

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL (CREWE - MANCHESTER) BILL SELECT COMMITTEE

PETITIONS AGAINST THE BILL

Monday, 5 June 2023 (Afternoon)

In Committee Room 8

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

PRESENT:

Andrew Percy (Chair)
Grahame Morris
Holly Mumby-Croft
Martin Vickers

FOR THE PROMOTER:

James Strachan KC, Counsel, Department for Transport
Tim Smart, Phase Two Managing Director, HS2 Ltd
Rupert Thornely-Taylor, Acoustics Consultant, HS2 Ltd

Exhibits referred to by the promoter during the hearing with Dr Derek and Karina Armstrong can be found [here](#), Stanthorne and Wimboldsley Parish Meeting can be found [here](#) and HS2 Cheshire Residents Group can be found [here](#).

FOR THE PETITIONERS:

1. Derek Armstrong and Katrina Armstrong

- Derek Armstrong

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

2. Stanthorne and Wimboldsley Parish Meeting

- Robert Morrey
- Karina Armstrong

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

3. HS2 Cheshire Residents Group

- Graham Dellow
- Mike Slater

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

IN PUBLIC SESSION

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(At 4.15 p.m.)

1. THE CHAIR: Good afternoon. Welcome to this afternoon's meeting of the High Speed Rail Hybrid Bill Select Committee. Thank you, everyone, for attending. My colleague, Mr Vickers, is going to have leave to attend another meeting at some point in the next half hour, so it's nothing personal when he gets up and walks out, and he will be coming back, but pressure of time and all that.

2. The first petition we're hearing today is from Dr Derek and Mrs Karina Armstrong. We've got three hours for this afternoon's Committee. So people can work out, we're three sets of petitioners, how long that gives everybody. Well, just under three hours. So if people could try and keep their remarks to within that timeframe. And just to remind everybody again as well, obviously the Committee's very keen when it comes to petitioners to hear what it is petitioners want from the Committee and what they're asking the Committee for. So if people could be as clear and direct in that and succinct as possible, that will aid the Committee this afternoon.

3. We'll start as usual. I'll hand over to Mr Strachan, who will set out the area of the petition, and then we'll hand over to Dr Armstrong and then obviously it will be back to HS2. So, Mr Strachan, if you want to kick us off, please.

Derek Armstrong and Katrina Armstrong

4. MR STRACHAN KC (DfT): Thank you very much. P402, please. And the petitioners, Dr and Mrs Armstrong, live at Stanthorne Lodge Cottage on Coalpit Lane, which is just to the west of Milwich, an area you'll be familiar with.

5. THE CHAIR: Indeed.

6. MR STRACHAN KC (DfT): And it's south of Stanthorne, north of Wimboldsley and the petitions today are focusing on that area. And you can see their property marked, very small, in red on the map, mid-screen, but if I go straight to the construction map, you can see what's happening in the vicinity of their property.

7. P404, please. And the orientation's changed now but you can see the petitioners' property is marked. Just up the screen but to the west is an area in grey. That's borrow pit C. There are three borrow pits in this area, A, B and C, which are designed to be

excavated to provide materials for the construction and then filled with materials arising from the tunnel and then restored, and this is one of the three and it's about 110 metres from the back of their property to the area of borrow pit C. Beyond that, you can see the construction of the railway itself and, in addition, some reception tracks, which move into the rolling stock depot. The rolling stock depot is to the south, and you're going to look at that later on today, but it's off the page for present purposes, but the tracks going in, you can start to see.

8. Coalpit Lane is joined by Birch Lane. These names, you're going to hear about shortly. Birch Lane just further along the page. And just if we go over to the left, you can see the canal, the Shropshire Union Canal, coming down across the page. There's a footpath 3/1, notation FP3/1, that goes along the canal and one of the issues is about temporary construction effects on that footpath and there's an assurance, which I'll show you in a moment, about that.

9. And just, again, for notation purposes, you can see the green hatched lines which, as you know now, are the construction traffic routes with larger numbers of HGVs on them. Those are on the A54. There are no HGV construction traffic routes along Coalpit Lane or Birch Lane but the assessment of traffic does show some diversionary increases in traffic along Coalpit Lane and Birch Lane during the construction period. Diversion, as in other traffic diverting off the main roads.

10. P405 just shows the position once the construction's completed. The grey area has gone because the borrow pit is restored.

11. THE CHAIR: Over what period of time?

12. MR STRACHAN KC (DfT): The total period, I think, is three years, but I think the actual extraction period is much shorter and then there's a restoration period which is short. I think they're nine months extraction, nine months filling, and then there's a gap in between but total period three years and there's some hedgerow planting, obviously, and then the railway behind.

13. And just to give you the distances, for P406 there's a cross-section available to the Committee, which you can see marked 1A, 1B. So it's taken from the petitioners' property and if we show the next slide, P407, that's the cross-section. 1A is to the right

of the page, marked 'Petitioners' Property'. If you go along from the right to the left, you can get to the proposed hedgerow about a third of the way along. So that was the hedgerow that's introduced. The borrow pit would have been to the left of the hedgerow but it's been restored in the operational phase. So this is showing once the railway's completed, and then the railway itself is about 450 metres away to the left. That's the reception track and then the mainline is a bit higher up and there's a permanent earth bund and some planting on that.

14. And then can I just, in the conventional way, just tell you what assurances have been offered to date?

15. THE CHAIR: Yes, please.

16. MR STRACHAN KC (DfT): P416(1) is a letter of 25 May to the petitioners and without giving all of the detail, first of all if we go on to page 3, 416(3), the first assurance is borrow pit screening under item 2 and there's an assurance here to provide a landscaped screening bund around the borrow pit during its construction, subject to the approval of the local planning authority under schedule 17, because that has to be done before we start any works. I'm told that, generally speaking, those would be expected to be three to four metres in height, the bund. It's effectively topsoil and planted. It would be a temporary bund whilst the borrow pits are in place and beyond the bund, of course, there's the 2.4 metre fence or hoarding to the construction site and then there's another 10-metre buffer before the borrow pit itself, the works begin. So that's an assurance to the petitioners.

17. And then there are a number of assurances offered to the council, Cheshire West and Chester – they're on the next page – which are relevant to this area. 416(4). There's what we call an engagement assurance but if you go to the next page, I can show you, it's the creation of a special management zone and, in short, because there's a lot going on in these two parishes in terms of the construction of the rolling stock depot and, of course, the HS2 line, we've offered an assurance to the local authority, to set up in the designated areas – those are the two parishes that you've heard about – a special management zone and that involves creating single points of contact for local authorities, a single point of contact for the school; that's defined elsewhere. That's Wimboldsley Primary School you're going to hear about as well, which is closer to the

rolling stock depot – and then points of contact for the affected property owners, of which Dr and Mrs Armstrong would be one, and then the duties of those individuals, effectively, to engage and provide a dedicated means of, through the construction period, understanding what's going on and managing those relationships specifically, conscious as we are of what is going on in this area.

18. And then if you go to the next page, there is also – it's (6), I think – a specific assurance in relation to footpath Winsford 3/1. That was the footpath I showed you along the canal and the assurance itself is on the next page but, in short, it's an assurance to seek to limit durations of closure, temporary closure of that footpath along the canal, because it's a matter of concern, to a maximum period of four weeks of closure, when they occur – that's at 2.1 – and to use reasonable endeavours to ensure that that happens and also to provide notice, because there was a particular concern about that closure during the construction period. There does need to be some closures, you'll appreciate, because of the railway crossing over the canal.

19. I'll leave it there, because the petitioners' have got various issues about the borrow pit, which they'll raise with you.

20. THE CHAIR: Okay, thank you, Mr Strachan. Dr Armstrong?

Submissions by Dr Armstrong

21. DR ARMSTRONG: Thank you for agreeing to hear us. If I could just go to A62. So I'd like to talk about three things today: so my argument about why borrow pit C should be removed from the proposal; some associated concerns around our own property; and some potential mitigation proposals that I hope that you will find acceptable and reasonable.

22. So I go to A62(3). So as the proposer has said, this is just a layout of where we are on the map. You can see the extent of the actual work that is proposed, which is quite considerable. And it's not just ourselves; I think I'm talking for the people on Birch Lane as well. And today, I'm actually talking on behalf of maybe 14,500 people in Middlewich, as well, that you should take into account, but they can't be here.

23. THE CHAIR: We don't have enough seats if they could make it here, just to be

clear, but we'll take your word for it.

24. DR ARMSTRONG: So, next slide, please, number 4. So we've just seen maps and everything like that. Let's see the actual land the proposer is willing to dig up to construct the actual railway line. You can see the trees on the skyline there. That's the height of the actual railway embankment. You see the white house just to the right in the middle. That is where the line actually goes through that house and that's probably the maximum height of the actual railway, including the electric lines; gantries I think they're called. If you come forward, you can see where the yellowish strip is in the middle of that green landscape. That is where the start of the borrow pit is going to be and it extends back to that tree. It looks like it's dying. It's probably on its last legs but that's the extent that way, and panoramic all the way along there and round to the edge of the page on the left is the extent of the actual borrow pit.

25. Next exhibit, please.

26. THE CHAIR: Sorry to interrupt. Mr Strachan, what material is being dug up from this borrow pit?

27. MR STRACHAN KC (DfT): The materials are those for the construction of the embankment, which requires a certain quality –

28. THE CHAIR: It's just the soil then. Gravel? What is it?

29. MR STRACHAN KC (DfT): I'll have to ask Mr Smart but the precise composition, I think, slightly varies, depending which borrow pit you're in but it's basically considered to be suitable quality to construct the embankment. I think it's a mixture, I'm being told, of glacial till.

30. MS MUMBY-CROFT: Has it got clay in it? Is it clay as well?

31. MR STRACHAN KC (DfT): Some clay, a little bit of sand, but generally speaking, we've undertaken ground investigations in the borrow pits and they're assessed to be suitable materials. They have to be better materials than certain materials to build the embankments, whereas the tunnel arisings from the Crewe tunnel are not suitable to use for the embankments and they'll go back into the borrow pit.

32. THE CHAIR: Right, so they'll go into this borrow pit.

33. MR STRACHAN KC (DfT): They go into the borrow pits.

34. THE CHAIR: Sorry, Dr Armstrong. I just wanted to be clear in my mind. Carry on.

35. DR ARMSTRONG: That's okay. That's perfectly fine. So I've got four points here and then I'm briefly going to go through them and then I've got some follow-up slides that actually go into them in a little bit more depth. In this area, the proposer has already decided to minimise the number of cuttings in the area because of halite. Basically, you don't want to cut through the clay and expose water routes to that underlying halite, i.e., salt, because with water and salt what you get is dissolution and you get collapse. And that doesn't happen just in the area of where you're actually digging because what happens is the water goes down, it rolls across the top of the salt bed, because it can't actually pass through the salt and then creates, effectively, an underground river or stream. And any land above that eventually will just collapse and we have many aspects of that within our area, and I'll point those out a bit later.

36. I feel, personally, that the actual borrow pit is too close to major habitation points in our area, so there'll be noise disturbance over, it said, three years. Now, HS2's record so far of delivering things within the periods they say they're going to has been abysmal, so I reckon it will be many more than three years. There's a dust nuisance – that will be both mental and physical – and the possibility of some vibration damage to buildings that are over 150 years old. The local authority has classified this area as open countryside and developments in that area are severely restricted. For example, one of our local farmers who's having his house demolished for HS2 couldn't even get planning permission to build another house on his own land in the area. So it seems like one set of rules for one set of people, another set of rules for other people.

37. There's also a natural spring that rises within the area of the borrow pit, so there's potential for that water to reach – once you've removed the clay, which is protected, which the proposer is actually wishing to take as part of that, and sand and gravel, to make the embankments – and will allow water into the salt beds below. So you're going to have the noise of pumping the pit dry and the cost of doing that over many years. There's a possibility that, when you pump that water, there's impacts on the water

courses in the area.

38. Next slide, please. Right, this is an extract from the response to our petition by HS2. ‘The presence of natural halite deposits within the geographical bedrock crossing the proposed scheme between Warmingham and Hoo Green lead to a design decision to minimise the number of cuttings within this area.’ And this is all to do with stopping water getting into the salt beds, and this is why the proposer wants to actually extract the material because they think that putting things on embankments will be better first, and then deal with the subsidence afterwards. It’s not a good story when you think of only five millimetres of height difference you can have on a high-speed line before you get potential for derailment.

39. They stated initially, when they were doing the first proposal, that most of this would be in a cutting, the mainline. And yet, within 250 metres of that point, they think it’s okay to build a big hole, or dig a big hole, with a water source within it. This just does not seem right. Either it’s a problem or it’s not a problem. I’ll let you decide which.

40. Next slide, please. You can see here that the position of the properties to the boundary of the borrow pit; the borrow pit is the chequered blue area. So A and B, which is ourselves and our neighbours, Mill View Cottage, are within 110 metres of the edge. Birch Lane properties are within 130 metres, and Earl’s Cottage is within 150 metres. All very, very, very close to a major quarry, effectively.

41. Next slide. I used the proposer’s own slide of a borrow pit and superimposed our property next to it. You’ll see here the extent of what has been proposed, effectively, on our doorstep, very, very extensive, with big, noisy vehicles, lots of activity. And you can see that’s quite a dusty environment. Where they’re trying to dig, it’s clay-like in the summer; it dusts.

42. Next slide. The proposer said the noise threshold should be 65 decibels. If you read the British Standard relating to noise, it actually says, for long-term earthmoving activities, that threshold should actually be 55 decibels. That is half. So they’re proposing a level of noise double what the British Standard says for the activities that they’re proposing in the area, and I think that’s unacceptable to go beyond the British Standard.

43. Now the British Standard also says what sort of noise levels that these machines that the proposer is proposing to use in that area – what levels should be taken into account and saying they think it's between 85 and 115 decibels. Remember, decibels are logarithmic scale, so don't just go lineally; these are significant noises. Now the wind prevails from the west, which is directly towards our property, and it's flat open countryside, so there's going to be very little noise attenuation. Also, I think that the proposer has been disingenuous in that they actually quote average noise levels over a 10-hour period. You all know that you could have a massive rock band blasting out for three hours, with the noise levels and everything like that, and then everybody goes to sleep, and you take an average and you get a very low level. And I think that's what the proposer is doing here. They have not showed anything about what the maximum noise levels are. I think this is totally unfair and trying to, basically, brush over the effects of noise. Everybody knows what these big machines make, so I think this is disingenuous.

