

MINUTES OF ORAL EVIDENCE

taken before the

**HIGH SPEED RAIL BILL COMMITTEE**

on the

**HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL**

Tuesday, 28 July 2020 (Morning)

Virtual Proceeding

PRESENT:

Lord Hope of Craighead (Chair)

Lord Brabazon

Lord Goddard of Stockport

Lord Haselhurst

Lord Horam

Lord Liddle

Lord Snape

---

IN ATTENDANCE:

Timothy Mould QC, Lead Counsel, Department for Transport  
Jacqueline Lean, Counsel, Department for Transport  
Peter Miller, Environment and Town Planning Director, HS2 Ltd

---

WITNESSES:

Roger Geffen

**IN PUBLIC SESSION**

## **INDEX**

| Subject                        | Page |
|--------------------------------|------|
| <b>Cycling UK</b>              | 8    |
| Submissions by Mr Roger Geffen | 8    |
| Response by Mr Mould           | 20   |

**(At 10.30 a.m.)**

1. THE CHAIR: Good morning. This is a meeting of the House of Lords Select Committee on the HS2 (West Midlands – Crewe) Bill. This morning we're to hear a petition by Cycling UK, which we'll be considering with the assistance of representatives on their part and we'll, I think, hear a witness for the Cycling UK as well.

2. It may be helpful if I were to set out how this session will work. Everyone participating in today's session is on the Zoom call and we can all see each other. You may need to switch to gallery view to do so. My microphone will remain unmuted throughout. Others may control their own muting but please remember to unmute before speaking. You may receive a prompt on your screen inviting you to do so. As far as possible we will follow a predetermined order of speaking as set out in my brief, which has been shared by all participants. Unless anticipated in the brief you should wait to be called before speaking. If you wish to intervene at any point please physically raise your hand so that it can be seen on the screen. I will then call you to speak at an appropriate point. In order to allow for interventions, I invite speakers to pause frequently. I will then either call someone to speak or invite the speaker to continue.

3. Participants should have the exhibit bundles open and available. For this session that is bundles A8, P25 and R76. We will navigate the documents using the numbers in the bottom left corner of each page.

4. We shall now begin. Mr Mould, would you be kind enough to open the proceedings for us?

5. MR MOULD QC (DFT): My Lord, I shall. Many thanks. May I just check, as this is the first of the petition hearings, that you and your colleagues can hear me loud and clear.

6. THE CHAIR: I can, certainly. Thank you.

7. MR MOULD QC (DFT): Thank you very much. This is a hearing of a petition from Cycling UK. The petition is at document R76 (1) to R76 (3) in your papers. You will have read the petition and will have noted that it raises three issues that are set out

under the heading ‘What do you want to be done in response to your petition?’ on pages R76 (2) and R76 (3). They concern the approach that the promoter takes to national standards for the design of roads and the alteration of roads and highways in order to make provision for cycling and they also raise concerns about two particular locations on the HS2 Phase 2A route: firstly at Yarnfield Lane at the town of Stone in Staffordshire and secondly at a junction of the A51 and the A34 highways just to the south of Stone in Staffordshire.

8. The promoter responded in writing to the petition and the petition response document is at R76 (4) to R76 (10). I shan’t take you to it any detail since you will have had an opportunity to see it. You will have noted in the petitioner’s petition that they anticipated the publication of revised guidance on cycling infrastructure design; that is to say guidance which would replace the existing local transport note entitled ‘Cycling Infrastructure Design’, which bears the reference number LTN 2/08. By complete coincidence the replacement document was published just after midnight this morning and it is entitled ‘Cycle Infrastructure Design’ and it bears the reference number Local Transport Note LTN 1/20. It’s a Department for Transport publication. It’s a detailed and carefully prepared document. Much of it does not have more than a general bearing on HS2 but there is a chapter, chapter 14, which is entitled ‘Integrating Cycling with Highway Improvements and New Developments’, which will require consideration by HS2 Ltd as the designated nominated undertaker for the Phase 2A scheme in the event that it receives royal assent and Mr Miller may say something to you about how HS2 will approach the task of revising and reviewing its own current standards in the light of that new publication.

9. Mr Geffen, who will appear shortly for the petitioner, I think made contact with your clerk or with Mr Walker yesterday indicating that he had understood that that documents was to be published overnight, as indeed has happened, and raised the question as to whether he might wish to have an opportunity to make submissions to you about it once he’d had an opportunity to consider it. I raise that now. I shan’t say anything about that point but just in case that point hadn’t come to you he may want to raise that question when he presents his petition in a few moments’ time.

10. THE CHAIR: Mr Mould, if I can just interject at that point. The Committee is aware of the document and, indeed, the possibility that Mr Geffen may wish to ask for

time to consider it. So we are alive to that point. Thank you.

11. MR MOULD QC (DFT): Thank you very much. I shan't say anything more about that, My Lord. Now if I may and if I can assist later on in the course of the morning I will obviously do so.

12. I should just note that that is part of a suite of new policy initiatives which have been or are soon to be published by the Department on cycling. There is a policy document, which is entitled 'Gear Change: A Bold Vision for Cycling and Walking', also published overnight. There are to be some revisions to the Highway Code, which have not been published but I understand are to be published shortly. And the Department is to establish a new commission, which will have the name 'Active Travel England', whose function will be to deploy a generous funding package for Active Travel but also to ensure that the various initiatives in the policy document and in the new design standards, which are designed to encourage provision for cycling and for other forms of active travel, that those are reflected in practical measures throughout England and, I think, Northern Ireland, which is the reach of this document. It is expected that Scotland and Wales will produce their own standards and guidance in a similar vein but that is perhaps of less direct interest to the Committee in this context.

13. May I turn briefly just to give the procedural history? Cycling UK petitioned the House of Commons Select Committee. Their petition was number 103. They were heard on their petition by the Committee in the other place on 17 July 2018 and in the Select Committee's third special report of the sessions 2017 to 2019 they addressed the question of bridleways and cycling in paragraphs 216 and 217. The promoter responded to those paragraphs in paragraphs 108 to 112 of its third response document. I believe you have these documents available to you. So paragraphs 108 to 112 of that document.

14. Turning to assurances, in your papers you will find at P25 (31) to P25 (38) a letter of assurance written by the promoter to this petitioner on 16 July 2018. That letter gave a series of assurances. I won't refer to them in any detail. Perhaps just to note at P25 (32) assurances in relation to engagement with the Cycle-Proofing Working Group and an assurance in relation to cycling standards and guidance, both of which are on P25 (32). The Cycle-Proofing Working Group has been rebranded. It's now known as the Cycling and Walking Infrastructure Group or CWIG, to use the acronym. Cycling UK

are a member of that body.

15. There is a second letter dated 21 October 2019, a petition assurance letter or PAL, as they are called in terms of an acronym. That was written, obviously, in advance of the anticipated hearing of this petition last October and Your Lordship has that at P25 (39) through to P25 (44). And that addresses a number of matters which we may return during the course of the hearing.

16. Finally, before I conclude this brief introduction, I should take you to relevant provisions of the Bill. As you are aware, clause 1 of the Bill authorises the construction of works for the purposes of constructing Phase 2A of HS2. And amongst the scheduled works that are set out in schedule 1 to the Bill you will find a number of works which involve the construction or alteration of highways. It is self-evident that in order to construct a new railway line it will be necessary to make consequential alterations to highways which lie across the line of the railway as it is proposed to be constructed. So clause 1 authorises those works and ancillary works that are required in relation to those scheduled works.

17. Clause 3, which is headed ‘Highways’, makes provision for the consent regime in relation to those works. Clause 3(1) is concerned with highways that are the responsibility of a strategic highways company as highway authority. That in practice means Highways England, which is the designated strategic highways company. And Highways England are responsible, for example, as your Lordship and your colleagues will be well aware, for the M6 motorway. That is an obvious example of a highway which falls within their domain.

