being sympathetic to the area. So we are a rural area with not great roads and we want that to be taken into account.

68. DR CAMERON: And just for my own clarification, will the three access points be closed at the same point in time or will that be able to be staged?

69. MR PARR: I sincerely hope not because that would cause chaos.

70. DR CAMERON: Okay, thank you.

71. THE CHAIR: I need to see this 25 miles of thing where 200 yards of work is ongoing, because I tend to just see closures in my area and very little work. But, anyway, my question was going to be around what the solution is to these traffic issues.

So if I've got this right then – which was Lisa's question – it's not a specific ask in isolation of what you could do locally. It's more your concern is that the area is not being looked at on a broader, wider scale to see that impact you're seeing now. There would, of course, be a traffic management plan have to be submitted to Cheshire West Council, which would obviously look over a broader area, I would have assumed. Are you not – no confidence in that process?

72. MR PARR: Sorry, Chair. I think you've hit on a slightly sore point there in that we are right on the edge of Cheshire West and if you go a couple of hundred yards down the road, you're in Cheshire East.

73. THE CHAIR: Right.

74. MR PARR: And if you drive a little further towards Manchester, you're in Trafford.

75. MR BARKER: We are very much on the edge of a boundary of a number of council areas and we feel the benefit of that.

76. THE CHAIR: Okay.

77. MR BARKER: Or the opposite.

78. THE CHAIR: Sure. That's great, thank you. I can't read my own writing on my other question but I'm sure it was a brilliant question. I think it was related to noise but maybe I'll come to that when HS2 respond. Anybody anything else? No? Well, thank you both. Obviously, there will be an opportunity to question HS2. Councillor Barker?

79. MR BARKER: Sorry, can I just raise one more thing?

80. THE CHAIR: Yes, of course.

81. MR BARKER: As another potential mitigation factor is if they had a dedicated liaison with the villages in the area, especially – we're talking about Wincham but it's a wider problem throughout the area because we're all linked by very small roads, network. So if there's somebody who could draw us all together and speak with us, I'm sure that would help as well.

82. THE CHAIR: Excellent. Thank you. Anybody, anything else? There will be an opportunity to come back in later. We try and keep this as informal as we can so that we can get through all of the issues properly. Mr Strachan?

### **Evidence of Mr Smart**

83. MR STRACHAN KC (DfT): Thank you very much. I noted down the main topics. I was going to take construction traffic first and ask Mr Smart just to help you with that. While he's taking his seat, I'll just explain that, in the petition response document, the construction traffic scenario has been significantly improved, for Wincham area and other areas, through the additional provision 1, where a lot of work was done on managing construction traffic, so as part of an ongoing process, but I'll allow Mr Smart to fill you in on a bit more detail and Mr Smart's now taken his seat.

84. So, Mr Smart, there is a concern about construction traffic effects and could we just turn to P126(1)? And, first of all, can I just, if you've got that on the screen, this is what we've described previously as the alphabet maps but, broadly speaking, the letters correlate to some numbers on the right. First of all, Mr Smart, can you just help? I think it's common ground now, there aren't any HS2 construction traffic routes through Wincham or its parish. Is that right?

85. MR SMART: That's correct, yes.

86. MR STRACHAN KC (DfT): And there was a concern about the route into, say, Higher Wincham or Wincham itself and those roads in are shown with various lower-case letters. So, for example, the letter *i*, is Chapel Street as it's passing through Wincham; *h* is Church Street going into Higher Wincham; and *g* is going out the other way; and then *l* off to the left is Marston Lane and the A59.

87. So if we just take those by way of example of what's going on in terms of traffic numbers, if we dealt with, say, Higher Wincham first, the letters *h* and *g*, if you could just give an indication of what's going on, Mr Smart, by taking the Committee to those numbers and what they actually mean.

88. MR SMART: Okay. First of all, to Mr Parr's point, is we have done an assessment of traffic in this whole area. It's not just individual locations. It is looking

at traffic as a whole in this area and also the effect on junctions, which we'll come on to. But what you can see for *h* is that under the future baseline, which is just, if you like, the organic growth in traffic that will occur without HS2, HGVs increase by 2% and then with –

89. MR STRACHAN KC (DfT): 50 HGVs, sorry, yes.

90. MR SMART: Yes.

91. MR STRACHAN KC (DfT): Which you're looking at *h* first.

92. MR SMART: I'm looking at *h*, Church Street, yes.

93. MR STRACHAN KC (DfT): Yes, so we've got northbound, 3,953 vehicles just travelling along the road northbound without HS2 and 79 HGVs –

94. MR SMART: Which is 2%.

95. THE CHAIR: What period is this over again, sorry?

96. MR STRACHAN KC (DfT): This is in 2030. So it takes the future –

97. MR SMART: Growth in traffic. Yes, sorry. It takes the growth in traffic that will naturally occur.

98. THE CHAIR: But over what period? A week? A month?

99. MR STRACHAN KC (DfT): This one is the average daily weekday traffic flow in the peak month of activity.

100. MR SMART: Which would be over a 10-hour period.

101. MR STRACHAN KC (DfT): So, just going – sorry, Mr Smart, going back to those routes.

102. MR SMART: So you can see that, if we take *h*, which is the Church Street between A559 Marston Lane and Earles Lane, under the natural increase that we would get for the 2030 future baseline, there's an increase of HGVs of 2% of the traffic, which is 79. And if you go across to with HS2, there's actually a slight decrease in HGVs but

actually it's still a 2%, but there's an increased net change in all vehicles of 16 on the northbound and 104 on the southbound, and that's within a 10-hour period. So, basically, there's not a dramatic increase of traffic in this junction, in this area.

103. MR STRACHAN KC (DfT): If we go to the letter g, which is to the north of the village, we can see a slightly different picture.

104. MR SMART: Yes.

105. MR STRACHAN KC (DfT): Similar. We can probably skip to the right-hand side because that shows you. There's an eastbound, a reduction in traffic of minus 37 vehicles and an increase westbound of 641 vehicles over the 10-hour period. Is that right?

106. MR SMART: Correct. But it's quite a busy road as you can already see that there's over 4,500 vehicles on that section of the road anyway.

107. MR STRACHAN KC (DfT): And there's a similar – one can do the exercise for letter l for example, Marston Lane coming into the Wincham area. There's 284 northbound and a reduction of 1,120 coming southbound. And then letter i, it increases eastbound by 1,226 and comes down by 183 going the other way.

108. So can I just ask you to comment, Mr Smart, in terms of those numbers, if you take the higher number, so the 1,000 vehicles over a 10-hour period, can you just please help if that's a cause for concern of itself in terms of these rates?

109. MR SMART: No, it's not, and as I say, we'll come on to, we've also done an assessment of junctions as well, to look at what the queue might be. So it is not a concern.

110. MR STRACHAN KC (DfT): There is one, obviously Linnards Lane, where it passes under the viaduct. There's a very short-term closure of that, which is shown –

111. THE CHAIR: What's short term in your mind, Mr Strachan?

112. MR STRACHAN KC (DfT): I believe it's four weeks. It's on P125(3), and that's just whilst the viaduct is constructed actually over the road itself. Is that right, Mr Smart?

113. MR SMART: That's correct, yes.

114. MR STRACHAN KC (DfT): The other roads that we're looking at aren't – I don't believe are closed. Is that correct?

115. MR SMART: That's correct.

116. MR STRACHAN KC (DfT): And you were saying that there was an assessment of the junctions' capacity in the Wincham area. Can I just ask you to put up P126(2) and then just explain how those work, Mr Smart?