44. Next slide, please. The proposer claims there won't be a dust problem. A couple of years ago, the lane opposite us was used as a haul road for a very short period of time during the summer months to repair the actual collapsed embankment on the Shropshire Union Link Canal. That embankment that collapsed was using similar material to what is the proposer is actually proposing to use for his embankments; it was sourced locally. We personally believe that it was a subsidence event. Everybody sort of brushes over that because they think they should have seen it coming.

45. And we found that the contractor said they would reduce the dust and everything like that. They tried every means, including wetting the area at local, and we still had a massive dust cloud problem every time a vehicle went by. We believe that we'll get the same problem with the borrow pit.

46. Next slide. The proposer says nothing about vibration and protection of properties from vibration. I know for a fact that part of my property has a foundation of only three bricks deep; it sits on clay, so highly prone to damage by vibration, and the proposer does not address that at all.

47. Next slide. I said earlier that this is designated open countryside by the local authority. I've superimposed on this slide the actual proposed scheme. And you see how over years the local authority has tried to maintain that gap between Winsford and

Middlewich, to effectively give the area around there a green lung and stop total urbanisation. You can see here that the gap between the railway line and the edge of the town, that the borrow pit actually takes up half of that space. So despite taking all of that, they want more, more land, and I think that that is unacceptable. They've left us a little neck of land.

48. Next slide. I've outlined the actual borrow pit boundary. Something of interest, I think you'll see, is this little stream that comes from the borrow pit up from Coalpit Lane, and crosses Coalpit Lane and goes below the canal and out, eventually, to the river.

49. If you see the next slide, I've highlighted where there's a natural stream actually rises, which feeds that small river, and it's right in the middle of the borrow pit. You take the clay off that area, and it's not like the proposer is saying they're going to put the clay back because they actually want it for the embankment. So we're going to have a poorly protected area that is known to suffer from subsidence when water gets into the salt below.

50. Next slide. I've highlighted here areas of active subsidence in the area. So it is known that this happens naturally – sometimes a consequence of brine-pumping years ago; other times a natural phenomenon. We're not talking about rare events; we're talking about an area where we see active subsidence quite frequently. My fear is that, if you actually allow water into that borrow pit, that we may end up with damage way beyond the actual borrow pit.

51. Next slide. As a little bit of an aside, and this is something totally limited to our house, we have a sewage outfall that leads across to the fields to a land drain, which comes from the borrow pit area, so the dotted red line. My fear is that, when the borrow pit is actually made, that we'll sever that line, we'll have very little flow of water down that outfall. And the amount that we're actually putting through the drain is minimal, so there's a potential for silting up of the green drain onwards. And when they reinstate the land, there's a potential that they will contaminate that drain again and block it.

52. Next slide. Something of particular concern to us is the increase to traffic. The proposer has already said that they're thinking of a 54% increase in vehicles per hour on Coalpit Lane, up to 525 vehicles; it's a small country lane. That's one vehicle every

seven seconds. If you do the maths, an average person walks between 1 metre per second and 1.5 metres per second. That means a person can move between seven and 11 metres in the time between vehicles in seven seconds.

53. There are numerous places on those lanes where there are no verges and there are blind corners. So in that time, the petitioner says, 'I don't think it's safe for a pedestrian to be able to make a place of safety should a vehicle come'. And I've reckoned there's between 50 and 100 pedestrians per day use the lanes outside our property and on Birch Lane. And I'll show you why in the next slides.

54. Next slide. People like to access the area which I've highlighted in green, which I call the green lung, and this is where I come to the 14,500 people that live in Middlewich, where most of the walkers come from. I've highlighted three red dots as where footpaths actually meet the lanes, and they make reasonable round walks for people. I'll be using the canal at the bottom of the page, or the river that runs diagonally across the right-hand corner.

55. Next slide. The red line there shows how connecting two of the footpaths using Birch Lane. Next side. This is again showing how Coalpit Lane can be used to actually join two footpaths up. Next slide, an alternative route joining the footpaths to make the nice circular walk.

56. If I turn to the next slide. Here are the choke points on Coalpit Lane and Birch Lane, and I've measured myself what the width of the road is at any of those points. Now we have anything between 3.2 metres and 3.8 metres. The average car is 1.9 metres wide. The Highway Code says that a car should leave two metres between a pedestrian. This is an area where vehicles are allowed to travel up to 40 miles an hour. We have a lot of farm traffic on there as well and I don't think any of these points are safe for pedestrians. So I think that HS2, because they're increasing the actual amount of traffic, should take action to make safe places for people to walk, avoid those dangerous areas on Birch Lane and Coalpit Lane.

57. THE CHAIR: I mean, that's the situation at the moment. So people doing this walk at the moment have to come down this road, if they wish to.

58. DR ARMSTRONG: Yes, but there's less traffic.

59. THE CHAIR: Right.

60. DR ARMSTRONG: There's going to be 50% more traffic now, so that time, if it's seven seconds to get to a place of safety, is when the proposer's scheme goes through.

61. So for mitigation, I'll get to the crux of what we're asking for. I believe that if the borrow pit goes ahead, there should be a no quibble compensation scheme put in place, a bit like the Cheshire Brine Subsidence Compensation Board. So, basically, people whose property they feel is damaged by the subsidence caused by the actions of the proposer can make a claim. Things become difficult once you have subsidence to actually get insurance; the house can become worthless.

62. The proposer has already said that they're going to screen the borrow pit. The petitioner would like to see that that bund is actually made permanent, and that would screen Coalpit Lane. And there's a viewpoint from Coalpit Lane that the proposer actually says it will be significantly impacted once all the work is finished, visually. And that would also protect Birch Lane. I can't see why you'd go to the massive expense of putting this bund into place, and then you spend that massive expense again to remove it, when it could actually be an amenity to the area. It would then help to reduce the noise around the properties. I know the proposer says something about noise on one of their overheads.

63. We're asking now on the property side of the bund to actually put in some landscaping, to integrate it into the countryside, and we're also asking that the undertaker maintain the ability of the petitioner to actually discharge waste water to the consented route. And, finally, I'm asking for HS2 to help put footpaths in place that allow the population to actually access what is left of the green lung, after they've built their railway. I've highlighted what I think that they could do on the next slide, please.

64. You'll see that I've highlighted the borrow pits again on blue checks. I've highlighted a dotted red line which I think would be a footpath that would give amenity to both the area and all the people in Middlewich as well, to be able to use the footpaths without danger. And I've shown some screening which would be in keeping with the Lawton Directive, which the UK Government has signed up to follow, which means that you have connected green spaces rather than just patches here and there. We see what

HS2 are saying; it's just isolated patches and this would be connectivity of green space for both humans and wildlife.

65. So that's the end of our petition. Thank you very much for taking the time to listen to it.

66. THE CHAIR: Thank you, Dr Armstrong. Thank you very much. Do the Committee want any questions or anything at the moment? Mr Strachan, so principally you've heard the petitioner's requests this afternoon. The ones I particularly would like to hear the response on are the issue with regards to the request for the provision of a new footpath; obviously the issues with regards to the bund and the screening; and then, particularly for me, this issue – well two other issues – one, the drainage issue, particularly maintaining the ability to continue the discharge, I think you said, Dr Armstrong, in the way it operates at present; and the disruption there could be, potentially, to the spring which comes up in the middle of the borrow pit area. Beyond that, for me, if you could respond on the issue of property damage, we've heard on the foundation issue.

67. It's a general issue, I thought, Dr Armstrong's question about the cutting, why a cutting isn't appropriate on this site, but why a borrow pit to be cut to a significant depth too is deemed acceptable. So those would be the issues for me, but I'll hand over. Colleagues, anything to add to that?

68. MS MUMBY-CROFT: Only just to add on that – and I'm not an expert; I'm as far away as you can get from an expert – but on the issue of removing clay, and then that allowing access of water into the salt, I'd like to understand that a bit better, please.

69. THE CHAIR: That's the spring issue, yeah, absolutely. Thank you. Mr Strachan.

Response by Mr Strachan

70. MR STRACHAN KC (DfT): Certainly. I hope you don't mind if I don't deal with them in precisely that order.

71. THE CHAIR: We'll only hold it against you slightly, sir, but, no, I think it's helpful for us to tell you what's in our mind so that we get a more appropriate response.

72. MR STRACHAN KC (DfT): That's very helpful. And what I was going to ask to do, just dealing with the question of the borrow pit and the effect on clay, to start with. Just to get Mr Smart to explain why it's acceptable to use a borrow pit rather than construct a cutting in the area, there is an answer he can provide. Better it comes from him. And then I will sweep up with him, if I can, drainage, because that's also an engineering matter.

73. THE CHAIR: Yes, when I mention the property foundations, if you could outline what compensation arrangements would or would not apply from the list of the various schemes that we have that do apply to people post-operation and all the rest of it.

74. MR STRACHAN KC (DfT): I can try and deal with that while he's taking his seat. The short point is, in relation to compensation for property damage, if the project were to cause damage to properties, be it from subsidence or anything else, then compensation would be payable in the normal way. There isn't a specific fund or scheme for that because we're not anticipating the need for a specific fund in that way.

75. THE CHAIR: There's a post-operation fund, isn't there, for properties which are outside but affected in operation, but that wouldn't apply in this particular case, if it was – obviously this is during the construction phase when the borrow pit would be used. So what provision exists in that period?

76. MR STRACHAN KC (DfT): That would be the normal provision of bringing a claim, in effect, against the scheme for causing property damage. I think you've seen that there's a small claims ability for certain property damage. If there was something more substantial which was caused by the promoter – it doesn't have to be subsidence; it could be property damage generally – then there would be ability to claim. There isn't a specific scheme for that. The part 1 compensation scheme I think you're alluding to is more about the operation of the railway causing a fall in property values from noise, etc – change in noise.

77. And the reason why Mr Smart's going to come to the question of would there be subsidence from this particular piece of construction, which we don't think there would – and that's why there isn't any need, so far as the promoter is concerned, to set up some specific fund or arrangement because the general law would provide protection to the property owner, if such damage were to occur, which for the reasons we're just going to

go into, I hope, will provide some assurance, if not to you, certainly to the petitioner.

Evidence of Mr Smart

78. MR STRACHAN KC (DfT): So can I go straight to that, Mr Smart? Putting it in a nutshell, one of the questions that has arisen – the scheme is generally trying to avoid cuttings in the area, and the question is why is it acceptable to dig a borrow pit?

79. MR SMART: Yes. So the first thing is to say that I think we can use cuttings in the area of the Cheshire Salts, but in response to issues raised during consultation from local residents, we did raise the route to decrease the risk even more of disturbing what is the halite depth. Now, the other thing about a cutting is not so much the forming of the cutting but some of our cuttings are deep, and they are there for the full duration of the life of the railway, which is 120 years. And, in fact, the railway will go beyond that; that's just the civil engineering design life is taken as 120 years.

80. And, therefore, they will drain water into those cuttings which is all over that time. The reason that we can construct the borrow pit in what is effectively a cutting is, one, we would limit the depth to between four and five metres. It's only for a duration of about three years, and then we would backfill with a properly compacted material. So there's not the issue of the long-term effect that you would get with the permanent work, so this is temporary work.

81. I think the other point is that in this area we have done some bore holes, and we are actually monitoring the ground water, and the material we're winning is fluvioglacial sands and clay, so fluvioglacial is where material washed out from the ice sheets, etc. Now we've got a seven-metre buffer of superficial deposits, which is what we're winning, before we get to rock, which is about 18 metres deep. And the halite deposits, which are the concerns to Dr Armstrong and other petitioners, as you've heard, sir, is about 76 to 80 metres down. So for that reason, there is not the risk of disturbance to that particular geology that's susceptible to the dissolution features that you've heard about in the evidence from Dr Todhunter and indeed Professor Lord Robert Mair.

82. THE CHAIR: Thank you.

83. MR STRACHAN KC (DfT): And just on that temporary period, Mr Smart, I've

already alluded to the fact that the material comes back into the borrow pit, after the other material's put in. What's the effect of that in terms of restoration of the area? And, particularly, I want to pick up the drainage point because there's a concern about interference with the spring and interference with the drainage.

84. MR SMART: I do understand that. So as I've mentioned, there's temporary works because it's not there for the permanent reason of the railway. So during the detailed design of how the borrow pit's going to be operated, because we do have three borrow pits and we only need to win a certain amount of material, so whether in the detailed design the borrow pit would be opened up across sections, etc, there would have to be a design of the whole drainage scheme and the effect on the ground water.

85. That actually would be subject to planning authority approval and, indeed, Environment Agency. So we have to address how we're going to deal with both the land drainage issue and any other water issues when we design the operation and winning of the material of the borrow pit.

86. MR STRACHAN KC (DfT): And the Committee may be familiar with this now but, within the Bill, I think it's schedule 24 sets out the protected provisions that have to be met when dealing with water and the effects of water, including drains and springs, which have to be approved by the Environment Agency and the local lead flood authority.

87. MR SMART: We do have some slides in there about the impact, which I'm sure the Committee have read, about borrow pit.

88. MR STRACHAN KC (DfT): Well, I hope that's clear and just, Mr Smart, if I've correctly answered it, five metres' maximum depth to a borrow pit and 12 metres of clay/glacial till.

89. MR SMART: So, we've got approximately seven metres of superficial deposits, which we will not be excavating for material, as a buffer. And then there's rock at 18 metres and then you don't get to the susceptible halite until 76 metres, which is some considerable depth.

90. MR STRACHAN KC (DfT): If there are any other questions then I was going to

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91. THE CHAIR: Martin?