18. THE CHAIR: Does that include the bridge which we’re concerned with, the Yarnfield Lane bridge?

19. MR MOULD QC (DFT): Yes. That would include the structure of the bridge. The road – as you will appreciate, you may have seen the slide, the bridge in question, Yarnfield Lane, is a bridge that will carry the motorway over a realigned Yarnfield Lane. The bridge structure and the motorway as it passes over the bridge will obviously be the responsibility of Highways England as the strategic highway company. Yarnfield Lane, which is a minor highway, will remain the responsibility of the local highway authority; that is to say Staffordshire County Council.

20. THE CHAIR: Thank you.

21. MR MOULD QC (DFT): And returning to clause 3, clause 3 paragraph 1 has this effect. It requires the consent of the strategic highways company to be obtained to any works authorised under the Bill that relate to highways that are the responsibility of the strategic highways company. So in practice works to the M6, such as works to the bridge structure we've just discussed and works to create the temporary slip roads that you may have noted are to be provided in order to serve the railhead and the major works sites at Yarnfield and at Stone, the design of those slip roads will require the consent of Highways England as the responsible highway authority for the M6 itself.

22. In relation to highways other than strategic highways, which fall within Highways England's responsibility, there is a schedule to the Bill, schedule 4, which makes provision for the consent regime in relation to those highways. So, essentially, in practice any highway, any carriageway certainly, that falls within the responsibility of the local highway authority, which in the case of Phase 2A of HS2 is either Staffordshire County Council or Shropshire County Council or Cheshire County Council. So far as the two particular locations that are raised by the Cycling UK's petition, each of those falls within the administrative area of Staffordshire, so they are the responsibility of Staffordshire County Council.

23. Schedule 4, the relevant part of which you will find at page 71 to the Bill, part 3 is headed 'Construction and Maintenance of Highways', and I draw your attention for the purposes of today's hearing to two paragraphs: paragraphs 12 and 13 of schedule 4. Paragraph 12 is concerned with those cases where the nominated undertaker exercises powers under the Bill to construct a new highway or to alter a highway otherwise than when carrying out street works. In those cases the construction or alteration must be completed to the reasonable satisfaction of the highway authority. And then at paragraph 13 that concerns cases where the nominated undertaker exercises powers under the Bill to construct a new highway or to realign a highway which, in each case, is constituted by or comprises a carriageway. So any works of that kind that don't involve simply a bridleway or a footpath. And in those cases paragraph 13 subparagraph 2 of schedule 4 requires that the construction or realignment must be carried out in accordance with plans, sections and specifications approved by the highway authority at the request of the nominated undertaker and that such approval is not to be unreasonably

withheld.

24. So you can see that the Bill leaves with the local highway authority the role of approving the detailed plans and specifications and, plainly, as a matter of principle, where the newly constructed, altered or realigned section of highway in question, whether it should include provision for cyclists, whether by way of a segregated cycle lane or some other arrangement, is something that would fall within the scope of that approval regime.

25. My Lord, there is no other provision within the Bill that relates directly to the issues that are to be ventilated by Mr Geffen on behalf of Cycling UK so far as I am aware of those issues. If he raises a point during the course of his submission that does relate to some other provision of the Bill I will, of course, draw that to your attention during the course of the remainder of the hearing. But, unless there's anything else that I can help you with now, that is all I propose to say by way of introducing the proceedings on this morning's session.

26. THE CHAIR: Thank you very much. I think you've helped us so much in that introduction.

27. Mr Geffen?

### **Cycling UK**

#### **Submissions by Mr Roger Geffen**

28. MR GEFFEN: Good morning.

29. THE CHAIR: Good morning.

30. MR GEFFEN: Yes. Do I simply go ahead?

31. THE CHAIR: Yes, please do.

32. MR GEFFEN: I see. Right. Okay. Thank you. All right. Well, firstly, thank you for the opportunity to present the petition on behalf of Cycling UK. Mr Mould has very helpfully pointed out that a lot has happened within the last 12 hours in terms of the Government's cycle policy in ways that we have been anticipating for quite some time.

The new cycling design standards that Mr Mould mentioned, which were published actually a little before midnight but formally they were due out at midnight, we have been waiting for them. There is a reference –

33. THE CHAIR: I think we're losing your sound a bit as you turn your head away.

34. MR GEFFEN: Sorry. Exhibit 8 references the fact that that was originally due to have come out before the end of 2018 and the Highway Code review that's also come out in the last 12 hours was flagged up similarly two years ago. The fact that these have only just come out places me at somewhat of a disadvantage this morning and I must apologise to Your Lordship and to Your Lordships that I am, therefore, far less well prepared than I would have wished to have been for presenting this petition. I had anticipated when I was offered this date that particularly the cycling design standards would have definitely been out at least a week ago and probably longer. The fact that they've come out literally this morning when I was looking to refer to them – our petition referred to them before they were written and here we are; I'm now unable to refer to them because I had to submit our evidence bundle before they'd come out and they have now just come out. I will nonetheless outline the general principles to save time at a future hearing but I will be requesting, as Mr Mould has intimated, that I would wish to have the opportunity to come back before the Committee having, I hope, discussed with HS2 Ltd how it proposes to respond to the new infrastructure design guidance.

35. THE CHAIR: Can I pause, there, Mr Geffen, and just respond to what you were saying? First of all, I don't think you need apologise at all. It's certainly not your fault. It was discussed here and I think we'd all sympathise with the fact that you've not had a full opportunity to study it. On the other hand, I think, having glanced at it, my impression is that it deals with cycling and walking policy in terms of generalities. It doesn't come down to specific details of planning in respects that will affect particular locations in the route of the line at the moment. And, therefore, the way we can best assist you, I think, would be by being sure that the assurances which HS2 have been offering to you are updated so that they take account of the new policy document. And for that reason I think that we needn't be too troubled by the detail of the document for the time being and the most helpful thing from the Committee's point of view would be if you could proceed on the assumption that if there are points of difficulty we would be

prepared to come back and consider them later. But it would be helpful if you could proceed and we're particularly interested in the point of detail about the bridge and also the junction of the A35 and the A51.

36. MR GEFFEN: Okay. Thank you, Your Lordship. I will come to the issue of the bridge. The main document that I'm concerned about is not so much the policy but the design guidance that the Government issued within the last 12 hours. I have been concerned throughout the process that HS2 Ltd's own technical standards are not in line with even the previous best practice design guidance. They weren't even in line with the old local transport note 2/08, which has since been superseded. An assurance we were given when we were petitioning on the Phase One Bill was that HS2 Ltd, if I paraphrase the assurance, would liaise with the Cycle-Proofing Working Group to incorporate the principles of LTN 2/08, as it then was, or any best practice guidance which superseded it would be incorporated into its designs. We didn't typically talk about technical notes. I wasn't aware that that's how HS2 was to proceed. However, we didn't have any liaison with HS2 through the Cycle-Proofing Working Group when it first drew up its technical guidance. And, although I've not seen the whole of the latest version, we've only been shown selected extracts of the current technical guidance, the first version of the technical guidance we were shown included things like lane widths for carriageways as distinct from cycle ways that were at odds with even the cycling guidance that existed at the time let alone the latest guidance.

37. If I may, just to highlight a particular contradiction, the technical guidance, the original version, referred to lane carriageway widths for single carriageways of 7.3 metres. Now a reference in exhibit 9, which is the Welsh active travel guidance, which until this morning was effectively the best practice in UK cycle planning guidance, statements that explain why 7.3 metres is precisely the wrong width for good cycle planning and design. It makes points that a cyclist needs a certain amount of width for their own body and their bicycle between 65 and 80 centimetres. They then need 1.5 metres of space between them and the motor vehicle and then the motor vehicle itself needs space. That creates a situation where, as the Welsh guidance itself says, lane widths between 3.2 metres and 3.9 metres should be avoided. It also specifically says avoid carriageways of 7.3 metres or any road that cyclists are expected to share. And yet, to the best of my knowledge, that is still in HS2's technical guidance. So now that

we have the current cycling design guidance from the Department I would be very grateful for the opportunity to discuss with HS2 Ltd how it will reflect not just its guidance on cycling infrastructure but road infrastructure that cyclists are expected to share.