117. MR SMART: Yes, well, what we've done here is look at those same junctions in locations on the previous slide and looked at what happens under the future baseline, which is the organic growth in traffic, as I've mentioned, and then what happens with HS2. And if you take, for example, 4, which is the Church Street we were previously looking at, you can see that there is not a problem with capacity. So we're not having a problem with capacity at those junctions and you can actually see what the predicted queue length is. So, for example, Church Lane, or on the B5391, there are, without HS2, a queue of four and then actually there is a reduction with HS2. This is due to the diversionary effects.

118. So we've tested each of these junctions. We've also been talking to the highway authority about any improvements that we would need to do and there are some discussions on location 6 and, in fact, we are doing improvements to location 6, which you can see on the A559 Manchester Road. So the prediction there would include the improvements we're doing and obviously it's an ongoing dialogue with the highway authority and, indeed, picking up, I think, Mr Parr's point, with the villages etc, which would be done under the local transport plans.

119. MR STRACHAN KC (DfT): I think you've heard about the local transport management plans and how they operate. They'll operate in this area as well and, just to – this is also provided in the information, the traffic maps, but just to be clear, the traffic modelling that's been done is not limited to a local area. It uses the traffic models provided by the local highway authority, in this case Cheshire West and Chester, and it builds in future growth of traffic, including all planned developments. So when we look forward to 2030, we're taking into account the other pressures in the area to get

these results.

120. So, Mr Smart, clearly there are some changes in diversionary traffic. Can you just help the Committee whether you consider anything further, beyond those obviously ongoing discussions, are necessary at the moment for this area?

121. MR SMART: No, but there will be obviously when we move into construction and that's when we'll be, as you've already mentioned, dealing with the local traffic management plan and, of course, we always want to keep traffic flowing for our own benefit, not least any – everybody, all the local stakeholders and communities.

122. MR STRACHAN KC (DfT): That's all I was going to say about construction traffic, I was then going to move on to the question of mitigation and planting in relation to this, unless there are any questions for Mr Smart on that topic.

123. THE CHAIR: I think there was just the petitioners did ask for a dedicated liaison with regards to future – I think on the traffic element. Is that – what's the process on that? Presumably –

124. MR STRACHAN KC (DfT): I'll dig out in the local traffic management plans, there is a process of engagement and I can't remember precisely how it works but there is a process for arranging those plans and, of course, submitting them to the local highway authority for approval, and someone's going to tell me the answer as we speak, but certainly to take account of the local conditions as well, in working out the best arrangements for transport construction traffic. But if I get the answer to that whilst I'm – are you happy for me to move on to the question of the Smoker Brook viaduct?

125. THE CHAIR: Indeed, yes. Just any members, any questions? Martin?

126. MR VICKERS: The local traffic management plans are often defeated by local people because they don't react as the planners intended. I can see Mr Barker nodding, which indicates that you are not actually satisfied with the assumptions that were made in the plan. Is that correct?

127. MR BARKER: That is correct, sir, yes. Just a couple of points there on the A559 route part of it. That is classified as a red route in the area. It has had a significant number of accidents on it. 10 years ago, there was an application in to put an incinerator

in our village and that was used as a primary route to it. Now, looking at the width of the road down there, you can't pass two HGVs against each other. The road's physically not wide enough to do it and if you've got big, heavy 20-tonne lorries, articulated lorries, driving along that road, construction traffic, and they meet each other, at certain points there's a bottleneck and they won't pass. So that's one concern that we've raised that previously on previous applications and been proven to be correct on that.

128. Yes, I agree with what you're saying about local plans. We've seen a number of local plans, what has happened where they've put transport plans in place and the planners say, 'Oh, there'll be a few extra cars'. These few extra cars always materialises much more because people don't use their bicycles as they are predicted.

129. So could I just make a quick – one point?

130. THE CHAIR: Yes. If it's a quick point, a question or clarification.

131. MR BARKER: Yes. It's just a clarification, a question of clarification really. You said that on Church Street there would be an increase of 78 HGVs in a 10-hour period.

132. MR STRACHAN KC (DfT): Church Street's letter *h* on P126(1). It's got –

133. MR BARKER: I couldn't quite read the figures and it was a bit small.

134. MR STRACHAN KC (DfT): 79 HGVs would be travelling down that road northbound in 2030, regardless of HS2 and HS2's not adding any HGVs to that.

135. MR BARKER: Right, thanks for the clarification. I missed that. I thought it was an increase of.

136. MR STRACHAN KC (DfT): No.

137. MR BARKER: With regards to that, are there any increasing of road – passage for cars and vans for HS2 on that road? Is it just –

138. MR SMART: For the construction route?

139. MR BARKER: Yes.

140. MR SMART: Obviously, any operatives that were coming to our sites, etc, would still potentially use those routes because there's not a construction route but that would be taken account of in the analysis that we've done. So this is always the diversionary effects of our works which affect you, not the direct construction effects, if you see what I mean. But we have looked at that to make sure that we're comfortable, even though the diversionary effects may affect you, they're not going to cause a significant problem.

141. MR BARKER: Okay, and the only other point – I do apologise – is number 4, I think, which is the junction of –

142. MR STRACHAN KC (DfT): 96(2).

143. MR BARKER: Yes, the junction where the traffic lights are between Wincham and High Wincham. It's had no traffic lights – the traffic lights are there but there's been no lines on the road for the last two years so how there's going to be no problems there, I don't know, because it's dangerous as it is, never mind with additional traffic going there. But that's just a maintenance problem, which is there anyway. So, sorry, Chair.

144. THE CHAIR: That's beyond the realms of this Committee, that particular point.

145. MR BARKER: Yes, sorry.

146. THE CHAIR: Mr Strachan, are you finished with Mr Smart then?

147. MR STRACHAN KC (DfT): Yes, I have, unless there are any further questions. I just – whilst he's – I'm going to ask Mr Miller to help you with the Smoker Brook viaduct mitigation. Whilst – if I can swap them over.

148. THE CHAIR: Yes, sure.

149. MR STRACHAN KC (DfT): I'll give you that information about the management of traffic during construction. Information paper E3 gives you some more detail about the consultation that takes place and that includes, during construction, regular local traffic liaison meetings with highway authorities, bus operators, taxis, trade representation, police and emergency services. And then over at paragraph 7.5, the same process. The nominated undertaker requires all the contractors to communicate

regularly with the parties affected by the work – that includes local residents and businesses – so that they are kept up to speed of all the dates of activities occurring. As you'll appreciate, we haven't gone into detail. We were looking at peak activities. For much of the period we're talking about, these levels of traffic are much lower but there's the ability to keep everyone informed during that process.

150. THE CHAIR: Thank you.

### **Evidence of Mr Miller**

151. MR STRACHAN KC (DfT): Can I turn to the Smoker Brook viaduct and the questions of the effects of that? Can we just – Mr Miller, can we go back to the cross-sections, P123, and perhaps you could just explain what they're showing? Sorry, we may need to go back to P122 because we just have to orientate ourselves to where the majority of the local community are.

152. MR MILLER: Yes, I think it might be quite useful if I could try and point out a couple of the contours in here, so you understand what's happening with the lie of the land. You can see High Wincham in the top middle there and the nearest property is about where the *n* of Linnards Lane is on that description, and that's about two-thirds of a mile away. The petitioner said about a kilometre. I calculate about 950 metres. So it's around about that sort of distance.

153. And then if you go down a little bit further, you can see Home Farm. That's about half a mile away from where the cross-section's taken and then if you go down a little bit further, you can see FP8X1. That's a footpath and if you put the cursor on to the Linnards Lane road, at the end there, these are the key points to look out for the cross-sections themselves.

154. High Wincham is about 35 to 38 metres high from sea level. As the petitioners pointed out, you can see that the Wincham Brook – you can see the contours dipping down. So they go from 35 metres down to about 20 metres and that's roughly where the bottom of the watercourse is of the Smokers Brook, just close by the viaduct itself. So the land is sort of flat at the top and then drops away a little bit going down to the water there.