92. MR VICKERS: The issue of drainage always concerns me because I'm sure my colleagues around the table will have experienced drainage and flooding issues in our constituencies, and there is always difficulty in identifying which of the various authorities is actually responsible, whether it's surface water or whatever. And the response document references the Environment Agency, drainage boards and the lead flood authority but it also talks about a bespoke regime. Could that bespoke regime actually involve a single point of contact for any individual who may have concerns about their property? And that individual could have authority to liaise with all the various authorities because, otherwise, it is an absolute nightmare finding out which of the agencies is responsible.

93. MR SMART: We would have to do as part of our approval process so we would have to be clear on all the authorities that we've got to get approval from, obviously the Environment Agency being key. So we would have that information as part of doing the detailed design. And I know the petitioners are concerned about there's a land drain that goes into where they've got, I think, a septic tank arrangement alongside their –

94. DR ARMSTRONG: Packaged sewage system.

95. MR SMART: – sewage system and some of that land drain would be going across farmers' land and we'd have to get their agreement as to how we treat that as well.

Response by Mr Strachan

96. MR STRACHAN KC (DfT): I was just going to identify that, in this particular area, there is this special management zone that I referred to earlier, which is intended to provide points of contact, as it happens, because of the special management zone, between affected landowners, property owners and the scheme itself, and I can put that back up on the screen. That wouldn't be a single point of contact with the Environment Agency because we would have to seek those approvals but for any questions about what had been done, or what arrangements had been approved, or the drainage scheme, that would serve as the ability to communicate directly with the project. I don't know if

that's what you were getting at or not.

97. MR VICKERS: Well, I'm not sure that I've had an answer to, 'Will there be a single point of contact who then can liaise with the various agencies on behalf of the affected resident?' Otherwise, as I said, finding which authority, who tend to bat it from one to the other, is actually responsible can be a nightmare.

98. MR STRACHAN KC (DfT): We, the promoter, will be the single point of contact with the approving agency, so the Environment Agency and the local lead flood authority, because we have to seek their approvals before we do anything to the water environment. So we have to obtain their approval. We are therefore the point of contact. In turn, we're setting up a point of contact system for affected property owners like Dr Armstrong and others in this area so that they have the ability to speak directly to the promoter about what's going on in their area, which, as obviously Dr Armstrong and Mrs Armstrong are concerned about the borrow pit, would include, of course, the drainage arrangements as and when they reach detailed design and are submitted for approval. So I hope that gives you some assurance. I hope I have answered your question but I'm trying my best.

99. MR VICKERS: Some reassurance.

100. THE CHAIR: I am conscious of time and I want to be fair to the other petitioners as well so if we can move on to some of the other issues, Mr Strachan.

101. DR ARMSTRONG: Sorry. Excuse me. Do I have a right to reply?

102. THE CHAIR: I'll ask at the end. It's the promoter's opportunity now to respond to your points.

103. MR STRACHAN KC (DfT): Can I turn to the footpath issue? And then we'll come back to the bund and screening. The reason I say that is that Mr Smart's dealing with traffic as well.

104. THE CHAIR: We've been really clear on where we are on traffic, remember, as a Committee. We're not going to concern ourselves with traffic concerns because those are a matter for the local authorities but if you wish to –

105. MR STRACHAN KC (DfT): It was more about the – I think you asked me to address you on the footpath.

106. THE CHAIR: The provision of a new footpath, which Dr Armstrong's asked for.

107. MR STRACHAN KC (DfT): The provision of a new footpath is sought because of the concern about the pedestrians using the roads and that's the connection. I wasn't going to go into traffic.

108. THE CHAIR: Numbers.

109. MR STRACHAN KC (DfT): But just to be clear, if we could get back up on the screen, A62(25) and I'll just see if we can assist you on this. You can see, in red, Dr Armstrong's proposing the creation of new footpaths because of his concern about pedestrians using Coalpit Lane. He is right that the traffic predictions from diversionary traffic are a vehicle, one in every seven seconds, is what he identified. That is correct for the p.m. peak when the diversionary effects of traffic are felt during construction and that's a change from one vehicle every 11 seconds, which is the current situation. So, yes, there's an increase but it's not HGV traffic from the project. It's diversionary traffic during congested times that the model shows people take a diversionary route during a peak, in this case the p.m. peak.

110. And so, in those circumstances where, as he says, 50 to 100 people are already using these roads – and we've checked the safety records; there's no pedestrian safety incident concerns, so they appear to be using them acceptably. That temporary increase in traffic during the p.m. peak to one in every seven seconds, we've considered to be an acceptable position. The difficulty with creating new footpaths, and, to be clear, this is the first time this particular arrangement has been put to us, is that that then involves taking rights of way across other people's land. In this case, there are three other landowners we've identified – I don't need to name them – who are affected by the lines of route that are now being shown by Dr Armstrong and no doubt would have something to say about the creation of public rights of way across their land. And, of course –

111. THE CHAIR: They might be happy.

112. MR STRACHAN KC (DfT): Well, they might be.

113. THE CHAIR: I know many landowners who love having rights of way across their farmland.

114. MR STRACHAN KC (DfT): I've yet to meet one.

115. THE CHAIR: Yes, well, if you find one, do let me know.

116. MR STRACHAN KC (DfT): So you can see that is the difficulty we face. So there are two essential reasons and I've given the evidence, but Mr Smart can tell me if I've got it wrong about the traffic numbers, but the two essential reasons are, one, bearing in mind the limited effect, we don't think it's going to be a problem with that amount of traffic; and, secondly, we are unable to deliver that right of way network. It's outside Bill limits already but there's a more fundamental problem about what other landowners would want to do. It's not a proposal that's been raised with us by Cheshire West and Chester that do represent the area in terms of rights of way as well. So that's our concern with that.

117. And then I've got on my list the bunding and the screening.

118. THE CHAIR: Yes, and the permanence of that. I think Dr Armstrong's asking for that to be made permanent.

119. DR ARMSTRONG: Yes.

120. THE CHAIR: And then landscaped more appropriately.

121. DR ARMSTRONG: And basically use the Lawton principle of connected green spaces that the Government has signed up to.

122. THE CHAIR: Right.

123. MR STRACHAN KC (DfT): Can I just – can I help you? Can we go back to the slide A62(8) because I just need to make clear a couple of things about what you've been shown. I've already shown you the distance between the borrow pit and the property, which we don't think is represented at all in this slide. It's 110 metres between the property and the start of the borrow pit location. The temporary bund, you

saw the assurance we're providing – and, Mr Smart, tell me if I'm wrong – is created with topsoil taken from the borrow pit area and that provides a good screen, three to four metres' height, seeded over, during the borrow pit operation. It's then, after that, removed, because the intention is to restore the land to agriculture, its former position, post the operation of the borrow pit and after the borrow pit's gone, of course, there isn't a need to mitigate for the works at the borrow pit themselves.

124. As to the mitigation for the railway, we saw from the cross-section that it's 450 metres away and the noise assessments, and those other visual assessments, are such that we're identifying that there isn't a need to put in or retain additional bunding to mitigate the effects of the railway. If you were to do that, of course, you'd need to bring in more soil because the temporary bund is the topsoil from the borrow pit, which we're trying to put back on to the land. So we wouldn't be able to use the same temporary bund as a permanent bund. We would have to bring in more materials to provide the topsoil for the borrow pit as well as a permanent bund and, for the reasons essentially that we've explained, through the noise assessments – there have been noise assessments of the operational effects of the railway – we're not identifying any need to have a permanent bund in that location and that would then frustrate the return of that land to agriculture and with the hedgerows we've shown, which is one of the objectives in this area.

125. Just one other point. The borrow pits, even before we start work on the borrow pits, we have to get an approval for the restoration scheme from the local planning authority and they therefore have a say in approving the details of that and that is a process that will occur. So there is still the option of them to scrutinise our restoration plans and approve them or not but the general expectation is we're doing our best to put that land back to the very condition it was before. I appreciate that the petitioners say that they would like a permanent bund, but that would knock up against that other objective and the main point is we're not identifying an effect from the operation of the railway which requires that. So that's why we haven't been able to –

126. THE CHAIR: There will be a full application to Cheshire West Council then.

127. MR STRACHAN KC (DfT): It's under schedule 17. The restoration of the borrow pit, the scheme of restoration, has to be approved before we even start. In some cases I think you may have come across, mining for example, restoration conditions

occur after the event.

128. THE CHAIR: Yes.

129. MR STRACHAN KC (DfT): This one we actually have to do it before we start the work. So that, in a nutshell, is why we've thought about permanent bunding but we're giving the temporary screening because we're conscious of the concerns of Dr Armstrong and Mrs Armstrong, whilst they're living there with the borrow pit in operation, but once that's put back, we don't see the need for a permanent bund and it will introduce more construction traffic, potentially, because we'd have to bring in quite a large amount of earthworks to make that a permanent feature. Mr Smart, I'm sorry. Have I said anything incorrect in terms of the construction of those bunds?

130. MR SMART: No, you haven't.

131. MR STRACHAN KC (DfT): The only other thing I would just say is that Mr Thornely-Taylor is here to deal with the issue of noise during the works of the borrow pits, because there were concerns raised about the noise levels. That slide you were showing, we don't agree with. He is available to help you with that if that would assist.

132. THE CHAIR: No, that was one of Dr Armstrong's things. If we could briefly, because obviously I'm aware I want to be fair to the other petitioners –

133. MR STRACHAN KC (DfT): I'll put the slide up and there are three brief points I think he can help you with.

134. THE CHAIR: Yes. Dr Armstrong's point was obviously that you've provided average noise levels and his concern is obviously what the peak noise levels will be.

Evidence of Mr Thornely-Taylor

135. MR STRACHAN KC (DfT): And I think it's helpful to give him some assurance on that. A62(9) was the slide that Dr Armstrong put up and, Mr Thornely-Taylor, I know you're familiar with Mr Thornely-Taylor, but can we just deal with the points on the slide? The concern about the way in which noise from the borrow pit construction or, sorry, the digging out of the borrow pit would affect the property, there are a number of points, first of all the concern about the 55 dB level.

136. MR THORNLEY TAYLOR: This comes from a non-standardising part of the standard. It's an informative, which is referring us to the guidance on noise from minerals activities, because when you have very long-term work such as earth moving and that kind of thing, it's appropriate to take a slightly different approach to setting noise limits. The guidance that's referred to here is withdrawn. There is now different guidance on minerals planning and noise levels. The essential thing is that it's talking about very long-term work and people who live near gravel extraction facilities; it's effectively a permanent change, nearly permanent change in the noise environment. And the 55 that's referred to here is not the same way of assessing noise as is used for predicting noise from construction activities for HS2. It's something called a free field noise level that you would measure completely absent from any reflecting surfaces, no facades of buildings or anything like that. The predictions in the ES are facade levels and the difference between those two is 3 dB, so 55 free field is 58 facade.

137. But, actually, if you go to the current guidance on minerals planning noise limitation, you'll see that it says that for many activities, such as temporary stripping of overburden, construction of bunds for noise control and other unavoidable and essential activities in mineral working, a much higher level is appropriate for up to eight weeks. A figure of 70 is proposed.

138. When you look in detail at the predictions of HS2 noise from the borrow pit presented in the ES, actually, only part of that is from work in the borrow pit itself and if you separate them out, the noise that you can expect from work within the borrow pit from those vehicles that we saw in the montage that the petitioner exhibited, the facade levels from work within the borrow pit are not very different from this 55 equals 58 facade that is recommended in the minerals guidance.

139. On the point about it being disingenuous to have an average noise level, and not a one-hour level, actually, for this kind of work, there won't be much difference throughout the day. The noise comes from earthmoving equipment moving about. It's several diesel engines running more or less continuously. There will be rises and falls as they come nearer and move further away, but it won't be like being next to a construction site where there would be sudden impulsive noise from hammering or pile insertion or something like that, when it would be perfectly true to say that a 12-hour Leq does not tell you the whole story when there are short periods of high noise levels.

That sort of thing won't happen here and it is very well established that one uses a 12-hour Leq for construction noise assessment.

140. The basic method of assessment of construction noise for HS2 is very, very well established. It was introduced way back when the Channel Tunnel itself was first being constructed, not the Channel Tunnel Rail Link, the actual tunnel itself, and it has served extremely well as a method of assessing and controlling noise from large construction sites over many, many infrastructure projects over the decades since then and it does work. There have been a few cases over the years where there have been problems of constructions noise with specific communities but, on the whole, many major infrastructure projects have gone through to completion with a satisfactory regime of prediction and monitoring and control of construction noise, using the method that HS2 uses.

141. MR STRACHAN KC (DfT): Mr Thornely-Taylor, can I just be clear? We've offered a screening bund, which is approximately three to four metres in height. Is the noise-mitigating effect of that taken into account in the noise assessment that was shown in the ES?

142. MR THORNELY-TAYLOR: No, it's not. The ES does not take that into account. There will be further reduction in noise as a result of this bund. As a very general rule of thumb, one can say, if something like a bund just reaches the top of the line of sight from the receptor to the source, you'll get a 5 dBA reduction. If the bund, or whatever it is, is high enough to hide the source altogether, you'll get a 10 dBA reduction. And in addition to the bund, once the level of the borrow pit goes down, of course, the plant goes down in level and the edge of the borrow pit also acts as a noise barrier. So the figures in the ES are very much worst case. They don't allow for the addition of the bund but, even without that, they don't allow for the noise barrier effect at the edge of the borrow pit. So the situation will, on the whole, involve lower levels than are in the ES.

143. In the second paragraph of A62(9), there's a point about 85 to 115. Those are actually figures for source noise levels at 10 metres from the plant and they're nothing to do with noise levels 110 metres back, as is the case here.

144. THE CHAIR: Okay, thank you.

145. MR STRACHAN KC (DfT): I was taking that as quickly as I could but unless there are any questions.

146. THE CHAIR: That's fine. I'm going to have to bring this petition to a close because we are over an hour and obviously we have two other sets of petitioners and I want to be fair to everybody. So if there's anything else you wish to say, Mr Strachan, at this point.

147. MR STRACHAN KC (DfT): No, thank you.

148. THE CHAIR: No? Okay. Dr Armstrong, I did say, but literally it will be a minute, if you wish to say something else and then I'm going to have to bring this to a close.