38. So with that, can I then make a request that we have that conversation with HS2? And I would request the opportunity to come back to this Committee if those discussions do not proceed as I would hope they would. Obviously I do genuinely hope that, given the emphasis that the Government is now placing on the new design standards, the Prime Minister has thrown his weight behind them, this has very much been driven by Number 10 as well as by the Department for Transport, I very much hope that HS2 will now adopt that best practice and not just in its specific guidance on cycling infrastructure but on road infrastructure that cyclists are expected to share. I hope that outlines the issues in general terms.

39. THE CHAIR: Yes. Thank you very much. Can I ask you just one or two questions, Mr Geffen? First of all, can you confirm that your organisation is a member of the Cycling and Walking Infrastructure Group?

40. MR GEFFEN: I can. The Cycling and Walking Infrastructure Group hasn't actually met yet since it was broadened from the original Cycle-Proofing Working Group. That is because we have been waiting for the new design guidance. We input to the design guidance 18 months or so ago and we were expecting it to come out at about that time. We've then been waiting and waiting and not meeting as the newly constituted Cycling and Walking Group. I did ask the Department for Transport officials when they briefed us about the new plans, 'So when will this new group now be meeting?' and they indicated they're looking to get it back up and running in September or early October. Clearly, I hope that we will be able to have that meeting and, indeed, that it will be able to oversee a discussion with HS2 about this question of incorporating the DfT advice into HS2's own technical standards.

41. THE CHAIR: Right. Thank you very much. Coming, then, to the Yarnfield Lane overbridge, the motorway overbridge, obviously the question of laning and widths of laning is very important but would I be right in understanding that your position is that you accept that that's a position for detailed design which has yet to be finalised with

the relevant highway authority?

42. MR GEFFEN: I accept that it's a matter for detailed design. However, the amount of space available and, therefore, the width of the bridge and the width of the tunnel are absolutely crucial to whether it is possible to provide good cycling infrastructure within the spatial envelope of the width of the bridge. I've particularly picked out Yarnfield Lane as if there's one location and one location only where it's absolutely critical that the design standards are reflected this is it because otherwise this is going to be, given that we're talking about a long bridge and a tunnel, if this is not designed with sufficient space for good cycling infrastructure that is basically going to cut off the Committee's one cycle lane from towns on the other side – on one side of the HS2 and the M6 from Stone on the other side particularly. So this is absolutely crucial that we get the amount of space right. We can work on the details. I do want to just touch on because I think there are ways in which the design can be made to work. We've looked at the design of both the width of the underpass and of the overbridge and in both cases – well, I'm just going to it now. So on the overbridge I understand that HS2's proposal is for an 11 metre wide bridge, of which 6 metres would be carriageway and two verges of 2.5 metres. Now if instead of having the carriageway in the middle of that profile, so two equal verges of 2.5 metres on either side, if the carriageway was offset to the south then it would be possible to construct a two-way cycle track on the north side. What I am unclear about is how much – and a two-way cycle track, if not heavily used, needs to be at least 3 metres. And thus –

43. THE CHAIR: Sorry to interrupt you, Mr Geffen. Just for everybody's guidance we can see what you're talking about in P25 (15), which gives the present design of the overbridge and the underbridge and we can see the various widths of the verge on each side and the carriageway set out in that document. Perhaps it's helpful just if you could go to that and go back over what you have just been saying to identify your problem.

44. MR GEFFEN: Yes. Sorry. Thank you for the reference. This is just reflecting my lack of preparation that I haven't got my script with all the references for the right document numbers, so thank you for your assistance. So you're right, the profile of the overbridge has a proposed carriageway of 6 metres, verges of 2.5 on either side. If, instead, the carriageway were offset it would be possible to include a 3 metre wide two-way cycle track, provided that there is sufficient space for any additional provisions,

such as safety barriers. And I'm not sure how much width is required for safety barriers in addition to the space that cyclists need: a 3 metre wide cycle track itself plus spill margin which needs to be at least 0.25 metres if next to a kerb and more likely 0.5 metres if you're next to something that is at least the height of your head – a wall or, indeed, a safety barrier. So additional space is needed more than the 3 metres of the cycle track itself. There's obviously rather more space to do that in the underbridge where there are 3 metre verges rather than 2.5 metre verges.

45. However, we've then got to consider is this sufficient space during the construction phase when there would be a lot of lorries? And at that point the cycle track would not yet be in place, I presume, and, therefore, we would need to make sure that it is still possible to provide for safe cycling, which I imagine would be done by way of sort of cone-protected cycle lanes on either side of the road which would need to have at least 1.5 metres plus that 0.5 metre safety margin to give you space between your pedals and whatever segregation is provided between the cyclists and the lorries.

46. You're right. We do need to get into the detailed design of this but it is really important at this point to make sure that there is a sufficient spatial envelope to allow for cycle provision to be made. If cycle provision is designed out then it can't be rectified. It's a tweak that cannot be made at the last minute.

47. THE CHAIR: If we look at the text on P25 (15) you'll see that it's stated that, 'The width of the overbridge and underbridge as stated in the design would not preclude provision of a cycling facility on Yarnfield Lane', and I think you agree with that. And then it goes on to say, 'Provision for cyclists and pedestrians will be finalised as part of detailed design which requires approval by the relevant highway authority'. And I think I'm right in saying you don't disagree with that either. But you point everything – the point is really the detail must be right in order to be assured that cyclists can move through this bridge with safety. That's what it comes down to.

48. MR GEFFEN: Yes, absolutely. I mean I think that 'would not preclude' subject to nothing else coming along that's needed in the space, such as protective safety barriers. So I think we kind of need to go into the detail to make sure that there is a shared understanding between HS2 and ourselves and, indeed, by the local parish council, who I know are also concerned about this issue, that we have a clear

understanding that there is sufficient width to design in the cycle provision plus whatever else is needed in that space and that we can then integrate that cycle track into the wider network and the junctions at either end of Yarnfield Lane.

49. THE CHAIR: Yes. Thank you very much. What about the A35/A51 junction, which we can see indicated at P25 (21)? That's showing the junction but it's also making the point, I think, that there is an alternative route for cyclists to take off road, particularly making use of canal towpaths and so on.

50. MR GEFFEN: Yes. There may well be a way of connecting up cycle facilities in that area. Again, I would like to get into the detailed design with HS2 to make sure we've got a shared understanding of how that worked. I raised it in our petition at the outset because the design includes a left-turning slipway for the motor vehicles. Now existing cycling design guidance says that is really something that is very, very difficult for a cyclist who is, shall we say, turning right into the road that other motor vehicles are turning left into via the slip road. The cyclists have to get across effectively two carriageways, one of which has been given protection and you've got to find your way across that protected left-turning traffic flow to get to the left-hand entry of the road that you're turning into. I hope that is making sense. So this is why I have flagged up that particular junction as likely to be particularly problematic. Now, again, we need to know if the solution is to provide cyclists with safe alternative routes that they work for cyclists in all directions. It's all very well saying that there's a cycle route but if it takes cyclists from A to B but not from A to C or from B to D then it's only part of the solution. So we need to be confident that it meets cyclists' needs in whatever direction.

51. THE CHAIR: I'm going to ask you to pause there because I'd like to give members of the Committee an opportunity to ask questions if they have any questions to put. Are there any questions from members from the Committee? Yes, Lord Goddard?

52. LORD GODDARD: Just so I'm clear, Mr Geffen, I think you're agreeing that there is the facility to ensure safety of cyclists on the bridge. I think it's just the design. So the principle of safety on that bridge I don't think is in question. Is that correct?

53. MR GEFFEN: I wouldn't be sufficiently confident because we haven't really understood what is going to happen during the construction phase. I'm heartened that it does not preclude the provision of cycling but I really want – given that this is such a

critical piece of infrastructure and amending it later cannot be – as I say, it can't be fine-tuned at a later stage. We really need to know the detail of how is it going to be done rather than that it just can be done. We need to know how it's going to be done.