155. And then the viaduct itself, at points, it is 25 metres about the ground. It's just over 25 metres, I think, just above Smoker's Brook itself but, in other locations, not so high. It's just the way that the viaduct is traversing the ground and you'll remember that I said before that the railway is fairly flat and fairly straight, and that's the reason why it has a different aspect.

156. So if you look at the cross-sections –

157. MR STRACHAN KC (DfT): So, just to be clear, Mr Miller, points 1A and 2A are not from Higher Wincham. They're somewhat closer to the –

158. MR MILLER: They're a bit closer, yes. And the first one, which takes in Linnards Lane, and you can just see it, footpath Wincham 8X1, that coincides with a photograph view and I'll come to that in just a minute. This is quite a stretched out cross-section. So you can see the ground just gradually falling away to the right-hand side and then down towards the watercourses themselves, and you can see in there that there's some existing trees on one side, then you can see the viaduct. And you'll remember from the other day, I was talking about the additional planting that would be put in, woodland planting that would be put in on the other side of the viaduct from this cross-section. That's just where it says 'mitigation planting', close to 1B there. That would be the backdrop to that viaduct.

159. And so the viaduct itself – I mean, eventually the trees will grow up and we talked about that last week. Eventually those trees will grow up and the open outlook of the viaduct breaking the skyline, I think the petitioner has shown from the Dutton viaduct example, is not the sort of thing that's going to happen here.

160. And then you've got the longer view here and that's in a slightly different orientation across the plan, and you'll remember that we talked about the existing woodland being quite prominent on that side of the viaduct, so they're just a bit further south. And so there are natural screening opportunities that have been taken advantage of in the design.

161. THE CHAIR: That's on the other side, isn't it?

162. MR MILLER: That's right, yes.

163. THE CHAIR: So, we want to know about this side.

164. MR MILLER: No, that is on the side. That's on the parish side, yes.

165. THE CHAIR: I thought the mitigation planting was on the other side.

166. MR MILLER: No, I'm talking about the existing planting. So if I flip back to –

167. THE CHAIR: The existing trees.

168. MR MILLER: Can we go back to the cross-section plan, please? So just to pick that out. Yes, if you see 1A, you can see the new planting there and where it says 1B and then 2B, it just cuts into the existing – in fact, that's Linnards and Smoker Wood and a similar existing planting situation exists with the Winnington Wood which is on – it gradually creeps up on to the higher ground there. So either side, Linnards and Smoker Wood start to come up on the higher – existing planting on existing higher ground, so that's what you get either side.

169. I might be able to illustrate that to you with the –

170. MR STRACHAN KC (DfT): There's a photo at P124.

171. THE CHAIR: So, what we want to get to the crux of, Mr Miller, Mr Strachan, is this issue of these hedgerows, which is what the petitioners have actually referenced, is whether the screening that you're proposing via the hedgerow is sufficient to have an impact. I think that's where the Committee really wants to hear your response on and perhaps respond to the comments by the petitioners about the adequacy of the screening.

172. MR MILLER: Yes, so just very briefly to highlight this, before this session, we commissioned what we call a wire diagram showing the position of the viaduct, the train and a dotted line, which shows where the overhead electrification catenary would be.

173. THE CHAIR: That's the highest point it will be.

174. MR MILLER: That's the highest point. And, for those of you who went on the High Speed One visit, you'll remember that those catenary, electrification stanchions happen every 40 or 50 metres or so, so they're not so prominent in the landscape. You can just see in the grey there at the top, that is a train passing by, so we've added in a

train, and then just halfway down the train, you can see the top of the parapet of the viaduct itself. I appreciate we might have to zoom in on that, just so you can see that.

175. THE CHAIR: This is with the existing trees.

176. MR MILLER: That is with the existing trees and a winter view, and what this visualisation aims to do is to show which pieces of the viaduct and the train are going to be most prominent from the footpath, the closest viewpoint on the cross-sections that I've shown you.

177. So if we then zoom out, just to try and answer the point about whether we can put the planting in or not, what we have to think about is what's happening on other people's land in this location. So could I go to the construction drawing, which is P120? You can see the bottom of the red line, the parish boundary, and there's a little bit of land there where there's a hedgerow at the top. That's denoted in the pink on the construction plans here.

178. MR STRACHAN KC (DfT): Does it help to go to the operational plan, P121, because it's marked on there?

179. MR MILLER: Is it? Thank you.

180. MR STRACHAN KC (DfT): P121.

181. MR MILLER: Thank you.

182. THE CHAIR: Yes, they are.

183. MR MILLER: Yes, thank you. So the land beneath the hedgerow there, roughly to the bottom of the parish boundary and to the left or to the south of Linnards Lane there, that is a landholding owned by a Mr Jennings, as I understand it. And you can see here that he's got some what we call wetland mitigation, which is very close to the watercourse down below. That's at the lower part of the land and literally at the lower parts of the ground, and there is a hedgerow at the top there. The hedgerow was originally put in because we had an access coming in on that at the top of his land. We think that that is probably going to disappear with subsequent discussions but there is also an existing hedgerow there and so it's likely that just a hedgerow will exist there at

the moment. Okay?

184. MR STRACHAN KC (DfT): So, can I just ask Mr Miller, because the Committee will obviously need to deal with that, Mr Jennings and sons is petition number 42 and he's also petitioning but not for additional mitigation planting on his land but rather against the extent of mitigation that's already occurring on his land.

185. MR MILLER: Yes, so Mr Jennings –

186. MR STRACHAN KC (DfT): Just to be clear what the competing considerations are. So, can I just ask you perhaps the sharp question, Mr Miller? Would additional or, in your view, is additional mitigation planting on that area of land necessary to mitigate the effects of the viaduct when viewed from either Higher Wincham or any other locality?

187. MR MILLER: No. Because of the distance I've shown you with the viaduct itself, there will be some view of the viaduct, but that will be very limited to the users of Linnards Lane in close proximity to the railway.

188. THE CHAIR: This hedgerow here, is there already or not? So this is the mitigation hedgerow, is it?

189. MR MILLER: No, no, it's not a mitigation hedgerow. I want to dispel that.

190. THE CHAIR: Right, okay.

191. MR MILLER: It's in the plans at the moment for a replacement hedgerow. Originally there was a – well, we have been planning an access along the access road along Mr Jennings' land and that may have taken out the hedgerow and so, in these plans we have shown that that hedgerow will be put back, but it's not there for visual reasons for the viaduct. It wouldn't have any great effect on the visual aspect of viaduct.

192. To have any visual effect on the viaduct you'd have to put quite a bit of planting at the higher level and probably on the other landholding of Home Farm, and Home Farm doesn't want their land disrupted at all because they want to maintain their farming operation.

193. MR STRACHAN KC (DfT): That's petitioner 83.

194. THE CHAIR: Thank you.

195. MR MILLER: So here is a tension that we're sort of contending with if mitigation was needed, but in my view here and the information that I've shown, there is no need for any further planting in this location.

196. MR STRACHAN KC (DfT): Just test that a little bit further? If you were standing in Higher Wincham or in the properties – the bulk of the properties along the back of Higher Wincham – are you going to get a view or significant view of the viaduct which needs to be mitigated?

197. MR MILLER: No, it would be a very narrow view if you saw anything, and there's a lot of hedgerow and a lot of buildings in between from the farms.

198. MR STRACHAN KC (DfT): I just raise those petitioner numbers for you because we obviously as a promoter have to justify additional land take for a compelling case in the public interest for compulsory acquisition. So you can see the tension that's evident in that. That's why I wanted Mr Miller's view on whether it's going to be necessary for this case.