Submissions by Dr Armstrong

149. DR ARMSTRONG: Okay. It's all around the actual restoration of the borrow pit land and the ongoing potential for damage to our property from subsidence. We have many instances. The halite might be 85 metres down but water gets down there. We see where certain trees are and things like that. Where they break through the clay level, water gets there and the trees start to sink. It's very common in the area. Everybody sees what is happening, and it might be 85 metres down but as soon as water gets down there, you will get problems. And the proposer is proposing to take quite a lot of the clay, which is the protection for us in the area, away to use on their embankments and leave us with whatever's left.

150. THE CHAIR: Okay, thank you. Thank you for coming, Dr Armstrong. We will bring that to a close now. The Committee will be issuing a report, probably before the summer, where we will make any comments we wish to make on your petition but we won't be giving any immediate feedback.

151. DR ARMSTRONG: Okay, thank you.

152. THE CHAIR: Which is not personal to you; that's on everybody, but we will be doing a report before the summer. So thank you for attending, Dr Armstrong.

Stanthorne and Wimboldsley Parish Meeting

153. We come on to our second petitioners of the afternoon who are Stanthorne and Wimboldsley Parish Council, and I think we have – is it Robert Morrey?

154. MR MORREY: Yes.

155. THE CHAIR: Okay.

156. MR MORREY: Karina Armstrong is the clerk and co-chair of the parish.

157. THE CHAIR: Right, okay. So that's Karina Armstrong. Thank you. Before I go to Mr Strachan, I will just say, rough rule of thumb is probably half an hour for your petition. If you want to have the opportunity to have a back and forwards with HS2, that can only be facilitated if you stick to 30 minutes, to allow an equal time allocation for both parties. Mr Strachan, for you to briefly outline this petition and then we'll hand over to the petitioners.

158. MR STRACHAN KC (DfT): P377, if I can go straight to that. And just to give you the area, there is the parish meeting boundary and you're in the same area but we've also got – within this area, the area of grey is the rolling stock depot you've heard about near Wimboldsley. P378, just a bit more detail for you. There you see we're in the area of Wimboldsley for the rolling stock depot. And just to flag up the features I think you're going to hear about, P379(1), this is on the left-hand side of the pages you were looking at previously. This is the rolling stock depot that was just to the south and if I can just show you, borrow pit B is just off the middle of the screen to the right and just to the left of borrow pit B, or just below, is the A530 Nantwich Road. I think you may have travelled along there on your site visit. And Wimboldsley Community Primary School is on the A530 Nantwich Road, so just there. The entrance to the school, the vehicle entrance, is on School Lane, not on the A530. You may have seen that on your travels.

159. And if we show P379(2), that's the other side going north, the construction area which we were looking at, so just to tie the two up. And P380(1) is the same area once the construction is complete. And in the middle of the page you've got the rolling stock depot and you can see the land around it. It's in between the West Coast Main Line and the new HS2 line as you've heard about.

160. And the assurances, if I go straight to those, some of those I've already mentioned. P390(2), the start of the assurances that we've offered to Cheshire West, in relation to the rolling stock depot, on the next page is the special management zone. That's the one I've already shown you but it affects this area as well so that's the first assurance.

161. On the next page is the assurance offered on footpath Winsford 3/1, which I've already referred you to, that's about keeping that open, save for four-week periods. And there is, on the following page, an assurance in relation to air quality monitoring. That's the stopping up. Number 7 is about construction air quality monitoring. I don't seem to have that. Apologies. My well-polished presentation is not – I'll just give you the reference. It's an assurance on construction air quality monitoring for the school in respect of borrow pit B where I showed you that a moment ago and, similarly, there is an assurance about School Lane not being used for construction traffic. Sorry, that's on P416(10).

162. THE CHAIR: Okay.

163. MR STRACHAN KC (DfT): There we go. Construction air quality monitoring around the school in relation to borrow pit B. There's a borrow pit screening assurance in respect of borrow pit B, similar to that which you heard about for borrow pit C, which is on item 4. And over on the next page, 416(11), there is an assurance about School Lane, which is the vehicle access or the main access to the school, not to propose that for HGV, large goods vehicles for construction traffic. And there is an assurance in respect of the control of construction noise in respect of the school. We're not predicting adverse effects on the school but there is an assurance that, if we exceed those levels, to provide noise insulation to the school itself. That's all I was going to say.

164. THE CHAIR: Thank you, thank you. I'll just make the point again on HGVs, for all parties, on traffic. The Committee has considered traffic issues and we are not going to involve ourselves in traffic management issues. We do believe those are better determined by the locally elected councillors in the local authority. So, generally, we won't be involving ourselves in traffic issues. We'll be leaving that to the discretion of the local authorities.

165. Thank you, Mr Strachan. Mrs Armstrong, Mr Morrey, I'll hand over to you.

Submissions by Mr Morrey and Ms Armstrong

166. MR MORREY: Right, thank you very much, Chair. I think the first thing we want to say before we move on to the main presentation, and obviously conscious that we want to keep the time limited so I'll probably keep to quite a script on keeping the time short, is really yourselves as a Committee visited the area back in February and what we want to relay today are basically two things for you to appreciate, which possibly you already do. One is the enormity of this development across Stanthorne and Wimboldsley. The second thing is, basically, what we bring today, after six years of consultation, which is consultation directly with HS2, consultation with Cheshire West Council, numerous in-person events, talking to consultants, is our residents' concerns, having heard all that, over that period of time, and the frustration and how residents wanted us to come today regardless, that they see this as the last resort for us to make a statement from the residents, not as ourselves as individuals, but for the residents, about their concerns. They see the overall project as lasting six plus years on construction, which seems to be the messages we've had. If those messages are incorrect then I'd like them to be clarified today, but that is the outline of where we see it.

167. And then obviously there are consequences of an operational depot after the six years, which will run – its expected life is 100 years of operation – of a substantial facility, which we'll talk about later, affecting the residential area and open farmland but really all of the parish.

168. So I think I'm going to start with the context of what we're bringing to you today.

169. THE CHAIR: That's all fine, Mr Morrey. I'll just interrupt there. I understand that, but obviously Parliament has decided this line is to be built so general statements about the scale of the development are not something that this Committee can play any role in. Parliament has decided this line is going to be built but what we can assist on is where you have specific requests of the Committee in relation to the elements which are contained within your petition.

170. So, by all means, certainly make as clear as possible, what it is you want from the Committee today but just know we can't make – we're not here to consider the general

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171. MR MORREY: No, sorry if I said that incorrectly.

172. THE CHAIR: Right.

173. MR MORREY: What I was meaning by that was it's across the parish that we've taken the residents' concerns about that, about specific issues.

174. THE CHAIR: Sure.

175. MR MORREY: So, just to clarify that, what we'll be doing in our presentation is identifying the concern of residents, then looking at the issues around those concerns and then we have clear mitigation proposals, which we'd like to see put into place.

176. THE CHAIR: And for us, the most important thing is that last element of what it is you want in mitigation. So that's the bit we're really interested in as a Committee. So, thank you.

177. MR MORREY: Right. So what I'll actually do then is cut to the chase on that one and get down, if that's okay with yourselves, to –

178. THE CHAIR: It's up to you. I'm just thinking to make the best use of your time so that, as a Committee, if we're here to assist you, if we're sympathetic to any of these, we want to know what it is you want.

179. MR MORREY: Yes, okay. And then I will, if there's rationale behind it that you need or background information –

180. THE CHAIR: Well, it's up to you. I'm just trying to assist.

181. MR MORREY: Right, if we look at the first slide then. That's A61(1). One of the main concerns from the parish is around the school and what we've done on that graphic there is similar to what HS2 have shown us before, is to show the land take that is taken around the parish, right through the centre of the parish, and it amounts to about 40% of the land take, but obviously affects a significant amount of residents and, in particular, the school, in proximity to the development.

182. If we move on to then slide 2, because actually I've covered slide 1 in that opening statement. Here we have the second graphic, which then starts to show the

detail, and also that was shown by HS2 earlier, about the different elements of the development. As we see the elements of the development, and which residents are concerned about, we obviously have the exit from the tunnel coming out from under Crewe station. We then have, as we can see there, the rolling stock depot complex. We also have, which has been added more recently, is the maintenance depot that's going on the site. We also then have the stabling yards. I think that in terms of as it leaves the rolling stock depot, the first petitioner covered the aspects of where the line continues at a higher gradient and actually goes from the end of the parish towards the River Weaver viaduct. And in that area as well, which is where we were talking about borrow pit C, there is also the crossover where the HS2 mainline then goes down into the depot. So there are several crossover junctions and I think the first statement I was making was that along all that stretch, the development is there and affects many properties in the area, if not all, and will actually, as the first petitioner also said, permeate out to a large extent in the surrounding areas.

183. I won't spend too much time on the borrow pits because that has already been covered by the previous petitioner. What I would say is, there is a mitigation measure that's being talked about in terms of borrow pits C and B but we would also want that extended to borrow pit A as well, for exactly the same reasons. We are pleased that, in terms of borrow pit B, it has been extended with the noise mitigation etc.

184. THE CHAIR: So that's the bunding you're referring to.

185. MR MORREY: The bunding, yes, because that is close to where the school is. One of our residents actually commented about the land takeover that will affect right way through the parish but actually said – one of our residents commented that, since HS2 owns so many properties across the parish, and we believe that to be already about a dozen properties that have been purchased –

186. MS ARMSTRONG: Minimum.

187. MR MORREY: – minimum, maybe one of their senior executives should reside in our parish for the six years plus construction phase and then five years of fully operational rolling stock depot and high-speed trains, to truly appreciate the situation. They quoted, 'Talk the talk, walk the walk'. This was prompted by the fact that there has been six years of so-called local consultation but no direct measures, reassurances or

replies to any issues raised, other than the letter that we received on 25 May 2023, which was just before this hearing.

188. If we now move to the third slide. You'll be glad to know I'm not going through each of these points and we group them together in terms of what the parishioners see in terms of the nuisance element that comes basically from noise, from dust, from air pollution and the containment of those.

189. THE CHAIR: In terms of the school issues, you've seen the assurances offered by the promoter, which I think extend to also including possibly noise insulation works at the school, if that is deemed necessary. Are those assurances satisfactory to you or is there something else in particular you're asking in relation to the school?

190. MR MORREY: This is more that we're asking in relation to the school.

191. THE CHAIR: So what is that, please?

192. MR MORREY: Well, if we go past the construction phase, we're not happy with the construction phase and what's been proposed in terms of the bunding and the screening of the school but you've already said that we cannot cover the concerns with regard to traffic management in the area.

193. THE CHAIR: You can put them, but you put them to the local authority because they will have to develop a traffic management plan and, obviously, our point on that is they're the democratically elected local authority and they should determine the traffic management plans.

194. MR MORREY: Yes.

195. THE CHAIR: But I'm keen to know, so in terms of the – you mentioned bunding or screening for the school. So what was the ask in relation to that?

196. MR MORREY: The ask is – and really we split our presentation into two stages: one, the construction phase; and then the operational phase. So in direct answer to that question, it's the operational phase where we feel that what the proposer is saying about protecting the school environment and the residents close by to that – so we're talking about the operational stage of the depot – is we see the fact that we have washdown

facilities for the trains; we have external stabling for the trains; we have maintenance depots; we have quite an industrial complex that is a short distance away from a school. And at the moment, although the school has the traffic noise of the A530, and clearly it has the increased traffic noise of when construction is taking place, we're concerned that the environment the school then operates in will be substantially different to the environment it does at the moment, from the point of view that air quality, and the first petitioner mentioned about prevailing wind, the actual noise that's on the depot and the person who was actually the noise expert was referring to the fact that, in terms of sudden noises and erratic noises, these can come from an area that's actually working in a mechanical sense, in terms of the depot. Obviously, trains coming and going are more disturbing noises than probably a low-level noise sitting in the background. So there really is a concern, as we are as a parish, that the day environment of the school will be affected.

197. THE CHAIR: But the assurance offered is around noise mitigation measures, insulation for the school. So, presumably, that's an assurance you're happy with.

198. MR MORREY: In the construction phase.

199. THE CHAIR: Yeah, but, Mr Strachan, if this noise continues into the – was the assurance you gave related only to the construction phase or to the operational phase?

200. MR STRACHAN KC (DfT): It relates to the construction phase but if the noise insulation is put in as a result of construction, we're not going to take it out.

201. THE CHAIR: Well, no, of course not.

202. MR STRACHAN KC (DfT): It will be there for the operation.

203. THE CHAIR: It would be particularly petty if you were to take it out.

204. MR STRACHAN KC (DfT): I agree.

205. THE CHAIR: But the point here is, obviously, what happens in the operational stage if there's noise? Is the same offer on the table or not?

206. MR STRACHAN KC (DfT): It's not expressed in that way, mainly because the operational noise from the depot is controlled under the information paper. We're not

able to exceed the stationary plant noise controls. So, just to explain, it was offered in relation to construction because it's the construction activities that are closest to the school. It wasn't offered in relation to operation because of information paper E11.

207. THE CHAIR: Okay, thank you. Sorry, Mr Morrey.

208. MR MORREY: Sorry, can you just explain that explanation for me, please?

209. THE CHAIR: Well, it's Mr Strachan's words so I'll ask Mr Strachan.

210. MR STRACHAN KC (DfT): Yes, I'll have another go. We've assessed both construction and operational noise. For the construction purposes, we're not anticipating an adverse noise effect on the school, mainly because the noise environment is governed principally by the A530 that runs outside the school. Our construction noise in the borrow pit and beyond is not predicted to create a problem. But, bearing in mind the special circumstances of the school, we've offered the assurance that if we do go above any of these levels, we'll put in noise – you've seen the terms of the assurance. I paraphrase but there's a noise insulation offer.

211. We're not predicting any adverse noise effects from the operation of the rolling stock depot. Two things to understand. The trains coming in to the depot are part of the operational noise assessment. The noise from the depot itself is treated differently because it's controlled in the way that you've heard about, 'fixed plant', if I can put it that way. So similarly to a ventilation shaft, there's a special regime to control that noise and that's covered by information paper E11, under which we had to maintain noise levels to an acceptable level as specified there.