54. LORD GODDARD: Thank you.

55. THE CHAIR: Any other questions? Yes, Lord Liddle?

56. LORD LIDDLE: I'm a little bit, perhaps because I haven't grasped this with the detail that I should have done, but Yarnfield Lane, what is its width planned to be? I'm not talking about the bridge. I'm talking about the general width of the lane as it approaches the bridge on both sides. And secondly, is the argument that it's the nature of a bridge which requires special treatment for cyclists, and I'm open to that argument, or is it that the whole lane needs to be made safe for cyclists? I'm puzzled.

57. MR GEFFEN: Sorry, perhaps I should have made this clearer, yes. We are looking for – we think that probably the best solution without adding unduly to the costs of the project or possibly operating within the width that already is provided in a two-way cycle track on one side of the road –

58. LORD LIDDLE: I'm afraid I can't hear.

59. MR GEFFEN: Sorry. We think that probably the best solution for Yarnfield Lane would be to provide a two-way cycle track on one side of the road. In many circumstances that would not be an ideal solution. It's not an ideal solution on a busier road that's got a lot of side roads because a two-way cycle track you then end up with cyclists who are approaching motorists who are coming out of the side road on the opposite side to where the drivers expect cyclists to be. So although two-way cycle tracks are appearing on busy London streets, it's not an ideal solution for any road that has a lot of side roads. It will probably work in this case but when you do a two-way cycle track on one side of the road it then does matter how you then connect it up; how to get cyclists, as it were, from the wrong side of the road back to the right side of the road again.

60. LORD LIDDLE: Yes, I understand.

61. MR GEFFEN: That's why there's this issue of the junctions at both ends. The

absolute target is that the bridge and the tunnel themselves are designed for widths that allow that two-way cycle track to be included plus any additional infrastructure that may be needed and that it is safe not just on completion but is also safe during the construction phase when there will be a lot of lorries using Yarnfield Lane and cyclists being able to use it too.

62. LORD LIDDLE: What you said reinforces the argument for the idea that the cycle track or both directions of the cycle track should be on the same side of the bridge, doesn't it?

63. MR GEFFEN: That is a more space-efficient solution. You need less width when you do a two-way cycle track on one side of the road than when you do one-way cycle tracks on both sides of the road. Two one-way cycle tracks is safe when you've got a lot of side road. In this situation we can probably get away with the two-way cycle track on one side of the road. We then need to make sure that the junctions at both ends also work. But the crucial bit, which cannot be left until later, is to make sure that the width is adequate for cycle provision both during the construction phase and in the end result.

64. LORD LIDDLE: Yes. Thank you very much.

65. THE CHAIR: Any other questions? Yes, Lord Haselhurst?

66. LORD HASELHURST: Thank you, Lord Chairman. One of the assurances given by the promoters in reference to Yarnfield Lane was that there should be a traffic volume count. Has that taken place and, if so, what are the numbers?

67. MR GEFFEN: I'm going to need to refer to HS2 to answer that, if I may. I don't know whether Mr Mould or Mr Miller comes in at this point.

68. THE CHAIR: Well, Mr Mould raised his hand. Perhaps you could answer the question, Mr Mould..

69. MR MOULD QC (DFT): By all means. That count has not taken place. My understanding is that the surveys will be carried out closer to the time when the scheme begins to be built in earnest so that the information is as up to date as it can be in relation to any measures that are required in the light of the information. As Lord Haselhurst will have appreciated from the way in which the assurance is framed, it is

designed to assist, in particular, the local highway authority in their judgement as to whether or not traffic management measures are required on Yarnfield Lane in the form of speed restrictions and so forth so as to ensure the safety of all road users, including in this context cyclists. So that is work that is in prospect rather than work that has been undertaken already

70. LORD HASELHURST: Thank you.

71. THE CHAIR: Yes, Mr Geffen. I think you can continue. Are you near the end of your submission or have you more to say because I don't want to rush you at all?

72. MR GEFFEN: I was just going to – specifically I'm just looking for my own copy of the active travel guidance, which I mentioned earlier, which is exhibit 9. Perhaps if I can just reference our exhibit 9 table 6.2. I'm not quite sure what is the relevant reference number for what was our exhibit 9 table 6.2.

73. THE CHAIR: I'm just seeing if I can find this.

74. MR GEFFEN: It's A8 page 77.

75. THE CHAIR: Does it have a number after the A8?

76. MR GEFFEN: A8 (77). So this is a table of which I expect to find something very similar in the new Department for Transport guidance which gives advice to highway authorities on what kind of cycle provision is appropriate for roads with different volumes and speeds of traffic. So it's basically setting out that on 40 mph, if you go to the bottom line of the table, on the bottom level of the table you basically need cycle tracks of some kind of segregation for any road with a speed limit of 40 mph or over. What happens towards the top left of the table is with lower volumes and lower speeds of traffic it's perfectly possible for cyclists to share roads, which is self-evident, but if you're going to expect not just confident cyclists but children, older cyclists, you know, to make cycling a normal act for people of all ages and abilities, then adequate space is needed. The faster and busier the road the greater the need for separation and if this is going to be a 60 mph road with a considerable volume of traffic approaching, particularly if there's going to be lorries using it...

77. THE CHAIR: Thank you.

78. MR GEFFEN: I think I'll leave it at that. As I say, I would like to be able to discuss the – make sure that we've got other sites right in accordance with the design guidance. But if we get HS2's technical design guidance right in line with the new guidance the Department for Transport has just released, then hopefully other things will then fall into place.

79. THE CHAIR: Yes. Well, I'm going to adjourn the proceedings for five minutes just to give everybody a brief rest and then we'll come back to you, Mr Mould, for your reply. So it's 11.20 now. 11.25 we'll resume. Thank you.

*Sitting suspended*

*On resuming –*

80. MR ROGER GREEN: I'm assuming we're now recording. Yes, okay.

81. THE CHAIR: Yes. Everybody's present so we're ongoing.

MR ROGER GREEN: Okay, fine. If I may just make one reference to some supporting evidence for a point that I made earlier, this is again in our exhibit 9. You have reference A8 (66). So it's a few pages earlier than what I was mentioning just before the break. Again from the Welsh active travel design guidance and it bears out the point I was making about the need to avoid carriageway widths of 7.3 metres. It describes that effectively a carriageway lane that cyclists are expected to share should either be below 3.2 – I'm looking at paragraph 4.18.3, if everyone's with me, lane width should either be below 3.2 metres on a fairly low speed road with reasonably light traffic so that drivers stay behind the cyclists or more than 3.9 metres so that there's plenty of space for them to overtake safely. Lane widths in the range 3.2 to 3.9 should be avoided because that creates conditions – where drivers on any road that drivers can't pull out into the opposite lane to overtake a cyclist it creates the conditions which tempts drivers to close pass cyclists. And the reason I mentioned the Highway Code earlier is because one of the rules in the new Highway Code that's just going out for consultation is all about rule for drivers to leave at least 1.2 metres of space when overtaking cyclists at speeds less than 30 mph and 2 metres at greater speeds. The trouble with the 7.3-metre carriageway, it makes it incredibly difficult for drivers to do that on any road where there is a steady stream of oncoming traffic. On a lightly traffic road it's okay because

the drivers can still pull out into the opposite lane reasonably quickly; but if the road is even moderately busy and it is difficult to pull out into the opposite lane, then drivers will be tempted to close pass to cyclists, and that creates very, very unpleasant cycling conditions, and yet the 7.3 metre road has been a UK standard for a very long time.

68. But the Welsh guidance has rightly said it has got to go and the idea that we've got to be avoiding the 10.3 meters being obviously two carriageways, which is precisely in that critical range that the Welsh guidance and other design guidance, including the old LTN208, which has now just been superseded, have all been saying this for a very long time, avoid lane widths of two and 3.9 metres. And yet, it was still in the last technical guidance from HS2 that 7.3 was an acceptable lane width for roads shared with cyclists.

69. THE CHAIR: Lord Haselhurst, do you have questions?

70. LORD HASELHURST: Thank you, Lord Chairman. I note also that in 4.18.7 there is a reference to where traffic volumes are low. Again, it would therefore be helpful to know what the situation is in terms of the volume of traffic in that particular location. Thank you.