199. So is there anything else you want to say, Mr Miller, on the mitigation part?

200. MR MILLER: The only other thing I would say, and I said it for the Ascol Drive debate we had last week, is that the Smokers Book viaduct itself is a key design element – and we talked about that last week – that this is subject to further consultation with people locally and before the schedule 17 detailed planning application is put in. And so there'll be a greater deal of scrutiny around the visual effect of the structure itself and what that might look like in the end.

201. Unfortunately, the Committee hasn't been able to see the Colne Valley viaduct to actually see this in action. But nevertheless, there will be a higher degree of review of the final outlook of that structure, and of course, the structure, if you're going along Linnards Lane, there will be close views of that structure, but for the broader views where the people live up in Higher Wincham, it's unlikely that that will be visually intrusive.

202. THE CHAIR: Alright, thank you.

203. MR STRACHAN KC (DfT): So – any questions for Mr Miller? I've got three other short points that I was going to deal with about some other points were raised –

204. THE CHAIR: And one of them will relate to noise, will it?

205. MR STRACHAN KC (DfT): Exactly.

206. THE CHAIR: I'll just ask the petitioners if they have any questions on that. It's not comments, questions if possible, so we can –

207. MR BARKER: Sure. How more visible will the track and viaduct be than the light grey dotted line? Because to me, that looks disingenuous and the trees look much more prominent. Now, I've seen – as everybody else has seen – a large number of viaducts, and they're not just a light grey dotted line in the distance.

208. THE CHAIR: Is this in relation to the photograph mock-up we were shown earlier on?

209. MR BARKER: Sorry, yes.

210. MR MILLER: If we could go to that one, P124, you can see on that – I deliberately chose the winter baseline view. So this is a – and in Landscape Institute terms, this is a verified viewpoint and a verified technique for looking at these sorts of things. You won't get a dotted line in the landscape, you won't see the catenary, the wire, which will go along the line of the railway, and it will be very difficult to see the catenary stanchions, as I said before, partly because those will be hidden behind the trees themselves, even in a winter view. The spacing between them will mean that that's not prominent.

211. Yes, you will occasionally see the top of the train and I've attempted to put that into this diagram in a blocky form, and of course the train will pass by, I think in about 15 seconds, across that viaduct. So it's a fleeting view of the train and then you get the lower view of the parapet itself, and that would be subject to detailed design treatment and whatever the finish is of the concrete parapet, that will be part of the design.

212. So I'm not saying you won't see it, but I'm saying it's not visually intrusive and

there are plenty of opportunities to get that right.

213. MR BARKER: Is that not a matter of opinion? Whether it's –

214. THE CHAIR: I think it's going to be a matter of opinion –

215. MR MILLER: It is, yes.

216. THE CHAIR: So I'm conscious of time. We are almost halfway through the Committee's scheduled session this afternoon and we have another petitioner coming. Mr Parr though, yes.

217. MR PARR: Just one very quick question.

218. THE CHAIR: Yes, of course.

219. MR PARR: Can you confirm that photograph actually shows the landscape with the existing hedge?

220. MR MILLER: That's got the existing hedge in it, yes.

221. THE CHAIR: That's the existing hedge which is proposed to be retained or replaced at the moment.

222. MR MILLER: It is, yes.

223. THE CHAIR: And petitioner 42 is the landowner concerned here, who is –

224. MR MILLER: Mr Jennings, I think it is. Yeah.

225. THE CHAIR: Okay. Well we'll deal with that –

226. MR STRACHAN KC (DfT): I'm sure you'll hear from him in due course.

227. THE CHAIR: We will. We'll look forward to it. Thank you, Mr Strachan.

228. MR STRACHAN KC (DfT): Just three short points then – well, I say short, but if I need to cover more detail, do say.

229. THE CHAIR: Yes, of course.

230. MR STRACHAN KC (DfT): I didn't mention the code of construction practice, but 5.1.1 to 5.1.4 deal with further community engagement and advanced notification of works, just to complete that picture.

231. On noise, the question was raised about noise levels both in construction and operation. We're not anticipating construction noise effects on the community, the main parts of the community of Higher Wincham; it's too far away. And the same goes so far as operational noise is concerned. The distance – you will have seen the correlation – to the main part of Higher Wincham means we're not predicting significant noise impacts on them, but there was a question about how do we ensure that the noise predictions are matched in reality?

232. THE CHAIR: So what you're saying is none of the properties are within what I think were called SOAELs and LOAELs; is that correct? When it's in operation.

233. MR STRACHAN KC (DfT): In the main part of Higher Wincham, the properties that do experience some moderate adverse – I think a moderate adverse effect – are the ones at Home Farm.

234. THE CHAIR: Those are the amber coloured on your map.

235. MR STRACHAN KC (DfT): Which are the orange colours on the – exactly, or amber. I call it orange.

236. THE CHAIR: Orange or amber.

237. MR STRACHAN KC (DfT): Those are coloured orange and I think there is, in Higher Wincham, you can track it down, but a very marginal increase in what are called the Lmax levels at the Keats Drive properties but very small. I think it's less than 1 dB – so you've heard about what's perceptible. And so far as that's concerned, there has been an assessment of whether a noise barrier on the viaduct would be effective in terms of cost benefits. And both a two-meter and three-meter barrier have been assessed and neither are considered to be even close to being cost effective in that respect, bearing mind what benefit they bring.

238. THE CHAIR: Just remind me, for the properties that are therefore in the moderately adversely affected column, i.e. the amber/orange, what's the offer to them in

terms – because obviously, if they're in the higher, they get the mitigation measures. What's – I've forgotten this – if you're moderately adversely impacted, the offer is –

239. MR STRACHAN KC (DfT): There isn't any offer to those properties. Generally speaking, the approach is, if one can reduce the noise in a reasonable way without disproportionate cost, then that would be looked at. That exercise has already been looked at for the purpose of a noise barrier to demonstrate that the benefits are not outweighed by the disproportionate cost.

240. THE CHAIR: Once in operation they would be able to access the various schemes for properties that have been badly impacted afterwards.

241. MR STRACHAN KC (DfT): Yes, absolutely. You've heard about, for example, after the operation of railway starts, there are what are called part 1 compensation claims. If your property's adversely affected in amenity terms, there may be the potential to bring a claim of that sort, but there isn't any immediate –

242. THE CHAIR: I interrupted you; you were going to go on to cover monitoring.

243. MR STRACHAN KC (DfT): Yes. So the monitoring, which was a question raised, that is covered in information paper E12. Part of what's covered there is at 3.3; we can put it up if necessary, but what happens is that, post-construction, there is a framework for monitoring of noise levels, both to see whether the noise is better or worse than that which was predicted, and 3.3, noise measurements are taken to see whether the measured performance is different from that which was predicted.

244. If there is a deterioration or it's worse than is predicted, then there's a series of measures to address that, which is up on the screen now. So results in a study, investigation if anything else is underperforming and then corrective action to address future loss of performance. So that's part of an ongoing monitoring process.

245. I think a question was raised about noise commitments, and you've heard a bit about that already, as to the way the nominated undertaker is undertaken to comply with the environmental minimum requirements and the structures that apply to that. But that monitoring exercise assists in ensuring that the undertaking is properly monitored.

246. I think the third and final thing that was on my list, but I'm happy to answer

anything else, was just about the disapplication of controls through the Section 26. There is a slide and it's been explained that the disapplication of legislation for schemes of this kind is commonplace. It doesn't, however, disapply the Control of Pollution Act noise process for construction noise, for example, in relation to section 61, if I get the right provision. Therefore, there will be continued application for those sorts of controls from the local authority and the environmental health officer, and the ability for them to monitor in that way as well.