212. THE CHAIR: So, operationally, you're saying that they will be within the levels set out in E11.

213. MR STRACHAN KC (DfT): E11, exactly. So that's why we didn't extend the offer to that because we weren't predicting any real prospect of breaching that.

214. THE CHAIR: Okay, great. Alright.

215. MR MORREY: Okay, thank you for that explanation, thank you.

216. THE CHAIR: Sorry, I've thrown you off by interrupting. I do apologise.

217. MR MORREY: No, no, that's absolutely fine.

218. THE CHAIR: It's just important for us to draw this out so we know what exactly the ask is. Was there anything else in relation to the school? That's where you were –

219. MR MORREY: No, because the next, it really was around the traffic concern, traffic congestion, road safety, queuing of traffic etc on the school.

220. MS ARMSTRONG: I do have a concern and that is that, in some of the narrative that I've written here, that we have a report from the promoter that states that the effects that were reported in the environmental statement weren't going to affect the school. And it then says, 'According to the promoter these effects were then reported as not predicted to result in changes to the school's indoor or outdoor learning'. I would just like the promoter to please clarify how that has been evidenced.

221. THE CHAIR: Yes, we've got that question, and I'll ask the promoter to respond to that, when we go back to them.

222. MR MORREY: Okay, thank you, Karina. We've already covered, obviously, the borrow pits and hopefully that now is understood.

223. THE CHAIR: Can I just check, Mr Morrey, have you been in contact with the school here?

224. MR MORREY: Yes, we hold our parish meetings actually in the school.

225. THE CHAIR: But the school are not petitioning themselves, are they?

226. MS ARMSTRONG: No. but Cheshire West will also have –

227. THE CHAIR: Petition on these points.

228. DR ARMSTRONG: Yes, I think their petition's being heard in about a month's time.

229. MR MORREY: Staying with the construction phase then, because we had broken the presentation down into the two aspects, there is a point where it talks about that the working hours on a Saturday will be between the hours of 8.00 a.m. and 1.00 p.m. The feedback we have from residents is that because the scheme is going on, as we

understand it – and this is not just the first part construction phase, but the complete construction phase – and the gentleman on noise did refer to the fact that, once you are impact piling and those type of aspects of it, is six years plus, then the residents do feel that – is there really a need for Saturday working, basically?

230. The next asks of the residents was around the green credentials of the development. And there didn't seem to be – it was where, in a very basic level, residents are looking for the connectivity that the first petitioner talked about, and you remarked about landowners not being that willing to give up farmland, but it depends what size the farmland is that's given back to them – and there is often a case where strips of land could actually become quite useful in connecting green corridors, as the first petitioner said, not only for wildlife but in simple terms of a footpath or even cycle track that would then allow connectivity out of Middlesbrough itself.

231. So what we're asking for, in terms, is a betterment or the opportunity for a betterment in the scheme, where it is looked at through the feasibility of having a green corridor, which is both for cycle, pedestrians, and to increase – at least give some benefit back – to the parish, across the length of the development. I won't go into details now but a lot of residents talked about how the improvements could be made, and we appreciate that there is a group that will be held between ourselves, Cheshire West and the promoter that will discuss that.

232. Staying with green credentials, one of the things that was asked about was that we have very little detail about the actual rolling stock depot, the types of buildings, the heights of buildings, the function of buildings, and anything that petitioners could actually talk more directly about. But there was a general question about how sustainability is being looked at across the development of the site, and they quote a couple of examples where we have locally Bentley Motors, a car manufacturer, who recently redeveloped their carpark, and over all the carparking spaces erected simple shelters on steel frames, which are covered with solar panels.

233. Now the residents see the fact this is a substantive area. There are buildings going up in that area, and we certainly would request that its green credentials are maximised, wherever it's possible, to put sustainability there, because obviously investment's being made. We realise that there's a lot of cost pressures on HS2 but it may be one of those

cases where the extra would be worth quite a lot going forward. And on that very same point, the residents said, ‘Well if they actually covered substantial buildings, or even the stabling and washdown area, it would cut out some of the noise problems; it would cut out some of the pollution problems that may occur’. And one of their requests was that then free electricity could be available to all residents in Stanthorne and Wimboldsley as compensation in perpetuity. So that was one of their requests that this facility is developed in mind that it could – and there are other developments that have happened, as you know, in similar ways where areas that are affected by substantive development have some way of recompense, particularly if it’s green technology – so that was a request as well.

234. It seems, from what has been said earlier, it’s difficult to talk about the operation of the rolling stock depot as it seems that HS2 has delivery of the construction side, and then an operator takes over on the operation of the rolling stock depot, but the residents have clearly said that – and I think that it really refers to a note that we made, in petition 1, about subsidence. Again and again, when you look at HS2 consultation documents, the emphasis is always on the resident has to take the initial action. It is similar with the HS2 need-to-sell scheme. I have assisted several people in the parish to make those applications. The emphasis always seems to be on the resident, the individual, taking that initiative.

235. Many people are elderly in the parish. Many people, whilst they know this development is coming, do not understand the development, do not understand the magnitude of how it might affect their daily lives. And this is, as you will appreciate, not a development that works 9.00 till 5.00. It is a 24-hour day, seven days a week, 365 days a year, and that is our understanding of the whole development post-construction. So what the residents have requested as mitigation is that the need-to-sell scheme, for example in the Wimboldsley parish – where, as far as we can see from other developments along the HS2 line, is one of the only areas that’s green field, has a substantive development, and obviously has a significant effect on the daily lives of people around the parish – is that all properties, including business properties, have a valuation of their property before blight occurs, so before any construction occurs in the parish. And this is a free independent valuation of all the properties.

236. That is to then provide a baseline and, in a sense, the residents called it a bailout

clause, that if the development comes to such and affects their mental health and wellbeing – that’s why I suppose I spent time on the introduction talking about the extent of the development – that they have a bailout clause where they know, from a financial point of view, that their property has been valued. And obviously as long as that’s offered to all the properties – not all residents may take that offer, but at least if it was there – those that had that concern could actually have the knowledge of their property being assessed, and then going forward be able, at very short notice, to say to HS2, under the HS2 residents’ charter, to say, ‘We need to leave this; life has become unbearable’ – the dust, the noise, whatever it might be that’s affected their lives – and have the opportunity, a guaranteed opportunity, to sell under that scheme.

237. Finally, is there anything else we’ve got at the moment?

238. MS ARMSTRONG: We’ll see what they say.

239. MR MORREY: So I need to conclude and summarise then. Obviously, since the announcement of the rolling stock depot, hopefully I’ve managed to get across to you the concern, the anguish and the frustration that residents have had. I suppose this frustration was exemplified really when our local MP at the time, Antoinette Sandbach, tried to assist us by asking HS2, ‘Well we’re doing a consultation in 2018. What will this rolling stock depot look like? What’s its massing and sizing because obviously it’s difficult for my residents to be able to respond to a consultation?’ Direct requests from Antoinette Sandbach were made to HS2, on several occasions in formal meetings, and HS2 never produced any information to answer that request. And at that point, our residents threw their arms up and said, ‘If our local MP can get no information out of HS2, then where do we go next?’

240. And, really, that is why we’re here today, to speak to the Select Committee, because we do feel we’ve not been heard – the residents have not been heard, their concerns have not been heard. And obviously we tried to do it that time through the appropriate channels but, for whatever reason – I think the excuse was the design’s not advanced enough to give you that information – but really it is an example of how we’re trying to comment on something – and many of us in the parish are all lay people, not professionals – trying to comment on something that’s not been put in front of us as either a simple model, a simple graphic, a 3D drawing.

241. And on that point, I'll end.

242. THE CHAIR: Thank you, Mr Morrey and Mrs Armstrong. Thank you. Just to summarise then where I think we're at on this, the specific requests which you might want to consider responding to, Mr Strachan, I think were in relation to borrow pit A, the mitigation of bunding there, which of course is offered at B and C. In terms of Wimboldsley School, I think we dealt with that in an interaction backwards and forwards around the situation with operational noise. There was the question from Mrs Armstrong on the environmental standards, which you may wish to respond to. There is the request around working hours on Saturdays, whether those are necessary. I think the request was that the working hours effectively be restricted to the normal working week. There was an issue around, again, this green connectivity of routes, which I think we did deal with last time. And perhaps only to say to that, local authorities are able to themselves, if they wish, seek to create new rights of way, although the process for that is obviously very complicated. So that may be a conversation for the local authority.

243. There was a broader issue of the green credentials, green connectivity. The issue around the depot which relates to what the design of that would look like. But I think in response, Mr Strachan, you'll be able to confirm that there will have to be a full planning application around that.

244. MR STRACHAN KC (DfT): Schedule 17.

245. THE CHAIR: Schedule 17 application, which obviously the parish council would be a consultee to, but I'll let you respond on that as to what the designs may look like, the operation and all the rest of it. And I think we had another issue, another request, from Mr Morrey was with regards to the need-to-sell scheme, and he had a specific request around that, which I'll allow you to respond to too. So those are, I think, broadly the concerns and requests that the parish council have furnished the Committee with. So I'll hand over to you, Mr Strachan. Do colleagues have anything they want to add? Did I miss anything? No. Mr Strachan.

Response by Mr Strachan

246. MR STRACHAN KC (DfT): Thank you. Can I just start by making one observation, bearing in mind some of the comments were made about the project

responding to requests for information? I appreciate that there is a big impact on this parish meeting; we've seen it on the plans, but I don't accept that characterisation. And I just need to respond to make that clear. P390(1) is the letter – just putting up on the screen – the 25 May 2023. It's a long letter, and I can't show it all to you, but it's the product of an extensive process of engagement that's taken place over a number of years with the parish meeting. And the purpose of it is to set out where we've got to between the respective parties and the offers to recite the assurances we are giving in light of the concerns and our position as set out in various things where we can't necessarily accommodate all the concerns.

247. But we definitely have listened to the parish meeting. I'm not aware of anything going unanswered from the Member of Parliament and, if someone wants to raise that with us, please do. So far as I'm concerned, we've tried to give as much information as possible. I appreciate there's a lot of information there; I just need to make that clear. So this letter, and I'm not going to read it out, sets out a number of assurances that have emerged from that process.

248. Following on from that point, a number of the things you've heard today are new; they've not been raised before. So, for example, screening around borrow pit A; the first time it's been raised. I will take it away. I expect we may be in a position – I can't guarantee it – but I expect we may be in a position to offer a similar response, albeit there are not as many properties around it. So we'll have to look at whether it's justified but that's the first time it's been raised.

249. Likewise, issues about, I think, green credentials, etc., I'll come back to, but obviously we can't respond to things which haven't been put to us before. So I just want to make that clear.

250. THE CHAIR: We have tried to be clear on that, that petitioners should only come and speak to their petition, so we will try and reemphasise that for future meetings, because otherwise it's not fair on the parties.

251. MR STRACHAN KC (DfT): I was going to put the other – the need-to-sell point, this idea of valuation, that's not been raised in this format. I'll tackle it as best I can now. But can I just deal with ticking things off my list? The other thing was the petitioner specifically said, 'It's six years of construction; please correct me if I'm

wrong'. That's not right; it's a longer period than that, just to be clear. The main works are five to six years, but there are early works, as you've heard about. For example, utilities, I think they're two to three years, and then there's rail systems once the main works have occurred. So actually, the construction period is longer than that, although the main intrusive period is more like that. But I just want to be clear, it is certainly longer than that in terms of construction.

252. But having said that, picking up on a number of the things he said – Saturday working, for example – the reason why Saturday working is proposed is that it maximises, in the normal way, the construction activity taking place in the area within acceptable bounds. These construction working hours are well accepted on many sites across the UK. If we slow down the construction activity, we will be there longer. So there's a balance to be struck in getting working hours so that they're non-intrusive and give people respite, but the noise from the construction is controlled by other mechanisms, and it's important that we have the ability to work on Saturday, without causing excessive disturbance. Otherwise, we will take longer.

253. So far as the Wimboldsley School, I'm not going to repeat that; I just refer you to the information paper at E11. The environmental standards I was challenged to say, 'Well where have these environmental standards been assessed? The answer is in the environmental statement. I'm not going to put up every chapter but you'll be well aware that there is a noise assessment for both construction and operation. There are air quality assessments, for example in relation to air quality receptors. There are landscape and visual impacts. There's the full gamut of environmental information which has been there for consultation. I appreciate it's a big document but I think the question was: have we done the assessments? Yes, we have, including the full range of things, such as air quality.

254. MS ARMSTRONG: Sorry, can I interrupt?

255. THE CHAIR: No, you can't interrupt at this stage. We'll come back later; Mr Strachan has the floor now.

256. MS ARMSTRONG: Okay.

257. MR STRACHAN KC (DfT): And without going into the individual documents,

there are, for example, the noise assessment tables you've got in your pack because noise was raised. We've calculated the noise. We could do a similar exercise for air quality, or whatever other topic.

258. In relation to – I'm just checking I've got your list – the green connectivity of routes, again I would stress about that, we are still in discussions with Cheshire West and Chester. As pointed out, delivery of additional rights of way brings its own challenges; we've had that raised. We have engaged with Cheshire West and Chester and, indeed, with the parish meeting, we have asked, 'What routes are you suggesting?', because if they are within Bill limits, there may be – I put it no higher than that – there may be the opportunity to deliver connections. It would depend on whether they're justified and whether it affects restoration land, and whether indeed the local authority is prepared to countenance additional rights of way, with the consequence of that. I'm not aware of any additional public rights of way being proposed by the parish meeting or Cheshire West, as things stand. But I'm not precluding anyone coming to speak to us, if they've got ideas. It's just that we haven't been told what they are.

259. Green credentials. There is some material about that in our petition response document. There's a number of measures that we're seeking to be as green as possible. I think you've heard about the biodiversity net gain of the project – ambitions in terms of 10% – you've heard about that already in relation to biodiversity. But there are other aspects of green credentials which are covered in the petition response document, where generally speaking the project is seeking to be a green project.

260. And that will continue into the next topic which you raised with me. The rolling stock depot will have to be the subject of approval in due course under schedule 17. And the details of the design, for example, in terms of the buildings and disposition. Things like lighting, I know, because that can be of concern to parties in the area, how it's lit and matters of that kind will be covered in that schedule 17 process, which provides this layer of control by the local authority. In terms of consultation with the parish council, actually that's a matter for the local authority to decide, but of course we would have no objection to the parish council being consulted. That's a matter for the local authority.