71. MR GEFFEN: Well, I go back to the table that I referred to just before the break that for a road with a speed limit of over 40 mph needs segregation anyway. I mean, if it was very lightly trafficked then it would be okay, but as the only route across the M6 for a long way around I cannot believe that speeds are going to be light enough that we could – that it would create anything other than very unpleasant and very dangerous cycling conditions.

72. THE CHAIR: Well unless Lord Haselhurst wants to come back, yes please.

73. LORD HASELHURST: Quickly, then the speed limit is the other critical factor is it not in such a situation that one can have a fairly drastic speed limit if in fact traffic volumes are relatively low?

74. MR GEFFEN: That is true. It would be possible in theory. I have no assurance from HS2 that that is what they have in mind. I am assuming that this is proposed to be a 60 mph limit road but if I stand corrected then that would make a difference. But the

wider point is still that these are exactly the sort of details that we need to know. If it is proposed to keep the motor speed and that the traffic volumes are going to be low then we may need less space but I am assuming we are going to need a protected cycle track and the very least we are going to need is a two way cycle on one side of the road.

75. THE CHAIR: Well Mr Geffen, that's your additional point. I can assure you that I will give you an opportunity to reply once Mr Mould has presented his case. So we'll look forward to hearing from you later. So, over to you Mr Mould to present your case please.

### **Response by Mr Mould**

76. MR MOULD QC (DFT): Thank you very much indeed, My Lord. May I just indicate how I would like to respond if it is convenient to you? I'd like to ask Mr Miller just to give evidence, taking you through some of the slides that we have in the pack before you and then, when he has concluded that and answered any questions that may come his way, I wonder if I might just make a few short closing submissions and again, if there are any questions for me I will do my best and try and answer them as well. So, that is how I plan to proceed.

77. THE CHAIR: I think that would be very satisfactory. Mr Miller, when you come to give your evidence can you, from time to time pause a little bit in case there are questions that the Committee would want to put to you?

78. MR MILLER: Yes, I will do two or three slides perhaps and then pause.

79. THE CHAIR: Thank you.

80. MR MOULD QC (DfT): Mr Miller, may we begin with slide P25(10), which is a slide that refers to one of HS2 Limited's promoted information papers, information paper E5, and could you begin by just explaining to the Committee why it is that this slide has been placed in the pack?

81. MR MILLER: Yes, information paper E5 deals with traffic and transport matters and the paragraphs that are included on this particular slide highlight particular aspects of control for construction and design where cyclists are concerned. In fact, it's an extract from that particular section, section 7, which deals with cycling.

82. MR MOULD QC (DfT): And there is a highlighted passage, the first sentence of paragraph 7.3, which reads, ‘the design of cycling infrastructure will be informed by relevant advice and guidance published by the Department for Transport and Highways England.’ Well now we know that overnight the department has published a new design guide and standard, local transport note 1 of 20. Would that fall within the scope of the suite of advice and guidance that is mentioned in paragraph 7.3 of information paper E5?

83. MR MILLER: Yes. The guidance that was published late last night essentially replaces the existing guidance, as Mr Geffen has pointed out. So, like him we’ve got to take some time to absorb its contents and think about how that will then find its way to modify things like information paper E5 and the guidance that we issue alongside that.

84. MR MOULD QC (DfT): And then we read on. There is a sentence that is in the following terms, ‘Due regard will also be given to the applicable aspects of other reference documents, including the Welsh Government’s active travel design guidance in relation to rural roads.’ Mr Geffen has drawn the Committee’s attention to some passages in that document, which are particularly, for example, those pages at A8, 66 and 67 that he showed the Committee a moment ago.

85. Again, what are we to understand as regards HS2 Limited’s general approach? Does it take that kind of information, that kind of guidance into account in formulating its own design guidance and standards, which will in future guide its own contractors who are charged with the construction of the Phase 2A railway?

86. MR MILLER: It does. All of this guidance is referenced in our guide and ultimately beyond getting Royal Assent for Phase 2A, that will have to be taken in through our standards and contractors will have to prepare their detailed plans for consideration by the relevant highways authorities. So, that may include the highways authority, we will perhaps touch on that when we come Yarnfield Lane and also the local highways authority, which I think in the two cases we are talking about today, is Staffordshire.

87. But because it’s guidance it always has to take into account local circumstances. So there are occasions where the approaches to roads and bridges that we are modifying certainly simply aren’t meeting those standards in any case and we will need to look at

that and the local authorities will need to look at that when they are drawing their conclusions about what is finally approved.

88. MR MOULD QC (DfT): On that point, the focus of Mr Geffen's evidence in relation to Yarnfield Lane and the bridges to which we will return in a few moments in a little more detail, is on the engineering structures and the design – whether the Bill limits and the engineering design is able to accommodate the arrangements that he advocated as best practice as it were.

89. But when one is looking at the wider highway network, which may perhaps not directly but indirectly be influenced by HS2 works, are there other tools available to the local highway authority to manage the safe and effective relationship between cyclists and other road users beyond physical interventions in terms of the carriageway, design and the physical width of the highway?

90. MR MILLER: Well, I think there's certainly planning, which takes place where preferences are set out in plans for cycling and making sure that cyclists, in a way, well in fact avoid the existing highways and get them onto safe routes. I think Lord Hope mentioned the tow path alongside the River Trent. And so there are national cycle networks that we'll probably touch on in due course and getting people away from busy roads is an important consideration.

91. MR MOULD QC (DfT): Is that kind of a broader initiative. Is that something which really falls directly within the responsibilities of the promoters of this Bill?

92. MR MILLER: No. I think it's with the local planning authorities, the local planning authorities have got to set out their plan for cycling and I daresay, in the guidance that has taken place overnight, that that sort of cycling provision will be encouraged in the way that I have just described. So the job for HS2 is to look at cycling and ensure that the future is not precluded and I think that's what we're showing in our designs. But the wider cycling network has got to be something for the local authority and the local people to decide upon.

93. MR MOULD QC (DfT): Now, can we turn to slide 25 (11), which is concerned with HS2 Limited's own design guidance and just to set the context; it states that 'HS2 Limited produces and shares guidance documents to raise awareness of good practice in

design and to improve the quality of design activity undertaken by its designers and contractors. It has a role in filling gaps in areas of design not always covered by standards and can help with user or site specific decision making.

94. Compliance with guidance is not a requirement of the design process' and then records that, 'the promoter offered to consult with Cycling UK by sharing for comment the current version of so much of HS2 Limited's internal guidance for the provision of highways specifically addresses the design of highways for the use of cyclists.' And the current version of HS2 Limited's cycle guidance document was shared with the petitioner on 25 February 2020.

95. MR MILLER: Yes.

96. MR MOULD QC (DfT): What I wanted Mr Miller, to do with that introduction is just to ask you to turn to P25, page 24, so P25 (24).

97. MR MILLER: Yes, that's the guidance note.

98. MR MOULD QC (DfT): And if we just flick through that document. It's an extract. We can see that at section four there is a heading 'Cycle Design Principles' and it refers to five key design principles derived from a document entitled 'Designing for Cycle Traffic' CD195, do you see that?

99. MR MILLER: Yes.

100. MR MOULD QC (DfT): And then over the page, those principles are there set out, and then section five is entitled, 'Identifying Scope for Cycling Provision'. And that gives some guidance as to how cycling provision is likely to be taken forward in any given case and then at six, there is a heading 'Key Cycling Design Guidance' and we see there, at 6.2, a reference to local transport note 2/08. And then finally, over the page, there is note in italics, at page 25 (30), which refers to the expectation that that local transport note would be replaced by a new document, and as we know, that has happened with the publication earlier this morning, of Local Transport Note 1 of 20.

101. Against the background of that relatively detailed introduction to the question to you, may I just ask you to deal with this; what is this document telling us about HS2 Limited's approach as nominated undertaker to national guidance, of the kind that was

published earlier this morning, in formulating the detailed design for roads and bridges that are subject to alteration or realignment in order to enable the railway to be built?