247. But as I said, Wincham itself, we're not identifying construction noise issues of any material nature or affecting the local community.

248. THE CHAIR: Do Members have any questions? No. I think on that basis I'll thank both parties for having attended this afternoon. I should have explained at the beginning, we won't be making any comments on what we've heard today or indeed for a while. What we will do is, as a Committee, is at various points when it's appropriate, we will issue reports with our views and/or otherwise on the petitions we have heard. So there won't be any initial feedback from today.

249. As you've heard, lots of the petitions are interrelated, so we need to hear others before we can formally come to a view on some of the issues that are put before us. But can I thank the petitioners for coming before us this afternoon? Thank you for your time and, of course, thank you to Mr Strachan. I am going to adjourn the Committee for a brief comfort break because I need one, and we'll be back in 10 minutes.

*Sitting suspended.*

*On resuming –*

### **Northwich Town Council**

250. THE CHAIR: We now come to the second petition of this afternoon's Committee, which is Northwich Town Council, which is represented by Councillors Cooper and Emmett, I believe. I'm going to, as with the previous petition, hand over to Mr Mould for an outline of this particular petition. Mr Mould.

251. MR MOULD KC (DfT): Thank you very much. If we put up P130. Northwich, a name that will be familiar to members of the Committee, the area which the town

council represents is shown outlined in red on the plan in front of you. You can see that the proposed railway line runs north/south to the east of Northwich. You will recall, from this time last week, that the parish of Rudheath lies immediately to the east of Northwich town and therefore lies between Northwich town's administrative area and the railway line itself.

252. If we turn to P132, I'll show you the construction arrangements. So now, as we always do, we've moved around a right angle; north is now to the right. We can see the eastern boundary of the town council area outlined with red. You can see the railway line; this is the construction phase.

253. Just orientate you to the road network, you can see the line of the A530 King Street. If we just go down to the very bottom of the plan, there is the A530 King Street running in a north-westerly alignment all the way up to the roundabout just by Broken Cross. If we come back again, there's the roundabout.

254. At that point, as you recall, HS2 is constructing a realigned route for the A556 Shurlach Road going northwards. That's the realigned Shurlach Road, all the way up to the top of the plan. If you remember right off – if this plan was to carry us northwards, we'd get shortly to the junction of the A559 with the A556 just before we get to Cranage Villas in Plumley; you remember that from this last time last week as well.

255. I'll remind you of what we're constructing here. We're constructing a railway on viaduct over the Gad Brook viaduct towards the right-hand side of this plan. Then the railway passes on to the Rudheath embankment, it goes over the Wade Brook on a viaduct. It goes back onto embankment and then eventually, as it passes to the north of Lostock Gralam, it gets to the Smoker Brook viaduct, which you heard about earlier today.

256. We have three or four elements of road alignment and diversion. At the southern end of this plan, so to the left-hand side, we have a temporary realignment of the A530 King Street; that's shown by the blue dashed line there. That realignment is required in order to enable the project to construct the Gad Brook viaduct.

257. We then come up to Penny's Lane, which is the highway that is diverted in order to take it under the Gad Brook viaduct and to avoid the current arrangements under

which that road meets the dual carriageway, Shurlach Road, a little further to the north.

258. We then permanently realigned the Shurlach Road, as I've told you, and as you recall when we get to the junction with the A556 and the A559, we have a sequenced temporary realignment of that junction in order to enable us to construct the Smoker Brook viaduct.

259. Each of those realignments and diversions, whether they are permanent or temporary in nature, they will be constructed offline so that traffic can continue to flow freely whilst those temporary or permanent diversions and realignments are being constructed. There will then be brief periods of tie-in during overnight or weekend closures when traffic will need to be managed, and there may need to be diversionary routes in place.

260. It's in HS2's interest to do it that way, because the A530 King Street and the A556 Shurlach Road are both key construction routes for HS2's lorries, and so it's in our interest to keep those roads free flowing during construction, just as much as it is as in the interests of the local communities for that to happen.

261. By way of issues that are before you today, if you just turn to P139, this is the letter which was sent on 13 March to the town council just summarising HS2's position on what it understood to be the issues that remained, and they were engagement, road closures, realignment and access, local rail services, local community and business impacts, local access, and then finally a matter we also touched on last week with Rudheath, ground conditions.

262. In terms of assurances offered, an assurance has been offered to the town council to keep them informed of the progress of the Bill and of likely target dates for construction of the proposed scheme in the immediate area. That's in addition to the community arrangements that Mr Strachan drew your attention to briefly in the code of construction practice; I think he gave you the paragraph references for that, so I won't repeat them.

263. That is all I propose to say by way of introduction.

264. THE CHAIR: Thank you, Mr Mould. Northwich Town Council, is it Councillor

Cooper kicking off? Excellent. Over to you.

**Submissions by Mr Cooper**

265. MR COOPER: Thank you, Chair, and thank you, Mr Mould. Just kindly set the scene for you so you're aware of where we are in relation to the proposed route.

266. As you'll now be aware, the proposed route runs adjacent to Northwich parish rather than through it, as with other petitioners you've heard or will be hearing in the coming weeks. However, given the extent of the proposed works, the impact on a sub-regionally significant key road and rail routes, the proximity to several of the town's major employment sites, the likelihood that they'll completely alter the character of the area and the particular sensitivities around ground conditions in this part of the world, I'm sure you'll understand why we're here today and why the Bill will certainly have a direct effect on our parish, its economy, its ecology and the lives of our residents.

267. Our written petition covers a number of themes, but the points that I intend to focus on today are around the road closures, realignment and access, and the ground conditions, because we think that those are the most important ones, those are the key ones.

268. So on road closures, realignments and access, this principally pertains to Northwich's location and the impact construction will have on getting in and getting out. We're a town of roughly 60,000, 70,000 people in Greater Northwich. We know, from the work Cheshire West and Chester Council did on the Northwich transport strategy in 2017, that we're a net exporter of people for commuting purposes; more people travel out of town to work than travel in or work locally. Nonetheless, we have a number of thriving employment areas, including Gadbrook Park and Lostock industrial area, both of which are significantly affected by the proposed route.

269. Gadbrook Park is home to, among others, Roberts Bakery and a Morrisons distribution centre, two major employers, where the smooth functioning of the local infrastructure is vital. Depending on which part of town you're coming from, Northwich has three direct ways of getting to the M6: the A556, access to one of several points which is to be realigned by these proposals, as you've heard several times now.

270. THE CHAIR: That's the Shurlach Road.

271. MR COOPER: Yes, although I don't know anybody that calls it that, but yes. The A530 King Street, which is to have a bridge built across it, and the A533 Bostock Road, which is between Northwich and Winsford, which is also going to be substantially altered as the route crosses from the proposed Wimboldsley depot to the series of viaducts over the River Dane and the Trent and Mersey Canal.

272. It's also possible to use the mid-Cheshire line to get to Manchester by train as a commuter, and the line is heavily used for freight. The proposed route crosses the mid-Cheshire line on the Lostock Gralam viaduct, which will inevitably lead to some disruption on the line while construction takes place.

273. Clearly, roadworks are a fact of life and it wouldn't be reasonable to ask for no disruption at all. But what we're talking about here is a multiyear disruption covering every eastbound major route into and out of Northwich, and adjacent to a sub-regionally important food manufacturing and distribution centre.

274. So our asks on this are very simple. We're looking for an undertaking that closures, diversions and disruption will not be simultaneous on each route or mode. On the mid-Cheshire line, the promoter's response discusses minimising disruption as far as the wider rail network is concerned, but it doesn't address the fact that people may choose their mode via the least disrupted route, and in the same vein, we're asking that work does not disrupt both rail and road simultaneously.