261. The special management zone I mentioned does provide, in this area, the

particular dialogue between the project with the local authorities and the parish councils, because they're one of the named bodies in that special management zone. So we are very conscious of the rolling stock depot's presence. It does have a construction effect, it does have a permanent operation effect, but that's why we're introducing these measures to try and ensure we can take on board as much as possible.

262. And the need-to-sell scheme, the way it was put by the petitioner was for some wider valuation of all properties. That is not – I'm not quite sure I've understood it totally – but that would not be practicable, certainly not economic, to go and value every property in the area. The need-to-sell scheme, by contrast, is a focused scheme for those who are affected by the works and have a need to sell, and you've seen the definitions of that. There is a process to go through the need-to-sell application and then to – if you're concerned about selling your property and there's an inability to sell because of the effects of the scheme – then you fall into that discretionary scheme, subject to the criteria. Obviously, I'm not going to try and recite them all to you now.

263. But that is the main non-statutory compensation scheme that is targeted at addressing people who are worried about the effects of what's called non-statutory blight of a project in that area. And people do apply, and have been able to apply, and for those who are finding it difficult to understand the scheme, there are obviously the leaflets which seek to explain it. And, of course, they should contact us if there's any difficulty in understanding whether they can apply because I know that some people have sometimes thought that they couldn't when, in fact, they potentially can.

264. THE CHAIR: That has come up a number of times, hasn't it, with people being unsure about the need-to-sell scheme and the various...? So that is a general theme that we've had raised on more than one occasion.

265. MR STRACHAN KC (DfT): All I would say about that – you're right, it has come up in front of you a lot, but then one has to think about what's behind the scenes, the things that don't come to you. And there are many people who do apply to the need-to-sell scheme, and are accepted onto it, who don't have any cause for complaint. So, yes, I accept you're seeing people who do come in front of you to say that. I would suggest there are an awful lot of people who haven't had that. It doesn't mean we won't continue to try and ensure that people understand the nature of the scheme. It's just that

I don't think we will ever achieve perfection in knowledge from everyone in that respect but we will continue to try and ensure people are aware of it.

266. I was just checking – I've got so many notes here – as to whether I've covered everything.

267. THE CHAIR: I think you've gone through the ones I –

268. MR MORRIS: Green credentials and connectivity.

269. THE CHAIR: Yes, Mr Strachan did cover that.

270. MR MORRIS: Oh, right.

271. THE CHAIR: There was a specific request about – I think it related to whether or not, as part of the green credentials, the depot could have solar panels fitted to buildings.

272. MR STRACHAN KC (DfT): That, we would say, would be subject to the schedule 17 process. If the local authority think that's a good idea and it's viable, then no doubt that can be explored at that stage. It's not always straightforward putting solar panels into properties, and indeed it's not always straightforward that people necessarily want them to look at, but no doubt that can be explored through that schedule 17 process. I can say – I'm not ruling anything out – but the idea of free electricity for the community, I suspect, will be problematic for obvious reasons, not least –

273. THE CHAIR: It would be popular though, Mr Strachan; I think we can agree on that point.

274. MR STRACHAN KC (DfT): But many of these ideas obviously sound attractive on the face of it; the practicalities and the economics of delivering it are very, very different in reality. So I'm not holding out much hope for that but the schedule 17 process is a way in which control over the buildings, heights, lighting, subject to the operational requirements, can be examined in due course with the benefit of input from the local authority.

275. So unless I'm told I've missed anything –

276. THE CHAIR: And just again, we'll bring this to a close in a couple of minutes,

but Mrs Armstrong did – I should also apologise. I keep referring to it as, I think, the parish council, as opposed to parish meeting, so parish meeting – Mrs Armstrong, you wanted to make a point.

277. MS ARMSTRONG: That's okay; I'm aware of the time, so we can –

278. THE CHAIR: You've got a couple of minutes if you wish to.

279. MS ARMSTRONG: It's all right; don't worry. I am aware that Cheshire West are also going to be petitioning in July, so we can pass on our concerns to them.

280. THE CHAIR: Okay, thank you. Members, any questions? Oh sorry, Mr Morrey.

Submissions by Mr Morrey and Ms Armstrong

281. MR MORREY: Just one last point, and it was interesting about the schedule 17 that was being mentioned which talks about the detail and what the depot will start to look like, etc, etc. I just come back to the fact that you're quite right, in terms of obviously all the consultation has happened, but from the residents' point of view – the layperson's – it's, 'Well what am I commenting on? What does a rolling stock depot look like? How big will it be?' And that's evolved over time for the individual but it's still there, that you're trying to say to people, 'This is something' – I mean, normally, if a big development's taking place, the first thing that a person applying for a major development in an area has to do is an outline scheme for that development, put it, particularly if it's a large scheme, to public consultation at the concept stage.

282. And what people and residents can't understand is why wasn't something like that put at the concept stage? So it might not be exactly right but people could visualise it. And I'll just finish on that but that's –

283. THE CHAIR: I think the point's a fair one. You don't know whether you're for or against something until you see what it is that you are asked to be for or against, but that's perhaps a consequence of the long time period of this particular project. But I understand absolutely the point and I think, as a Committee, we're quite sympathetic to the public knowing as early as possible what it is in detail that's going to be created or built in their locality. So we would be sympathetic on that but that's a fair point and a reasonable one, I think. Mrs Armstrong?

284. MS ARMSTRONG: With reference to impact on the community and in the locality, I think you also have to take into account the impact that will have as far as wellness and wellbeing. We're going to be devastated so there's going to be an impact on people's mood; we're going to have considerable blight that's going to be on a 24/7 basis. So it's about quality of life and wellbeing as well for what will remain of the parish under the construction period.

285. THE CHAIR: Just responding on behalf of the Committee on that, the mental health issue is something that we are alert to as a Committee, and it's an issue this Committee has already had correspondence with HS2 on and which we're taking a close interest in, and are pushing HS2 to comply with some of the requirements of the previous committee on this – the 2A Committee, wasn't it? So it is something that we have an interest in and have been pushing on, so that's a point that you can be assured of sympathy of from the Committee on.

286. MS ARMSTRONG: Thank you very much.

287. THE CHAIR: Thank you for that. Can I thank the petitioners for attending this afternoon? And because of everybody's self-restraint, we've managed to keep it within a reasonable time, so everybody's having an equal bite of the pie this afternoon. So thank you very much for attending.

Cheshire Residents Group

288. THE CHAIR: And we'll move on to our third petitioners, which is the HS2 Cheshire Residents Group. I think Mr Dellow is here and Mr Slater. It's Mr Slater as well.

289. MR DELLOW: Yes.

290. THE CHAIR: Thank you. Mr Strachan, again, for an outline.

291. MR STRACHAN KC (DfT): This is a residents group, the Cheshire Residents Group. Hence there are a number of properties of the members of the group, and we just put up on screen locations of petitioners, in terms of postcodes, to give you an idea of whereabouts some of them are. And I hope I can summarise things as they now stand because they're somewhat different from what you may have read about. In short, the

residents group in their petition were seeking a tunnel, initially from the northern portal of Crewe, to go through to Manchester southern portal and with no Manchester Airport station.

292. During the course of our engagement with them, they sought the tunnel to start from the southern portal of Crewe, so the railway wouldn't go into Crewe; it would just carry on and tunnel through to Manchester, and we examined that and our exhibits respond to that. We have been told, I think on Friday, that the residents group are no longer pursuing a request for a tunnel from the Committee; I'll leave them to speak about. But, consequently, that evidence that you've got – I'm not sure we're going to get into – although if you want any assistance on the work that was done on that, we can provide that to you. What I'm told is that the residents group are going to present something different by way of an ask to you, and I will wait, no doubt with the same interest you will do as to what is. I think I got an indication of it just outside the Committee Room. I think it may involve using – I don't want to steal their thunder – I'll let them –

293. THE CHAIR: I'm not sure whether you're the petitioner or the promoter now. I don't know whether it's poacher turned gamekeeper or the other way round. I'm not going to –

294. MR DELLOW: Well, I consider that a success then.

295. MR STRACHAN KC (DfT): The other issue that they did raise in their petition was the location of the rolling stock depot.

296. THE CHAIR: Yes.

297. MR STRACHAN KC (DfT): The Committee's already heard about that with a previous petitioner, but we are able to assist you further on that if that's pursued.

298. THE CHAIR: The other request was for it to be at Basford as well, wasn't it?

299. MR STRACHAN KC (DfT): Basford.

300. THE CHAIR: That was a few weeks back; we went into that in quite some depth.

301. MR STRACHAN KC (DfT): We did; we presented some evidence on that. But

we can give you any more assistance you want on that, if that's something the residents group are pursuing. And then so far as assurances are concerned, we've drawn your attention very much to the same assurances that I've already been through, so I won't go through them again, about special management zones, etc, which are of relevance to this area as well for many of those petitioners. But there's no need for me to repeat that, and I'll leave them to tell you what it is they're now asking for.

302. THE CHAIR: Well, we're ready for the big reveal. So Mr Dellow, over to you.

Submissions by Mr Dellow and Mr Slater

303. MR DELLOW: Thank you very much indeed. Could I just eat into a little bit of the time we've got left, just to thank both Mr Edward Timpson and Mrs Fiona Bruce for attending –

304. THE CHAIR: Fine colleagues, minute that.

305. MR DELLOW: Your colleagues, yes. Fiona, of course, is MP for Congleton and therefore Middlewich, and I'm speaking on behalf of Mr and Mrs Armstrong, Mr Slater as well, and Mr Morrey, and also Mr Timpson who, of course, his constituency, Eddisbury, does contain the rolling stock depot. I think we can get this back on track timewise because, having had a conversation with Mr Strachan earlier on, our two very simple asks are not going to get answers today; I'm certain of that. We'll get a very clear yes or no, at some point in the future.

306. So I'll kick on and we'll try and get this back on schedule. Good afternoon, or is it good evening? We hope the Committee will find our evidence succinct, concise and to the point. There are just two very specific primary asks. The HS2 Cheshire Residents Group are now resigned to the fact that HS2 is going to impact Cheshire in one form or another. It is, however, the form that it actually takes that is so vitally important. We would be very grateful if you would listen to our evidence through to the end.

307. Our petition is split into three issues: the route alignment, Crewe north rolling stock depot and ground conditions. We will deliver our evidence in reverse order to our petition document, starting therefore with ground conditions. Our petition document on

this issue is purely and simply a statement of fact, to which others that have gone before us have added considerable detail. You will be very pleased to hear, therefore, that I do not propose to say any more on the issue of ground conditions. However, my colleague, Mr Slater, will be saying something about the topography of Cheshire shortly. There will, however, be no specific ask on this issue and I will now move on to the Crewe north rolling stock depot.

308. I haven't scripted this bit but, just to say, this is very much a crescendo in a way to what you've heard before today from the two petitions, and also from other petitions gone by previously. The Committee have heard evidence from at least two parish councils, one of them today, specifically about the proposed Crewe north rolling stock depot at Wimboldsley. We wish purely to add detail to their evidence. The proposed rolling stock depot was imposed on Wimboldsley on 18 July 2017. Could I have slide A62, please?

309. The proposed rolling stock depot will consume over 65 hectares – for perspective, that is 38 Lord's cricket grounds – of fertile Cheshire farmland, which due to poor ground conditions may, or may not, be capable of supporting such massive infrastructure. It will consume 40% of the parish of Wimboldsley, and will almost certainly lead to at best the relocation of an Ofsted outstanding-rated primary school; at worst, it will close altogether. And we have previously had meetings with the school, and we still believe that to be true.

310. The proposed rolling stock depot is 5.6 kilometres long from end to end. Could I have A63, please? The proposed rolling stock depot is 300 metres from the school, highlighted by the large black disc that's shown there, just about there. However, the A530, which is likely to be the busiest haul and construction route on Phase 2B, is quite literally on the doorstep of the school. I accept that the entrance to the school is on School Lane, but even so. In our opinion, therefore, mitigation against such a permanent and imposing scar of concrete and steel on the landscape of Cheshire, and particularly Wimboldsley, is impossible.

311. The smaller black discs show the close proximity of some 62 dwellings to the proposed rolling stock depot. These are either still owner-occupied, rented, or indeed now owned by the Department for Transport and unoccupied.

312. THE CHAIR: Do you know how many are?

313. MR DELLOW: Well, we heard earlier a minimum of 12. I think it is more than that now. Let's say a minimum of 12 still. So 50 are still occupied, or thereabouts, of those dots, and 12 are owned by the Department for Transport. That's all I want to say on the rolling stock depot, so I'd like to now hand over –

314. THE CHAIR: Can I just ask, Mr Dellow, your ask on the rolling stock depot is you think the Basford site is a more appropriate site?

315. MR DELLOW: Absolutely. That will come a little bit later, I hope, if we have time. I would now like to hand over – unless I've turned an extra page over – I'd like to now hand over to my colleague, Mr Michael Slater, who will talk specifically about the topography of Cheshire, and particularly that of the site of the proposed rolling stock depot at Wimboldsley. Mike is a retired ICI Limited senior agricultural manager. He is specialised in soil management, crop and grass optimisation, and has spent the last 12 years training graduates to manage soils and improve yields for sustainable food production.

316. Until recently, very recently, Mike lived in the heart of the area that he will be talking about. Mike.

317. MR SLATER: Thank you. Well, good afternoon, everyone. I am also, you could call it, a recipient of the need-to-sell scheme because we have left the area. And I would also say that it isn't the most pleasant exercise to go through. It isn't part of my presentation this afternoon; but I can understand why quite a lot of people would be frightened to try and go through that process. It takes a lot of work and a lot of study on the part of the claimant but it can be done, and I must say the team from HS2 were very fair in the way they handled things. But for an independent individual, it is quite a daunting process, and if HS2 can help that process along, it would be very much appreciated.