102. MR MILLER: Well, what this is doing is setting out a responsible approach to cycling for design. I think it also refers to what happens during construction as well; perhaps we will come onto that in a little while. But generally it is to help designers navigate in different circumstances that they find themselves in and to think about cycling as a key part of HS2's plans, but it's got to be appropriate to local circumstances that they find themselves in and to play into the local plans.

103. MR MOULD QC (DfT): Thank you. I'd like to turn now from general principles, to Yarnfield Lane and the –

104. THE CHAIR: Can I interrupt you Mr Mould? I was just going to say, before you do that I think it is an opportunity for questions from either Committee.

105. MR MOULD QC (DfT): Yes, of course.

106. THE CHAIR: Yes, Lord Liddle.

107. LORD LIDDLE: Could I ask about the degree of prior consultation with the witness, the cycling people that we have heard from this morning about whether they have produced any comments on your guidance? How they think the guidance might be improved and whether you have taken on board their suggestions?

108. MR MILLER: I think the recent engagement has been a little bit few and far between to be honest with you over the last year or so, sorry, Mr Geffen is shaking his head or nodding his head. We have endeavoured to engage and we have provided information but I think that it comes back to his point that we were in a similar position that we were waiting on this guidance.

109. So I think we have, yes, are familiar or we have been familiar with some of the concerns from Cycling UK and we've dealt with that in past occasions and pointed that out in petition response documents and the assurances that Mr Mould has referred to. But I think, more recently that engagement has not taken place but I do think that that is primarily down to the waiting on this guidance, which has come out overnight. I do not know whether Mr Geffen has a view on that either?

110. THE CHAIR: Well we'll give Mr Geffen a chance to reply later in the presentation. Lord Liddle, can I mention that your video is off just now, which means I can't see.

111. LORD LIDDLE: Oh, sorry.

112. THE CHAIR: If you wanted to come in and wave your hand.

113. LORD LIDDLE: My apologies. It's very – yes.

114. THE CHAIR: I can see you now, that's fine, yes it's just helpful because if you do raise your hand. Thank you.

115. MR MILLER: We've certainly shared the guidance with UK Cycling.

116. THE CHAIR: Yes. In that connection, could I ask you about the Cycling and Walking Infrastructure Group of which Cycling UK is a member? Has there been any interaction with that group so far and if not, is it proposed that there would be on the lines of what we see on P25 (11) where it said that the promoter offered to consult with Cycling UK, presumably it's willing to consult with the infrastructure group as well, would that be right?

117. MR MILLER: Yes, indeed and I think that now that the new guidance is in place I think the way it will run is that HS2 will need to look at it in light of its guidance and standards. It will then need to think about that with the department, think about it in terms of what the implications are for local circumstances and whether there is anything that's material that arises from it. And then I think that we are in a position to talk again with Cycling UK and the working group.

118. THE CHAIR: Yes. Thank you. Well Mr Mould, I think you can proceed, thank you.

119. MR MOULD QC (DfT): Yes, I wonder if I might just try and assist you further directly on that point before I go back to Mr Miller. I can certainly tell you in the light of instructions that I have received during the course of the hearing, that as regards P25 (11) the department, the promoter in other words, will be consulting with Cycling UK in relation to the revision of HS2 Limited's cycling guidance document Mr Miller and I

have just been going through in the light of the publication of the new local transport note, 1/20. So that is something that – and we can write to Mr Geffen in order to confirm after this meeting of the Committee.

120. The other point is just to draw your attention to slide P/24 (4), which I think you mentioned a minute ago, My Lord, in relation to the now re-badged Cycling and Walking Infrastructure Group. The focus of that body, as is clear from the assurance that is extracted on that page from the letter of 16 July 2018, is on engagement with that group during the detailed design stage of the proposed scheme. And you can see that although not limited to those matters that are set out in the indented reliance, it is going to cover, it is certainly going to cover those two matters that are there mentioned, the potential to provide cycling access along the broad corridor of the route for the proposed scheme and the potential for cycle proofing of highways be constructed or altered as part of the proposed scheme, particularly with regard to surfacing and gradients.

121. So, that is perhaps one could characterise it this way, as I understand it; that body is intended to provide a measure of external consideration of emerging designs at the more detailed stage, for example, to cover the degree to which that which is being formulated is suitable for the context in which it arises. If it is a rural route, whether the arrangements are suitable for a lightly traffic road, or more heavily traffic road, one could imagine a range of circumstances in which different questions might arise of that kind.

122. But certainly Mr Geffen's body is an obviously very well established representative body of course, for cyclists, over many decades, is seen as an important and valued member of that group. And as you will appreciate, the Secretary of State's position is that where he can engage with representatives of a particular interest as a group, it is more convenient administratively to do so in that way, rather than to engage with, shall we say, four or five or six different people individually. I think that's the thinking behind having a group – a body of that kind that can give assistance at that stage in the emerging process of developing the design of the railway.

123. THE CHAIR: Yes. Thank you.

124. MR MOULD QC (DfT): So Mr Miller, if I may My Lord, Mr Miller, can we just turn to perhaps to some of the specifics and Yarnfield Lane has been a point of specific

interest to the Committee and the presentations today. Can we just turn to P25 (13), and this is really by way of just a reminder, but we see there on that slide do we not, a reference to schedule four of the Bill, to which I drew the Committee's attention earlier and the role of the County Council as local highway authority?

125. MR MILLER: Yes.

126. MR MOULD QC (DfT): And also a reference in fact to a schedule 32, which gives protection to Highways England in its role as strategic highways authority in relation to any works that affect the M6?

127. MR MILLER: That's correct, yes, so the bridge over the M6 will be accounted for, it should be that.

128. MR MOULD QC (DfT): And then, turning to P25 (14) the design of – making provision in the Bill so that the land and the powers for the design of the Yarnfield Lane bridges were sufficient to accommodate the needs of all highway users was a matter that was considered in the proceedings before the Select Committee in the House of Commons wasn't it.

129. MR MILLER: That's correct, yes.

130. MR MOULD QC (DfT): And we've set out on page 25 (14) the promoter's response to the Select Committee's report, which was effectively that the bridge, sufficient width should be given within the powers of the Bill and the Bill limits, that is to say the lands that were subject to control and use for Bill purposes to enable the needs of all users to be safely and appropriately provided for?

131. MR MILLER: Yes, that's correct, yes.

132. MR MOULD QC (DfT): Can we just note the second point made on that slide; in March 2019 there is a reference to a response by Staffordshire County Council to the consultation on additional provision two in the other place. What is your understanding of the County Council's position about wider improvement of cycling facilities along Yarnfield Lane?

133. MR MILLER: As I understand it, it doesn't form part of their plan at the moment

and so where that's got us is a situation, I think it's in the second sentence there that the bridges will have enough width on one, or both sides, to provide a three metre footway or cycleway. So, we're not precluding it through our works but there isn't a wider plan for cycling along Yarnfield Lane. I think they've got plans elsewhere for cycling.

134. MR MOULD QC (DfT): A question arose earlier as to the width of Yarnfield Lane as a highway; are you able to assist on the width of the carriageway?

135. MR MILLER: I can't give you an exact width. I understand it varies along its length and I think there are some parking spaces, sorry, passing spaces along it at a point. So, I'm sorry, I don't have a width of that I'm afraid.

136. MR MOULD QC (DfT): But is it a – what's its essential character as a highway? Is it a minor highway, a major highway, a rural lane?

137. MR MILLER: It's minor, it's more rural in character I would say.

138. MR MOULD QC (DfT): Yes. So that's the position anyhow as far as we know of the highway authority in relation to future plans for that road. Then we turn on to the HS2 designs, which we've looked at already so we don't need to take too much time on that, that's on P25 (15).