275. I've read the response from the promoter on this carefully and we listened to what they had to say at our engagement meeting back in October. I accept that, through the phasing of the work, some of the potential for overlapping closures and diversions is minimised. If the intention is not to allow closures to overlap, an undertaking will ensure that if there's any slippage on any part of the programme that this is guaranteed.

276. Just one final point on this. Since we submitted our written petition, we've now seen the detail around using Crowder's Lane for a diversion and as a construction route. Crowder's Lane is unlit. It contains two ninety degree turns a short distance from one another. A section in the middle is too narrow for central road markings and there's a 330 degree hairpin left turn – I measured it, by the way – there's a 330 degree hairpin

left turn onto Penny's Lane at the end.

277. We're sceptical that this is a viable route for larger vehicles in any numbers without substantial modification to the road and its junctions, and I'm hoping that, when he redirects in a little bit, Mr Smart will be able to comment on that and whether there's any modifications proposed.

278. The next thing I'd like to turn to is the issues around ground conditions. Mid-Cheshire, as you'll be aware, has a history of catastrophic subsidence caused by brine pumping; that's the process by which brine is extracted by pumping water underground to dissolve salt deposits, or by using some other vacuum extraction technique.

279. The most locally well known perhaps is the area of east Northwich, which around what is now the bodies of water, Ashton's and Neumann's Flashes and Adelaide Flash, which formed when the Adelaide mine collapsed in 1928. However, pumping continued outside of Northwich after this time and the Cheshire Brine Subsidence Compensation Board records progressive surface subsidence spreading into the rural areas.

280. In the early 2000s, those salt mines underneath Northwich town centre were filled with a pulverised ash cement mix using a process that was developed specifically for Northwich's situation. This has been subsequently demonstrated to have stabilised the town centre, but clearly had no effect on the mines that were not filled.

281. As we said in our written petition, the unusual nature of brine subsidence is that, due to the length of brine runs, disturbance in one area can have an impact some distance away as the brine run moves to fill the cavity, and this is one of the reasons the Cheshire Brine Subsidence Compensation Board exists, is because it's so hard to prove which particular activity caused the subsidence. This has potential to have a direct impact on the residents of Northwich and as a result, requires the upmost caution.

282. Now, I can't help but wonder if we're all here by mistake. In the 362-page March 2012 reports produced by HS2 and describing the process of initial options to long listing, to short listing, brine subsidence is not mentioned once. To the extent that this area is mentioned at all, it simply describes the Cheshire plain as consisting of low-lying

land.

283. The initial preferred route, published in 2013, was not all that dissimilar from the proposed route with the exception they were slightly to the east and crossed over the top of the gas storage facility that makes use of the former salt caverns in Lach Dennis. It's difficult not to draw the conclusion that the presence of salt extraction and the issues of brine subsidence were simply not considered as part of the production of the initial preferred route, unlike with the M6, which if you were to look at it on the map, you'll notice that it takes an oddly circuitous route around mid-Cheshire.

284. Now, this was corrected in the 2017 route refinement advice following the consultation on the initial preferred route when the route was shifted slightly to the west, broadly as is now proposed to minimise the risk of subsidence due to underlying geological conditions; that's a quote from the 2017 advice.

285. However, in what we all hope will not appear among the list of examples on the Wikipedia page for the sunk cost fallacy, the opportunity to revisit the wisdom of taking the route through this part of mid-Cheshire was not availed. We welcomed the production of the *Understanding the Ground Risk across the Cheshire Plain* report, which was published about three weeks ago. However, it's extremely late in the day to be releasing this piece of work, which ought to have formed part of the evidence for the decision making in 2017.

286. I think this is a point emphasised by the report itself which says a paragraph 432: 'It has not been possible to select a route which avoids entirely all possible sources of risk posed by the ground conditions in the area of interest'. As you'll have picked up from the submissions from our neighbouring parishes, this is an issue of extreme local sensitivity. It's not enough for us that HS2 have satisfied themselves that they're able to design, construct, operate and maintain within an acceptable level of risk. The problem is if they're wrong, it's our residents who'll need to live with the consequences.

287. So our asks on this, therefore, are all to do with transparency, peer review and external validation. The publication of the *Understanding the Ground Risk across the Cheshire Plain* report is a step in the right direction in terms of transparency, but we'd like to see more of it on a statutory basis in the form of an undertaking.

288. The response from the promoter states that it is industry practice to undertake ground investigation in a phased manner, with each phase building on the next. Fair enough. We ask for an undertaking that the results of these ground investigations are published in full, in a timely manner after they're completed, and in a form that makes it possible for the work to be peer reviewed by academic or other independent expertise.

289. We would also like to see funding set aside to help us and a consortium of Greater Northwich parish councils fund independent expert validation of the ground conditions work on a similar basis to what happens with the new burdens doctrine. Thank you.

290. THE CHAIR: Thanks very much. Members, any questions? Just on the road issues, I note your concerns were quite general about the traffic impacts. Do you have any specific asks with regards to the transport plan?

291. MR COOPER: We're not specifically asking, 'Do this; don't do that'. What we're asking is, 'Don't make it simultaneous.' So if you've got three routes out of the town towards the M6, well, just make sure you only close one at once. That's all we're saying.

292. Now I've seen the phasing; that is clearly what's intended to happen, but we know how these infrastructure projects work and things slip. And what I don't want is, down the line, when the contractor's taking things forward, to have slipped in one part and say, 'Well we'll catch up; we'll do a couple of weekends' work and we'll close these too'. Do you know what I mean? It's just about keeping a manageable level of disruption over what is an area that is extremely important.

293. I mean, there's something like 6,000 jobs at Gadbrook Park, or at least there was pre-pandemic; it'll be there or thereabouts. What we don't want is to get into a situation where, if you have major disruption over and over again, those jobs go, that Morrisons decide, 'Well, actually it'd be better for us to expand our distribution centre somewhere else than faff about with this'.

294. So we're just saying, if we have an undertaking in place that says, 'One at once please, one mode of transport at one time closed, please', then that's at least nodding towards the fact that this is quite a lot of disruption on one side of quite a big town, is keeping it manageable. That's all we're asking for.

295. THE CHAIR: Okay, understood. Thank you. Anybody else? Any questions? Mr Mould.

296. MR MOULD KC (DfT): I'm going to ask Mr Smart to come back into the witness chair because it's better that you hear from him, rather than me, I think, in response to these points.

### **Evidence of Mr Smart**

297. MR MOULD KC (DfT): Can we put back up P132, please? Mr Smart, I just wanted to deal firstly with the question of simultaneous closures of the road network. The Committee has heard from me that both the temporary and the permanent diversions and realignment works that that are proposed under the Bill in this area are principally going to be constructed offline. Is that correct?

298. MR SMART: That's correct.

299. MR MOULD KC (DfT): Right. Now, just look at the plan if we may. Let's start with the temporary realignment of the A530 King Street, that blue dotted line. Why is it necessary to realign the A530 King Street temporarily at that point?

300. MR SMART: That's to get the viaduct piers, which is what the deck or the railway deck sits on, in place as we go across there. It may actually be possible in the detailed design that we could actually span the road in one, but that's not necessarily totally – we're not sure of that at this particular time. So it's precaution that we would actually divert the road so that we can get the piers in and get the viaduct in place. But clearly, as Mr Mould has said, that is constructed offline and then we just tie that in, in the night and weekend closures that I've talked about in a previous petition.

301. MR MOULD KC (DfT): How far would the main civil construction works have to have progressed before it becomes necessary for you to carry out that temporary realignment, if you do have to do it?

302. MR SMART: Well, we would start doing the temporary diversion as part of the mitigation works as soon as we start construction.