318. Anyway, let me take you back to the area we've been talking about, which is where the rolling stock depot is, and I'm now going to move back to the 1880s, a time before we dreamt about all these complicated trains and there was just the north west main line. And in the 1880s, the Verdin family redeveloped their Wimboldsley estate

into seven modelled area units, producing fresh milk and cheese. Now I'll come to the relevance of this in a second. The milk was transported to towns via the station, which is opposite the Verdin Arms Pub. And the farmhouses – and this is where it becomes quite critical – were designed with cellars to store the cheese. And I'll come back to why that is so important in terms of the dangers and risks of flooding, and the damage to drainage, in a minute.

319. This land was chosen because the soil has a very high clay content. We heard earlier some confusion about what the soils really are, and I think that is a great shame, and at this stage I have to ask that the ground investigations that have already been done are published so that we can understand what has been found. I heard earlier this afternoon that – we were talking about different levels of clay; we were talking about different levels of salt beneath that clay, but the one thing we should all bear in mind is that it isn't an even surface. Through this part of Cheshire, the top surface looks relatively level, but that is because of the glacial drift and infill, and underneath the topography is so different. And I know that you have heard about that from other petitioners in the last little while.

320. But it does need a lot of careful consideration and so I'm asking for the ground investigations that have already been done to be published, and also that when more ground investigations are done it is published as you go along. We know we've got a high clay content soil and, therefore, it holds water, which is an issue which we'll come back to, and it therefore grows a lot of grass in the summer and is an ideal dairy area, and one of the two main dairying areas in the country. The Salt Union Company, which had absorbed the Verdin salt business, formed part of ICI back in 1926, and after the Second World War, ICI decided that to promote the use of fertilisers in grass for low-cost milk production three of the farms would be amalgamated to form a modern demonstration unit.

321. ICI land managers were challenged with increasing milk output, using modern techniques. And one of the issues that we had to deal with – and I was the last manager running these three farms – the presence of subsidence holes was a continuous challenge. We've heard mention of the subsidence holes this afternoon and I know this will come up time and time again. Many of the holes have been filled numerous times over that period and evidence has been shown to HS2 staff – the speed of the subsidence

was greatest through the period of wild brine pumping and in the early 1980s, with the expansion in cattle numbers, we had to then address these again.

322. And it was at that point that I started excavating the clay from some of this land to form a much larger slurry lagoon, to catch everything that the dairy units were producing, and we then started to experience the hardness of this clay. And I hear today discussions about excavating these borrow pits and I think this is going to be a very much more difficult process than has been estimated at the moment.

323. The other thing that has to happen in these situations is, that when you fill these subsidence holes, to make sure that you have longevity, then you have to ring-drain them – in other words put a drain round them to take water away from them – and fit that into a current drainage system somewhere.

324. Now if we go back to the early development of the estate, the whole estate had an integrated land drainage system, which this proposed line will cut in half. These soils are non-porous; the clay will not allow water through it. And, therefore, we have to look at managing that drainage as best we can and keep it working. In 1953, ICI commissioned the most comprehensive soil survey ever conducted, and a summary of which has been shared with HS2 staff, but seemingly never really followed up. There is a very detailed report on all of the soils of this area we've been talking about this afternoon lodged with libraries across the world; I know it's in Australia and Canada, as well as the UK. And if these were looked at and considered, a lot of the problems of pit holes, subsidence holes, would be identified and could be evaluated in the next round of ground investigations.

325. Next slide, please.

326. MR DELLOW: It's A67 now, please; we missed the first one.

327. MR SLATER: It is known that there was earlier salt extraction on this land in the vicinity of the rolling stock depot. Sadly, and I have mentioned this to the proposer's staff, there are no definitive maps of some of that salt extraction. I can take people to wellheads that are not mapped; I can take people to the transmission pipes that cross the proposed railway line. And if these are not identified properly before construction work starts, there'll be all sorts of mishaps happen. And so what I'm asking is that, even at

this late stage, HS2 team consult local knowledge to actually focus their next round of ground investigations.

328. Now, route planning started as a desktop exercise, followed by limited ground investigations, which I've just mentioned, and this data published to give confidence would help, I think, everybody understand the sustainability of the proposed project.

329. We've also had problems with the denial of brine runs. Now Dr Armstrong touched on water running through on top of the salt, and there are brine runs running in various directions, some of which we know very clearly because you can see there's subsidence holes, and others are more difficult to identify. There's one actually running under Lea Head Cottages, one of which the Department for Transport owns. When the neighbouring cottage owner drilled down 80 metres to put in a heat pump, he hit that brine run, and that brine run has been denied by HS2.

330. And it just shows there is limited knowledge of this area and plans are being made to build on the top of it, without substantial definition, which I find very naïve.

331. There are many visual signs of subsidence and, as I say, some of these holes have been filled in numerous times over the 50 or 60 years that I can actually talk about because of the previous managers that were there. We need a more comprehensive series of ground investigations and that will help ascertain the true cost of this phase of HS2.

332. Now, in petition responses, other route suggestions have been contended on cost grounds, when the cost of the current proposed route cannot accurately be ascertained until more work has been done. I think it has been accepted that crossing the Cheshire salt district will be extremely expensive, but how expensive? HS2 Ltd must be more open so a more rational conversation on the cost benefit of the scheme can be held in public. The design is in its infancy and much more detailed work is needed, if mistakes are not to be made. There needs to be independent evaluation of all the data available so that there can be some level of confidence that taxpayers' money is actually being spent wisely.

333. Now, as related earlier, the Wimboldsley Estate was redeveloped and had this integrated drainage scheme. The land lies mainly to the west of the A530 road, which

you've seen on a plan just now, and the watershed also roughly follows that road. So everything should flow west from that road to the River Weaver, and the proposed scheme cuts through all the existing drains. Unless the ensuing damage is anticipated and remediated, and built into construction plans, there will be considerable collateral damage to neighbouring properties – Dr Armstrong mentioned a little bit of it earlier on – and as also stated, the farmhouses are built with cellars for cheese production. Drains from these houses are well below ground level and cross the proposed route.

334. So, when you start examining HS2 E16 'Land Drainage', we get to a point where the statement is ambiguous, to put it politely, which says that, 'Prior to the commencement of significant works to construct the proposed scheme, land drains affected by the work will, where reasonably practical, be intercepted in a manner which maintains their efficiency'. Here we're not talking about just land drains. We're talking about properties and the drains from those properties because they are 11 and 12 feet down and five to six metres of excavation will cut them. So one of the things, I think, has to be recognised is that remediation for the damage that this line will cause has to be anticipated and be ready to be put into place. HS2 cannot be allowed to damage neighbours' property without that remediation.

335. I'm sure you've studied the plans of the proposed rolling stock depot and on closer inspection you will see that there's only two culverts in place to take water from the area of those borrow pits to the River Weaver. Now, we've just heard that the remediation work, the refilling of the borrow pits, will be over about a three-year period but here we come to a major, major problem, in that you cannot put fresh land drains into re-filled land for quite a while. Some of you may have open cast mining in your constituencies and where that takes place, it takes a number of years before land will settle enough to actually put land drains back in. So what you're likely to get is a very large boggy area alongside the rolling stock depot.

336. It will take, as I say, a number of years before the land settles and let's just identify what is being put back into these borrow pits. This is the spoil from the Crewe tunnel, a totally different material to the clay which is going to be excavated. Now, when I was discussing the embankments that are planned, the clay that will be used has got to be compacted to something around 2.2 tonnes per cubic metre, or kilos per litre, and when it is dug out of the borrow pits, it will be around 2.5 tonnes per cubic metre.

So it is very solid but the material being replaced will be loose and have to settle before anything can happen. Otherwise, all we will have is a residual bog for a good few years.

337. The other thing is that, if you look very closely at the plans for the area around the rolling stock depot, there are the use of balance ponds. Now these balance ponds, in my view, will not work. They will help a little bit to capture water, rainwater, but the idea that they will fill with water and then that water will be drained away, underneath the proposed scheme, to the River Weaver will take years and years before that really happens.

338. THE CHAIR: Mr Slater, I'll just interrupt for a moment. We don't have long left for the Committee sitting this afternoon and Mr Dellow did say you had three issues you wished to speak about. What the Committee can't get into is detailed land drainage issues because we're not experts in those and the local authority and the Environment Agency, as we heard in response to the first petition this afternoon, will be the bodies with which that decision will rest.

339. So I'm just really keen that we distil this down, in the time we have left, to what the asks are of the Committee this afternoon. We've previously, just to inform you – I don't know whether you heard other sittings – but we have spent many hours dealing with the issue of the land, particularly across the Cheshire salt plains, and we have already made a request of HS2 in regard to that, of how they engage and share information more appropriately with a proper forum and we expect something from them, publicly, to be stated in the next few meetings. So we have taken this issue on board very seriously but it's not one we're experts in. So I'm just keen that we distil down to what the asks are of the Committee today in relation to this point, so that we have time to hear Mr Dellow's other two points, which I think you said related to the depot and the route alignment.

340. MR DELLOW: Yes, there's just two asks, absolutely.

341. THE CHAIR: Right, okay. So just so we're clear.

342. MR SLATER: Okay, well my first ask is that the ground investigation results are published as soon as possible and that HS2 team actually use local knowledge to reduce the risks before we get to a construction phase.

343. THE CHAIR: I mean, you might be slightly assured, as I said, the Committee has previously – through hearing the concerns that have been raised by other petitioners with regards to the uniqueness of the land here, we have asked HS2 to go away and create a method, a forum, whatever, for engaging stakeholders locally on this issue and sharing their information as much as is practical and possible, specifically in relation to the concerns you have raised. And maybe HS2 will want to say something more on what they have planned around that when they respond, but if not today, we expect them to at some point in the coming weeks. But you can be assured that we have – obviously, none of us are experts but we've heard all about halite karsts, geohazards and brine runs and we have taken that on board. But, anyway, carry on, Mr Slater.

344. MR SLATER: Okay, I will hand back to Graham Dellow.

345. MR DELLOW: I think probably that's good timing, I think good use of time. There is some more evidence that Mr Slater was going to impart. We could of course let you have that via Rachna Shah if you so want. There are some very good points, which we're going to now skip over.

346. THE CHAIR: Your principal issue here, for when HS2 respond, is your concerns around the land drainage, the ground conditions, what happens when you put a railway line across the middle of this particular piece of land and your request that local knowledge is engaged and that history, as you have outlined, is utilised. I think, to distil it down, that's the ask, isn't it, in relation to this? I don't want you to miss out on anything else –

347. MR DELLOW: Well, it's not quite the ask.

348. THE CHAIR: Okay, well, tell me what the ask is then.

349. MR DELLOW: But you have interpreted absolutely the situation and I think the Committee will have got a really good flavour from Mr Slater of the ground conditions in the area we're talking about. Thank you, Mike.

350. THE CHAIR: So the specific ask, please tell us.

351. MR DELLOW: Yeah, I'm on to it now. Our specific ask on this issue is that a full, proper and, most importantly, independent review is carried out in an attempt to

find a more suitable site for the rolling stock depot that actually fits HS2 Ltd's own criteria. The Wimboldsley site does not.

352. THE CHAIR: This is in relation to the rolling stock depot.

353. MR DELLOW: The rolling stock depot. We've seen the criteria set out by HS2 Ltd for the rolling stock depot site. My understanding is the Golborne site did fit that criteria. Wimboldsley does not.

354. I'll now move on then to the route alignment, the last bit. It's very quick and I'll get straight to the point. Our ask on this issue was going to be that due consideration is given to carrying out a fully independent viability and cost study into the possibility of the alignment between the Crewe South portal and Manchester Piccadilly station being wholly underground. However, as a direct consequence of the land collapse on 13 May, directly above the HS2 tunnel workings in the Chilterns, the HS2 Cheshire Residents Group have decided to withdraw this part of our petition. The land collapse in Buckinghamshire has been attributed by HS2 Ltd to 'pre-existing ground conditions'.

355. Given that we, other groups and individuals have, for a long time, been warning HS2 Ltd about the plethora of pre-existing ground conditions in Cheshire, we feel that given what has happened, it would be irresponsible to introduce more tunnelling in Cheshire. Inevitably, tunnelling produces vibration and when combined with the known and the particularly unknown conditions in Cheshire, we believe that the chance of collapses would be considerable, not just in open countryside but under Crewe and possibly Manchester as well. For the record, and for completeness, we will still submit our withdrawn evidence to the Select Committee via Rachna Shah.

356. The main thrust of the HS2 Cheshire Residents Group tunnel proposal was safety and cost. Given that we now firmly believe that HS2 in a tunnel under Cheshire is very likely to be no safer than on the surface, our ask now is that due consideration is given to Crewe being developed as a proper HS2 hub station and rolling stock depot, in the same way as East Midlands Parkway is on the East Coast Main Line. HS2 British built classic compatible trains would then run on upgraded infrastructure on the existing historically and geologically proved routes to Manchester. The HS2 Cheshire Residents Group feel that this would now be the safest and most cost-effective solution to most if not all the problems in Cheshire.

357. One major benefit would be the desterilisation of the many proposed gas storage projects considered, over 13 years ago, by the then Secretary of State to be in the interests of the nation. Very importantly, as well as the reduction in cost, neither speed nor capacity between Crewe and Manchester will be compromised, and maybe even more importantly still, HS2 trains could be running between London and Manchester much sooner than 2041.

358. In conclusion, I would just like to thank you for listening to us this afternoon. We firmly believe that our two primary asks, which are of course intrinsically linked, are reasonable and make good, common sense. The former, at very low cost, would spare a whole community and save 65 hectares, 38 Lord's Cricket Grounds, of fertile farmland and the latter could save UK taxpayers many billions of pounds. Finally, I would just like to thank Rachna Shah for her help, support and empathy throughout the petitioning process.

359. THE CHAIR: Thank you. Just to be clear, the ask is that Crewe become the hub station for HS2 and then the continued onward journey to Manchester would be via the existing rail network.

360. MR DELLOW: Absolutely.

361. THE CHAIR: Okay. Well, I have to say, to be very clear, that's something we can't consider because Parliament has decided this line is going to be built and we have no power to affect the route in that respect. We can't remove the route. So I don't want you to leave here thinking we have the ability to do that. We don't. Parliament has decided this route is going to be built.