139. MR MILLER: Yes.

140. MR MOULD QC (DfT): There was some discussion with Mr Geffen about how the detailed design of the carriageway serving Yarnfield Lane itself, which I think is what he is particularly concerned with, how the design of that highway, that carriageway, might ultimately be resolved through the detailed design stage, and I think he suggested, for example, that it might be suitable to have the carriageway shifted to one side and then have a two-way cycleway as Yarnfield Lane passes either beneath or over the bridge respectively. Is that something that is ruled in or ruled out by the powers of the Bill at this stage in the process?

141. MR MILLER: Well, it's ruled in. So for that final configuration it's subject to some future consideration through the consent and approvals process that you highlighted at the beginning of the day and also that's shown on these slides to variously – we would have to agree that with Highways England for the bridge going over the M6

and Staffordshire County Council is the relevant local highway authority for the underpass then.

142. MR MOULD QC (DfT): There was perhaps at least an implication in what Mr Geffen was saying that he would like to see details of that kind resolved now. So, for example, a clear steer that that would be the design that would be resolved upon for the purposes of this element of the scheme. Do you want to say anything about whether that would be a prudent approach to resolving detailed design matters of that kind? To do so in the context of the proceedings on the Bill?

143. MR MILLER: My view on that is that it should be left over to the relevant highways authorities. We don't know what those plans might look like following on from the announcements that we had overnight about cycling and indeed whether the local planning authority or the relevant highways authorities may wish to reflect on that bearing in mind that there is, I believe, also some money associated with further provision for cycling. So, I would say it shouldn't be concluded in these proceedings.

144. These proceedings are looking at the scheme in an outline design kind of fashion. The detail is yet to come and the provisions within the Act, our guidance, are pointing to that to be decided locally. So, I would say it shouldn't be decided upon now but let the relevant highways authorities make their mind up in due course. If that takes into account changing circumstances then probably all the better.

145. MR MOULD QC (DfT): And a few minutes ago I touched on the role of the Cycling and Walking Infrastructure Group of which Cycling UK is a member. You may want to remind yourself of P25 (4) and the slide which just summarises the role of that body as a body that the Secretary of State requires a nominated undertaker to engage with at the detailed design stage. Can you help the Committee, as a matter of principle; is it your understanding, or what is your understanding as to whether that body would be invited to offer comments on matters such as, for example, the emerging detail design of Yarnfield Lane in the context of the design of the overbridge and underbridge that we were looking at a moment ago.

146. MR MILLER: Yes. They obviously have a role to play at a future date and this is pointing to the detail design point.

147. MR MOULD QC (DfT): So, this isn't the final chance is the point for...

148. MR MILLER: Yes, that is right.

149. MR MOULD QC (DfT): Okay.

150. MR MILLER: Yes, so others will be engaged with the detailed design and those members of that group will have an opportunity, a further opportunity at a later stage.

151. MR MOULD QC (DfT): Can we turn back to P25 (16). I don't think we need to do more than note this in the sequence because Lord Haselhurst has already raised the question of the timing of the traffic surveys that are the subject of the assurance. Unless there is anything else you want to say about that we can move on I think.

152. MR MILLER: No. I think this is something which is still further to come.

153. MR MOULD QC (DfT): And can we then just turn to the construction phase, which is the subject of slides 25 (17) and 25 (18)? Mr Geffen referred to the need to ensure that cyclists using Yarnfield Lane were able to do so safely, whilst there was an increase in traffic associated with HS2 construction in that area. First of all, what arrangements does the project have in conjunction with the local highway authorities for the management of traffic, both generally and locally whilst the construction of the railways is being undertaken?

154. MR MILLER: Well, there are provisions under the code of construction practice for a traffic management plan, which will need to be formulated as the detailed design is progressed with our contractors and that will be shared with relevant parties, local planning authority and so forth, those who have got interests in this to make sure that those plans come forward in a safe fashion. I can't second guess exactly what will happen on those roads but there is a sequencing matter I think we could perhaps highlight.

155. But yes, there will be safe provisions for cyclists as the works are actually built and no doubt that will have to be reconfigured in a number of different ways through the course of the construction works because of its complexity and its location. So I think that just on the detail at Yarnfield Lane, initially we will need to use that road to provide access to the construction site.

156. But once the construction site is made we then get on with getting the main haulage access via the M6. So, the idea of that is to really take the bulk of the traffic away from the local roads. That in itself will have a beneficial effect on the traffic and safety of people using the road, including the cyclists.

157. And now I say when it comes to producing the underpass, creating a new overbridge for the M6 we will retain the existing Yarnfield overbridge for construction purposes so there will be a degree of segregation there, that those plans, even now, look as though they could be made to work very safely for all road users, including cyclists on that road.

158. MR MOULD QC (DfT): And the slides, 17 and 18, I think refer to relevant assurances. My Lord, for your note, the statement that is extracted from the letter from 21 October 2019, which is set out on page 25 (17) you will find that extracted passage in the letter at P25 (42) and the assurances offered to Staffordshire County Council, which are shown on P25 (18), you will find the letter of assurance to Staffordshire at P25 (46) and the relevant assurance is at P25 (51).

159. THE CHAIR: P25 (51), I'm just spotting it at 51.

160. MR MOULD QC (DfT): Yes. I think it's at the top of the page, page 51, yes, under the heading 'M6 slips. Put in place as early as practicable and maximise use to reduce use of Yarnfield Lane.' On P25 (51).

161. THE CHAIR: The assurance is in italics, am I right in thinking?

162. MR MOULD QC (DfT): That's right, Yes, yes.

163. THE CHAIR: Yes, thank you.

164. MR MOULD QC (DfT): As I am sure you and your colleagues have already picked up from your reading, the use of Yarnfield Lane for HS2 construction traffic has been one of the more controversial aspects of the scheme throughout the Parliamentary proceedings on this Bill. It is a road that provides, as the name implies, it is a road that provides the usual link between the village of Yarnfield to the west of the M6, and Stone, which is the town that lies to the east of the M6 and obviously, those who use that road habitually are concerned about the possibility of large quantities of

construction traffic sharing that road for quite a considerable period of time.

165. So, the Bill, in its initial terms, proposed that there should be temporary slip roads constructed on the M6 to serve both the north and southbound carriageways and so that once those slips had come into operation early in the construction of the railway, that the vast majority of HS2 construction traffic could come starting into and out of the work sites at that location from the motorway itself. There are also limited powers under the Bill to make some widening of Yarnfield Lane, but that is something that is designed to be sensitive to the rural character of the road itself.

166. And then, in the additional provisions that were promoted as part of what I think you know as AP2, some improvements were made to the junction of the A34 and Yarnfield Lane in the northern part of Stone, the junction known as the Filly Brook's, that was in response to concerns of the highways authority that the traffic turning through that junction, particularly HS2 construction traffic, justified some improvements to that junction on highway grounds, so they are now part of the Bill, having been incorporated under AP2.

167. But the broad point is that the construction traffic using Yarnfield Lane largely will be limited to the first year or so of construction and although there will be HS2 construction traffic using Yarnfield Lane after the slips come into operation, it will be at a much lower level, and we are talking about a relatively residual, various vehicles that need to get access to the work sites through the highway gate as it were, for some limited purposes and staff traffic and that kind of thing.

168. THE CHAIR: Yes.

169. MR MOULD QC (DfT): So, that's a broad overview of the traffic arrangements. We may come back to these in more detail when you come to hear later petitions, but I hope that's of some assistance in the context of this petition.

170. THE CHAIR: Yes. Now, are we leaving Yarnfield Lane now because I will ask the Committee whether they have any questions before we crack on.

171. MR MOULD QC (DfT): Yes.

172. THE CHAIR: Any questions? No. I think we're satisfied and you could proceed

to the next stage.

173. MR MOULD QC (DfT): In that case Mr Miller, thank you very much indeed. In that case Mr Miller, perhaps we will just turn very briefly indeed I hope to the final topic, which is the junction of the A34 and the A51, just to the south of Stone. We can see that junction on P25 (21).

174. MR MILLER: Yes.

175. MR MOULD QC (DfT): This is a junction that is the subject of some alteration under the powers of the Bill following the amendments made by AP2 isn't it.