303. MR MOULD KC (DfT): You do that early in the process.

304. MR SMART: You do that early in the programme.

305. MR MOULD KC (DfT): Right, okay. If we move up the line to the Shurlach Road or the A556 realignment, timing of that?

306. MR SMART: It's the same. We would time that in the construction programme such that we would have the best effects on the traffic, if you like. So we wouldn't want to be doing those two together because, clearly, we would be not only causing problems for residents but also ourselves because it's a key construction route for us on that. So that's all part of the sequencing of the construction in order for to mitigate effects in this area.

307. MR MOULD KC (DfT): Would HS2's strong preference be to carry out that realignment work and time the temporary realignment of the A530 at the same time or at different times?

308. MR SMART: Different times.

309. MR MOULD KC (DfT): Right, okay. But, having regard to the stage we are in the development of this project, are you comfortable to give an unqualified commitment not to carry out any part of those works simultaneously, or would you be more comfortable with saying that you'll seek to ensure that they don't take place – the closures associated with those, temporary weekend etc, wouldn't take place simultaneously, save, for example, in unforeseen circumstances?

310. MR SMART: Yes, I'm more comfortable with the latter because clearly, until we get more detailed design done, we're only at very early stage of design and construction staging. It's become clear some of the restrictions we're dealing with, but it would certainly be – our aim is to not have those closures at the same time.

311. MR MOULD KC (DfT): The local highway authority I think here is Cheshire West and Chester. Are we in discussion with that local highway authority in advance of their possible hearing before the Committee, depending how successful they are in resolving matters with you?

312. MR SMART: Yes, we are, and we will be throughout the construction.

313. MR MOULD KC (DfT): And is this an issue that would be appropriate to discuss with them? That is to say, if there is any reassurance that can be given in the form of a commitment to that council as local highway authority, but for the benefit of, amongst others, the local community?

314. MR SMART: Yes. If there was to be a situation like that, it would be with the highway authority.

315. MR MOULD KC (DfT): If that council wishes to pursue that question, having heard today's debate, then that's something that you'd be willing to direct your team to take forward with them.

316. MR SMART: Yes.

317. MR MOULD KC (DfT): Thank you. Does the same apply in relation to the timing of the works to the junction of the A559/A556 where you'll have to carry out a temporary alignment in a sequence to enable you to construct the Smoker Brook viaduct?

318. MR SMART: Yes, it does. That's why we divert the southbound and then the northbound carriageway at different times, and we do the tie-ins at weekends and at nights over about a 30 to 40-day period, but that's not a closure of 30 to 40 days; it's just the tie-ins during the Saturdays and the nights happen during a period of around 30 to 40 days. And we do the two carriageways way separately so we always maintain a flow except for those tie-in times.

319. MR MOULD KC (DfT): I ought to just ask you to deal with Penny's Lane in that context. If we just put up P135(2) just to get the timings, this is a slide which is dealing with the A556, and we can see that in the current programme, top of the page, you see that chart at the top of the image that shows us where the A556 realignment works sit in the programme. It's late 2025 through to just after mid '27. Do you see that?

320. MR SMART: Yes.

321. MR MOULD KC (DfT): And if we go to the next slide, we can see that in relation to the second tie-in works on the A556 within a window Q4 '27 to Q2 '28. So we're talking about relatively early in the programme as it's currently set out.

322. MR SMART: Yes.

323. MR MOULD KC (DfT): Let's just then go with that thought in mind to Penny's Lane, which we have at P135(8). And we've got Q3 '28 to Q3 '31 for the diversion of Penny's Lane, offline principally, you've said.

324. MR SMART: Yes.

325. MR MOULD KC (DfT): I mean, does that give any reassurance in itself that you wouldn't expect, in terms of your programme, that the tie-in works at Penny's Lane and any temporary traffic management or diversion routes that take place during that short period to coincide with any of the works on the A530 and the A556 Shurlach Road?

326. MR SMART: Yes, it does because this is our own analysis of the construction logistics of how we would do it, and of course it does depend, when we actually get to the construction, on the contractor's preferred methodology, but I think that this is trusted and tried methods of construction. So, it gives me a lot of reassurance that that won't happen.

327. MR MOULD KC (DfT): While we're on –

328. MR SMART: Just – sorry, Mr Mould – I'm dealing with the local highway authorities anyway, they would, I'm sure, want to insist that we would do it in that way.

329. MR MOULD KC (DfT): Well, again, you said a minute ago at my prompting that these discussions about timing are matters that we'd be happy to continue to talk to the local highway authority about, and presumably, this is embraced within that point, is it?

330. MR SMART: Yes.

331. MR MOULD KC (DfT): Thank you. And then while we're on this slide, we can see the Crowder's Lane shown there on the slide and we can see that very tight junction where Crowder's Lane and Penny's Lane meet. And I think the town council are concerned about how construction vehicles will be able to negotiate that.

332. MR SMART: Yes. The time we use this, we only actually use Crowder's Lane in one direction. But, that particular junction, the hairpin junction I think it was described as, we take land within the consolidated construction boundary to improve that junction.

333. MR MOULD KC (DfT): Do we have available CT05314R1? This'll test the system. Here we go; pass with flying colours. We can just orientate ourselves; we can see we've turned, I think, on a further right angle. So now we've got north to the right; we can see Crowder's Lane just at the left-hand side of the plan here.

334. THE CHAIR: It's the current alignment, obviously.

335. MR MOULD KC (DfT): Yeah. And we can see some red shading there. And then if we get down to that very tight junction just a bit further on, that's the junction of Crowder's Lane and Penny's Lane. That pink, that shows that that's land within the Bill limits to enable roadworks to be carried out if necessary to ease the tightness of those junctions; is that right?

336. MR SMART: That's correct, yes.

337. MR MOULD KC (DfT): Yeah, okay. Alright, thank you. So can we just turn then to the other issue, which is the question of ground conditions? First of all, I don't know if we can put up, please, R12(31). So this is the March report that you saw some excerpts of last week and which was just touched on a few minutes ago.

338. Actually, we can go back to the previous page, R12(30). So in the report there's a section on historical mining, which just deals with the incidents of mining in the Cheshire plain area for many centuries, Mr Smart.

339. MR SMART: Correct.

340. MR MOULD KC (DfT): I think since the 1600s. I'll assume that the Committee will just want to glance at this passim, as it were, rather than read every letter. We'll obviously provide the report for more detailed consideration.

341. We can see – we might just touch at the paragraph 3.3.18 – ‘The last Northwich-based mine closed in 1929, with all mines flooded and abandoned. The risk of future pillar collapse and ongoing compression type deformation of the pillars (creep) blighted development through the centre and north of Northwich (towards Marston) where many of the shallow mines were located. More recently, around 2006, a mine stabilisation programme, comprising backfilling of mines with grout, was undertaken for four mines.’

342. And then if we go over to the next page, we've got a summary of the position. I won't read this out but 3.3.19, I'll just pause for a moment.

343. THE CHAIR: So the railway passes only over bits that are fully intact; is that the contention?

344. MR SMART: Yes.

345. MR MOULD KC (DfT): I think it's a fact actually.

346. THE CHAIR: Ah, fact.

347. MR MOULD KC (DfT): Yeah.

348. THE CHAIR: Limited appeal in this place. So the petitioner's concern, of course, was the possible collapse of old mineworks. Your contention is that's not possible because of the fact that this is passing over intact deposits. Is that correct?

349. MR SMART: Yes. And obviously we were in contact with the mine owners – were in that area when we were planning a route and still are, so, yeah, we are confident. And of course, we would not want a collapse under our railway.

350. THE CHAIR: I suspect not. Be subpar, I think would be an understatement.

351. MR MOULD KC (DfT): One way of putting it.

352. THE CHAIR: In that mind, Mr Mould, given that the petitioner's request was for external validation of ground investigations and for you to publish those ground investigations, does that strike you as a reasonable request? Is that something that you are prepared to facilitate, support?