362. MR DELLOW: We do understand that.

363. THE CHAIR: So you understand where we are on that, so we can't give consideration to that as an option. It's not something that's in our gift.

364. MR DELLOW: Although we're also led to believe things could still change.

365. THE CHAIR: Well, we can't change the route. The terms of this Committee are very clear on that. Parliament has determined the route and we don't have the ability with this Bill, and through our Committee, to amend the route in that way as you ask.

So I just wanted to be clear on that. Mr Strachan, I'll hand over to you.

Response by Mr Strachan

366. MR STRACHAN KC (DfT): Yes. I can respond to some of the points. I've also got Mr Smart here to help me on any of the engineering points. In particular, if you wanted to hear about Buckinghamshire and what happened in there, he can give you some more detail.

367. THE CHAIR: I mean, the petitioners are not asking for a tunnel now. I think what we would like to hear in response is these concerns that have been raised by Mr Slater about the issue of drainage and cutting across a century-plus-old drainage network, I think was what you said, Mr Slater, and particularly how you continue, because it relates to the first petition, doesn't it, about the filling of the borrow pit with non-clay-based soil, or a mix of soil, particularly when you have that spring coming up, whereas we were told before that the drainage of that wouldn't be an issue, but Mr Slater's contention is very clear that it is. So I would like to hear a bit more maybe on the land drainage issue. Well, I mean these will be issues for the EA and the local authority but, as Mr Slater has taken the time to come today and raise these, and it has come up in the other petition as well, then perhaps if we can have some response to that.

368. MR STRACHAN KC (DfT): Yes.

369. THE CHAIR: The rolling stock depot, of course, we've dealt with at a previous Committee but I don't know whether you wish to respond too on that.

370. MR STRACHAN KC (DfT): I'll just add one point on that, if I may, in a moment.

371. THE CHAIR: Sure. And then on the general issue of ground conditions, sorry, I don't know whether you wish to say something on that but we have obviously been in communication with you as to something around that.

372. MR STRACHAN KC (DfT): Yes. In fact, I might take them in reverse order then.

373. THE CHAIR: Yes, as you wish.

374. MR STRACHAN KC (DfT): I'll just get Mr Smart to help you a bit more on the land drainage. On that last point, the Committee has made their position very clear to us about the numbers of people who are concerned about levels of information and engagement. We have taken that on board. I'm not in a position to share an assurance today but because we are in discussion with Cheshire West and Chester about the potential assurance, which does, indeed, provide that additional engagement around this question of the ground conditions in this area, being in mind the number of people who've raised that, as part of that, I anticipate – again I don't want to pre-empt their position, but the request, for example, about information about ground investigations, that would provide a forum, if it proceeds, for discussion about that sort of information and responses to it. So without being able to tell you precisely what it is now, it should address, in principle, the broad parameters of what Mr Slater was raising about information and engagement with those locals in the area.

375. THE CHAIR: You're right. As I said, we are very concerned as a Committee about what people feel is lack of knowledge or a lack of engagement on what is clearly an issue which has a lot of people locally concerned. So we'll perhaps expect that when we have the Cheshire West petition.

376. MR STRACHAN KC (DfT): Yes, I'm hoping it will be sooner than that.

377. THE CHAIR: Okay.

378. MR STRACHAN KC (DfT): I'm perfectly happy to tell you what we're proposing but I think it would be better if I allow it to emerge through discussion with Cheshire West, so they don't feel that I've ambushed them in what I say.

379. THE CHAIR: I think that's reasonable if you're in discussions with the council.

380. MR STRACHAN KC (DfT): But that, I hope, and obviously Mr Slater will be able to see that, will at least target one of his main requests. Without detracting at all from that, I just make the point that, in relation to knowledge of the area, the March 2023 report, which we're not going to go back over, does draw on a considerable amount of information, and as part of that you will have seen that we – the project that is – did visit specific locations raised by what was then called mid-Cheshire against HS2 and you'll recall Dr Ros Todhunter had a number of locations. So I didn't want any

impression to be created that the project has proceeded with the scheme without consulting those people who raised specific issues about the ground conditions and specific locations and examples, for example, of subsidence, because they have, and you can see that from the detailed March 2023 report. That is not intended to detract from the point about further engagement the Committee has raised.

381. So I was just going to get Mr Smart to come and help you with land drainage but, whilst he's taking his seat, can I just turn back to the rolling stock depot location? You've heard some evidence about that. Unless you want, we weren't going to go over that again, in terms of why this rolling stock depot location does meet our criteria and Basford Yard, which is the other one that's been suggested, definitely does not. The one piece of additional information which is put forward in response to these petitioners, which I don't think you had the full detail of last time, was the response from Network Rail as to the prospect of Basford Yard being used as a rolling stock depot, as opposed to its current freight yard function, and you've heard a bit about that. That is in the slide pack for you at P – I'll just show you, if I may – P384(9) and then (10). But I think there is some misapprehension by others as to what Basford Yard is actually used for and that it might be available for a rolling stock depot to be used. We've made it clear that's not the case. It's heavily used and you would have to find another location for a very busy freight yard. P384(9) and (10), if we can get them on the screen, just gives you that perspective from Network Rail, which Mr Smart can comment on in a moment, and then I'll come to land drainage.

382. And so Mr Smart, I think, gave evidence to you before about the other challenges of constructing a rolling stock depot in that location, which you heard about. Unless you want me to go over those, you've got those to ponder on in due course.

383. THE CHAIR: No, we had that.

Evidence of Mr Smart

384. MR STRACHAN KC (DfT): But if I could come back then to Mr Smart, the question that's been raised again about the way in which land drainage in the area will be affected by the rolling stock depot and, for example, springs in relation to the borrow pit C. Please can you assist the Committee in respect of that?

385. MR SMART: Yes. The records of land drainage are often inaccurate but sometimes in some areas they're better than others. And land drainage can take many forms, sometimes perforated pipes; sometimes it can just be granular material in a trench etc. But we have to address drainage, both from our own point of view of running a railway and, of course, for residents and stakeholders, of when we design a scheme or any earthworks, including the borrow pits.

386. So when we do the detailed design for the borrow pit, or indeed any other part of the railway, we would assess how we're going to deal with drainage and the approach we've taken is to not use any infiltration. So we would be taking the land drainage into appropriate water courses etc. And the petitioner's mentioned it but the balancing ponds that we have both for highway works and our own railway are designed such that we don't overwhelm any of the water courses and make sure that we can maintain the correct quality to return what is actually runoff into those water courses. So, in short, it's a matter we address in detailed design and we might not be able to put back the same land drains or land drainage that we find, but we need to put back something which is appropriate and deals with water in a way that is efficient and gives the landowner and ourselves what we need.

387. MR STRACHAN KC (DfT): I don't know if we can put it up on screen but the information paper E16 paragraph 5.6, just so the Committee's aware about the process that's undertaken, in addition to the approvals that have to be sought, but the process in relation to that detailed design, 5.6, and there's a whole section on potential refinements during detailed design and construction.

388. THE CHAIR: Mr Slater's point was you couldn't, for a number of years, when you refill the borrow pits, actually introduce new drainage.

389. MR SMART: Well, you absolutely can because the Committee may have been to Stratford Park, the Olympic park. That was a land raise from tunnelled material that the park was built on, from CTRL. So the secret to that is getting the right material and we can't guarantee at the moment what's going to come out of our tunnelling from Crewe but it's mudstone. It's mostly mudstone group, the Sidmouth subgroup. But it's all about compaction and how you make sure that when you put any drainage in that it's not going to be subject to settlement and therefore if the drainage is coming through

gravity – which is what we would want. In the extreme, if you needed to put in a pump scheme, you might have to do that but that would really only be probably when you were protecting highways at low level. We don't like to do that because it's not sustainable. You've got to use energy to pump whereas if you can use gravity, that's what you want to do.

390. So we would be looking to, by the proper restoration – which you've already heard, we've got to outline all our proposals before we even start to excavate a borrow pit – ensure that the material that goes back is compacted and such that we can put in land drains in the area that we need to.

391. MR MORRIS: Can I just ask Mr Smart? The issue Mr Slater raised about variations in subsoil topography, the levels not being even, or in terms of HS2 determining what the topography is beneath the soil, you told us previously that there were 3,000 boreholes that were being done. Is that something that would be explored with subsoil radar? I mean, how would you discover the topography?

392. MR SMART: Yes, we have already done geophysical testing. That's the first stage because that can help you determine where you might want to actually put boreholes or, indeed, cone penetrometer tests, which give you different information. So we will be doing geophysical and we have done some of that already and we'll be doing more of that. So topography to me, you're talking about probably the subsurface geology. Topography is really what the surface does and clearly our alignment has to have a certain geometry, for the track for example. And the petitioner mentioned boggy areas around Crewe rolling stock depot. Well, we would deal with that. Railways and boggy areas do not mix very well and look at the Shap mess when there's never been a railway built through that sort of area. So we would have to deal with that in our design and we've start with geophysical testing in these boreholes and, as you heard from Professor Lord Robert Mair when he gave his evidence, he suggested that the amount of work we've done at the moment, and which would also be my evidence, is very appropriate for this stage of design and we will be accumulating more and more geotechnical information, as well as of course informing the design, as we go forward and we'll do another stage of geotechnical investigations and that won't be the end of it because there will be local areas where we will need to do more.

393. MR SLATER: Can I just –

394. THE CHAIR: Mr Slater, yes.

395. MR SLATER: Thank you. I'm very concerned with the word you used and that is 'compaction'. Engineers like to compact things to build on them. When we're looking at soils, we're looking at consolidation and gentle consolidation because, let me get to this, if you've got a subsoil which is anything above two tonnes per cubic metre, you're not going to actually have any root penetration through there at all. I spent a lot of my working time trying to maintain soils at 1.4-1.6 tonnes per cubic metre, purely to allow them to be back to productive land. You're talking about the borrow pits being returned to the previous use and that is the massive challenge you have got because compacting means that you destroy the rooting potential of that crop you put on the top, and I do accept that every engineer that I talk to loves to compact things because it's easy to build. Soil is a living organism and a quarter of that volume of topsoil has to be oxygen, and that's why the challenge of remediation is so massive.

396. MR SMART: Mr Slater, I'm not an agricultural expert but I completely understand your point. So my compaction I'm talking about, because we've got the depths of four to five metres, is the lower end of that. Now, when we put back the topsoil and then have to start creating an area appropriate for whatever farming that's going to happen, whether it be arable or livestock or whatever, then that is how you treat that top layer, to allow agriculture to happen. And I'll defer to your knowledge of that top layer but that's what we would have to deal with in terms of creating a suitable surface topsoil layer, for whatever. Obviously, it's easier if it's livestock because probably you don't have the same issues as you do with arable, but if it's arable then we would need to look at how we restore that topsoil layer to allow farming to happen. And it has happened. We've got examples on HS1 where we've done that and, I agree, it has to be properly dealt with and properly handled.

397. THE CHAIR: Okay, thank you. Mr Strachan?

398. MR STRACHAN KC (DfT): No, I was going to draw attention to the soil – there is some detail about soil handling for the purpose of restoration in the information papers and I think also the code of construction practice, to which Mr Smart's alluding in terms of restoration.

399. THE CHAIR: Okay. Anything else from your side, Mr Strachan?

400. MR STRACHAN KC (DfT): Well, I will address anything else you want. For example, you've already made clear the last ask is outside the scope of the Bill. I don't think you need me to help you with that. That's not the high-speed rail that we're promoting, obviously, and that Parliament's enacted. But if there's anything further on technical matters, I mean, there was an issue raised about what was going on in terms of tunnelling in Buckinghamshire. Mr Smart can help you there. I'm not sure it's directly relevant.

401. THE CHAIR: It's not really relevant now, given that the petitioners have obviously removed that. The Committee technically ended six minutes ago but, given people have come this way, I just want to be absolutely clear, Mr Dellow and Mr Slater. In terms of the points you raised, that you want us to address, has the promoter responded to those?

402. MR DELLOW: Absolutely.

403. THE CHAIR: In terms of the ones that they can.

404. MR DELLOW: Absolutely.

405. THE CHAIR: You might not agree. I can see from Mr Slater's face that there's a level of disagreement.

406. MR SLATER: In my opinion, yes, because I didn't expect any answers or actually any observations today. It was more addressed to the Committee for further consideration.

407. THE CHAIR: And just so we're clear, what we're taking away here is, obviously on the route alignment, that's not within the purview, as we've discussed. Obviously the comments in relation to the depot are things we've considered before. We've not made any comment on that yet but that will come when we make our report. And then the final point here, which I think was the ground condition one, is this issue of engagement, of sharing of information, of local knowledge and all the rest of it. I just want to be absolutely clear, those are the asks.

408. MR DELLOW: Yes, they are but – I mean, it's just gone from the screen. We do not agree with what was just on the screen just two minutes ago. We believe that Basford is well underutilised at this moment in time and could be brought into much better use in the future. It is the obvious place for the rolling stock depot.

409. THE CHAIR: I get that. I just want to be clear. There's points of contention, there's disagreement and I get that. I just wanted to be clear that we'd addressed the points, as I hope we've tried to with all of the petitions. Mr Strachan.

410. MR STRACHAN KC (DfT): I was just going to say, on the question of engagement, we will obviously let these petitioners know –

411. THE CHAIR: Yes please.

412. MR STRACHAN KC (DfT): – as soon as we've got some clarity on the final version of an assurance.

413. THE CHAIR: Okay.

414. MR SLATER: Sorry to butt in, but there's just one thing I'd like to finish with and that is that when the borrow pits are dug, unless remediation happens, HS2 Ltd will be flooding Department for Transport property.

415. THE CHAIR: Okay. We've heard on the remediation in relation to the others as to where those will – that will be a matter you will be able to make your point to the local authority and the Environment Agency on as well at the appropriate time but I understand the points you're making.

416. Right, we're going to be keeping me from my tea now and you don't keep a Yorkshireman from his food. So on that basis, I will thank everybody, all the petitioners, for attending today, and the promoter as well, and we will be responding, as I said, in the appropriate time when we produce our report. So, on that basis, I'll bring today's meeting to a close.