353. MR MOULD KC (DfT): In a word, I don't think that the project would be willing to go as far as the petitioner has asked on the basis that it simply isn't justified. It would be a very unusual thing for the developer of a large project to agree to have the construction and operation of their project subject to some external validation.

354. I mean, there are obviously regulations that govern the risks associated with existing mining. Mentioned was made of the compensation board which was set up in this area many decades ago precisely in order to monitor and to provide a measure of

statutory control over the legacy of historical mining. One would need a pretty clear justification, I would respectfully suggest, to add to the arrangements that already exist.

355. And it is, of course, not reasonable to proceed on the basis that the promoter of this railway would fail to act in accordance with industry best practice in developing the designs. Indeed, one of the key messages from this report is to explain all the knowledge that has been accumulated over the past few years, to explain how that knowledge will be supplemented through further work as the design develops, and then to explain, critically, how all the engineering and geological and hydrogeological knowledge that is available to a project of this scale will be deployed in order to inform the design, construction, operation and maintenance of this railway, so it is able to avoid, as far as humanly possible, the very narrow risk of the kind of catastrophic problems that people are understandably fearful of.

356. So that, I think, is the response. You are going to hear more about this, of course.

357. THE CHAIR: This was going to be my point. That seems perfectly fair, speaking personally, Mr Mould. The problem is that so many of the petitions – we heard it last week, we’re hearing it this week and future petitions, as you mentioned – surround this issue of ground condition, so whereas, no doubt, the industry standards and practices and all of the relevant legislation will be followed by HS2, it’s this issue of public confidence building, though, isn’t it, as to whether or not people are confident in that?

358. So I just wonder whether any further thought had been given, given this ground-condition issue seems to be a significant part of a number of the petitions, whether anything more can be done, undertaken, to help provide that confidence to the public.

359. MR MOULD KC (DfT): My submission, if you will, on that is that this project should think seriously, whilst this Committee is sitting, about the most effective way of conducting community relations on this issue, because community relations is a general obligation of this project. It’s set out in the paragraphs in the code of construction practice that Mr Strachan drew to your attention. It is reflected in the strategy that is published in relation to community relations which is being taken forward for the first phase of the railway, which obviously is now under construction.

360. But as you would expect, the target of community relations and the particular subject matter of community relations in certain areas may differ depending on those issues that are of particular concern to local communities. Here there is a particular concern, because of the legacy of uncontrolled brine mining and so on, on the risk that large-scale projects may present given ground conditions. In fact, the West Coast Main Line has been there for many years, as you know. The motorway has been there for many years, but people are still concerned that HS2 is bringing a problem and I understand why they have that concern.

361. So one of the things I wish to do is to explore with those who instruct me whether we can develop a strategy through the community relations process, which we can share with you whilst you are sitting, ideally to give you some idea of what that might consist of when you come back to this in the sittings after Easter, when I think you are going to hear some technical evidence from the petitioners, which may be an appropriate time for you to have that.

362. The other thing I'm going to do is this: you've had a couple of particular themes ventilated in the course of your hearings last week and this week. My response thus far has been to draw your attention to passages in the report. Mr Smart has commented from his expert perspective at a relatively high level. We already have identified a number of particular themes that we think need some further, more detailed consideration in terms of the evidence we give to you, and we propose to develop those so that we can provide those to you in the context of those hearings after Easter, when I think you will have a more detailed exposition from some of the petitioners.

363. So I hope that works. We're not at this stage going into that level of detail. We didn't feel that, with all due respect, it was a level of detail that was appropriate given the level of presentation that you've had. But we are ready, and we are actively preparing that level of detail to bring forward to you a little later in your hearings this spring.

364. THE CHAIR: I believe we have an expert geologist coming before us.

365. MR MOULD KC (DfT): You do, I think, coming after Easter.

366. THE CHAIR: Yes. It is important, I think, for us, as none of us are geologists on

this committee, I don't believe, so it is important that, if we're going to hear from an expert geologist, that there is a robust and fully explained response from HS2. I welcome that; I think that's useful for us.

367. MR MOULD KC (DfT): Good. Well, I'm grateful. Might I just make one other point, because there was a criticism of the timing of the publication of the March report? With respect, I don't accept that that is a justifiable criticism. The March report is intended to draw together a series of themes which have been developed in different reports, in different fora. And I drew your attention last week to HS2's published advice to Government in – I think, Mr Smart, it was 2016, wasn't it?<sup>1</sup>

368. MR SMART: It was, yes.

369. MR MOULD KC (DfT): Which, as you recall, related to certain refinements of the route which had been driven in part by a better understanding of the ground conditions. This is necessarily an iterative process. One can't simply put one's hand on a book and say, 'Now I understand fully the nature of the geology through Cheshire'. One has to build up. And one uses the expertise of technical experts, such as, for example, Wardell Armstrong who are the authors of that report which was, shall we say, rather loosely reported by *The Sunday Times* in that article that you heard about last week.

370. But we will try and give you a little more of the historical context to the degree that you would find that useful. I don't want to overburden you with material which is past history when you, I'm sure, will be focusing on the here and now, and what can be done going forward. But I wish to reiterate, the responses I've given you today are in no way intended to diminish the concern that local communities feel about this issue. It is recognised, and I recognise that it is the function of this Committee, with respect, to ensure that people go away, if possible, with some degree of reassurance that these matters will be properly controlled during all the key stages of the railway going forward.

371. THE CHAIR: Thank you.

---

<sup>1</sup> HS2 Ltd's advice to Government on Route Refinement was published in July 2017.

372. MR MOULD KC (DfT): And that is all I wanted to say.

373. THE CHAIR: Excellent. Thank you, Mr Mould. Petitioners, is there anything you wish to question Mr Smart on?

374. MR COOPER: Just a couple of points.

375. THE CHAIR: Yes, sure.

376. MR COOPER: In the report that was just referred to, it mentioned that the last Northwich mine closed in 1929. Do you know which one that was?

377. MR SMART: I'd have to check the report. Off the top of my head, I might give you the wrong answer.

378. MR COOPER: That's okay. It was following the Adelaide mine collapse in '28, all of the Northwich mines were closed. Are you aware that we're defining Northwich specifically as the town of Northwich for the purposes of that paragraph, and, in fact, wild brine pumping operations continued outside of the narrow Northwich area after that time?

379. MR SMART: Well, I'm not sure how you're defining it, but I'm aware of the work we've done to define it.

380. MR COOPER: Well, I'm defining it based on paragraph 3.11 in the report, which points out that wild brine operations were mostly phased out in the 1960s, all but one operation having ceased in the 1980s, and the closure of the final wild brine operator – the New Cheshire Salt Works, which was in Marston – occurred in 2006. So would you say it's fair for us to not completely characterise this as something that happened 100 years ago? It did proceed through most of the 20th century. Do you think that's a fair comment?

381. MR SMART: I think it's a fair comment but I think the other thing I would say on that is that we've been in liaison with the relevant – and also all mines comes under the Mining Regulations as well – so we are aware of the situation.

382. MR COOPER: Okay, thank you.

383. THE CHAIR: Thank you. Do members have any questions?

384. MR HIGGINBOTHAM: No.

385. THE CHAIR: On that basis, I'll bring the proceedings to a close. Can I thank both parties for attending? As I said to the previous petitioner, obviously, we'll be doing regular reports as we go along, so there'll be no immediate feedback from what we've heard today, but those will, of course, be published at the appropriate time, as and when the Committee sees fit. So can I thank all parties for attending? We've no further business today, so on that basis I'll call the Committee to a close.