176. MR MILLER: Yes, there is a slip arrangement in here to aid the junction whilst we're building.

177. MR MOULD QC (DfT): And it's right to say, again, by way of context, that during the hearings before the Select Committee in the other place, there was some discussion as to whether a controlled pedestrian crossing should be provided to enable pedestrians to get across the A51, which is the road on the plan that we have in front of us, which has the box with A5 in it, do you see that?

178. MR MILLER: Yes.

179. MR MOULD QC (DfT): That is the road coming in from the east as it were, that is the A51. And the promoter has indicated that it will seek to make arrangement for such a crossing as part of the scheme. Assuming that a controlled crossing can be introduced, is that a crossing that could be used by cyclists if they wished to, if they were travelling along the A34 or the A51 at that point?

180. MR MILLER: Yes, they could. I think they would have to get off their cycles though to get across the road.

181. MR MOULD QC (DfT): Yes.

182. MR MILLER: But yes.

183. MR MOULD QC (DfT): But the bigger point is the point I think that was mentioned earlier, that there is actually a national cycle network route isn't there in the

vicinity, national cycle network number five.

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

185. MR MOULD QC (DfT): If we turn to P25 (22), the next page, we can see that that route is shown. It's a little complicated but if we just begin at the bottom of the plan, so to the south effectively, there is a box, which includes the words 'location of PROW survey' do you see that?

186. MR MILLER: Yes that's in the Marston area, yes.

187. MR MOULD QC (DfT): Yes. And then the cycle network route itself, is that the dark blue route that is shown wending its way northwards in a rather meandering fashion until it eventually arrives at the A34, which is the highway running north south through the middle of the plan?

188. MR MILLER: It is yes. Yes, so that is the safe cycle route following a rural kind of aspect and you can see there on the blue route itself it bellows out on this plan but then it comes back into the A34. You can see where it goes south to north on this plan, where it's marked in orange.

189. MR MOULD QC (DfT): Yes.

190. MR MILLER: The other box, which says, 'National Cycle Network Route 5'. And alongside that A-road there is a segregated path, which enables cycling and walking alongside that road. It takes you all the way up to – you can just see it at the top there, hopefully you can see it, it says Little Stoke up there. And just before you get to the A34, A51 junction, which has just been – what we have just highlighted, that then sort of doglegs, goes to the right on this plan, on that blue plan, it gets down to place called Aston Bridge and then you get onto the towpath of the Trent and Mersey canal. And then that's the route, which you take into Stone, or the preferred safe cycle route going into Stone.

191. I think there's an earlier slide which shows yes, the overall sort of – sorry, it's P25 (19). And you can see what I was just pointing to, Little Stoke just to the bottom right hand side of that diagram and you can see a sort of bright green route, which just shows that where it doglegs and then goes into Little Stoke and then up through to Stone and

then beyond. So yes, it's quite a long distance network really, cycleway. So that's how you connect up and that is the preferred local cycle route, which maintains safety for cyclists, keeps them away from the road essentially.

192. MR MOULD QC (DfT): Thank you and if we turn to slide 23, which I think is the final slide reference that we need to look at, P25 (23).

193. MR MILLER: Sorry yes, yes.

194. MR MOULD QC (DfT): You have set this in the context of Stafford Borough's integrated transport strategy 20 (13) to (31).

195. MR MILLER: That's right. Their overall approach to cycling is set out here and if you look at the key it says 'complete the national cycle at NCN5'. Their plan is to get that route in place so that that applies to the effective route to cycling and of course it is going along the local roads, it's segregated alongside the A-road, as I just described and then gets onto the towpath of the canal. I think everyone can see that that is a safe way of helping cyclists to realise their journeys.

196. MR MOULD QC (DfT): Thank you.

197. THE CHAIR: I note a sentence on P25 (23) making the point that because of what you have been describing there is no need to provide cycling improvements at the junction itself, that's the A34, A51 junction.

198. MR MILLER: Yes, that's right. There's no particular need for assisting that. I take Mr Geffen's point that you may have people who will want to do that cycle route but you can see quite clearly here that there is a preference locally for the ultimate segregation of cycling away from busy roads, and in my view that's clearly got to be a good thing for local people who want to use that active form of transport.

199. THE CHAIR: Yes. Thank you.

200. MR MOULD QC (DfT): My Lord, those were all the points that I wished Mr Miller to deal with, so I don't know if there are any questions arising?

201. THE CHAIR: No, I don't think so. Well, thank you very much, Mr Mould. Can we come back to you, Mr Geffen?

202. MR MOULD QC (DfT): I am so sorry; I wonder if I might just make one or two very brief points just in closing our case.

203. THE CHAIR: Yes, of course, yes.

204. MR MOULD QC (DfT): If is convenient to you. It was simply this; the petitioner has really raised four points. The first two are concerned with the approach to design and the second two are concerned with particular locations. So far as the first two points are concerned, what I hope we have at least succeeded in making clear to you and your Committee is that the promoter of this Bill does seek to take proper account of national standards and guidance in relation to the design of highways and to ensure that appropriate arrangements are made to accommodate the needs of cyclists. And where engineering, particular engineering structures are provided as part of the railway scheme, such as bridges; that appropriate provision is made within the design and the Bill powers to provide an element of future proofing if you will and the Yarnfield Lane bridge is a good example of that.

205. But the promoter does consider that it's important not to imagine that one size fits all if you will, in relation to these matters. This is a railway Bill, it's not a highway Bill and the need to make changes to the existing highway only arises where in order to construct the railway its necessary to accommodate the point at which railway and highway meet if you will.

206. And that is why it's important that both the Bill in schedule four, in clause three, and also the approach more generally in terms of design guidance, the approach of the promoter of this Bill is to defer appropriately to the expertise, experience and powers of the local and strategic highway authorities.

207. It's right that they ultimately should have the power to make reasonable decisions about the design and provision of highways, which are authorised under this Bill and to ensure that the needs of all users, including cyclists, of course, is an important component and increasingly a valued and important component of highway users are accommodated.

208. We will write to Mr Geffen and just reassure him that the just published guidance will be brought into account as part of HS2's own standards in an appropriate way and

he will have the opportunity to review what is proposed and to offer comments where he thinks they are appropriate. We can lodge that letter with the Committee if you would find that helpful for your records.

209. Turning to the two detailed points, I don't think I need to say more about Yarnfield Lane really. The short point is that arrangements are made under the terms of the Bill, as you have seen, to allow an appropriate design with future proofing at the Yarnfield Lane bridge locations and to allow the detailed design process to take its course under the ultimate scrutiny of the local highway authority and the strategic authority, under the terms of clause three and schedule four.

210. And insofar as the location of the junction to the south of Stone; as Mr Miller has just explained, the strategy of the highway authority is very much to try and encourage cyclists to use the safer national cycle network route away from that busy junction and busy road, and HS2's approach is to follow that approach. Those are my brief closing remarks; unless there is anything else I can help you with, I shall say no more.

211. THE CHAIR: Well, I think we would appreciate the lodging of the letter when it has been prepared please so that we can see exactly what you have said to Cycling UK and Mr Miller, can I thank you very much for your evidence.

212. MR MILLER: Thank you.

213. THE CHAIR: Well, Mr Geffen, it is over to you now to respond briefly to what we have been hearing.

214. MR GEFFEN: Thank you Your Lordship, thank you and firstly may I thank Mr Mould for the assurance, well sorry assurance is the wrong word, you know what I mean, for the reassurance that we will – that HS2 Limited will discuss with us how to incorporate the new design guidance into HS2's own technical guidance.

215. The question did come up, has there been liaison? I accept Mr Miller's point that part of the reason why we've not had good dialogue is we've both – both our organisation and HS2 have been in this waiting game for new design guidance for quite a while. There was a history of a lack of engagement even before that, it must be said, and I therefore – this is why I just want to make sure now that we get this right.

216. It was a long time before we were waiting for the guidance that an opportunity to consult with the Cycle Briefing Working Group on the first version of HS2's technical guidance was missed. We only found out about it a year after it had been published and even revised twice, so there was history of not consulting with Cycling UK or the Cycle Briefing Working Group before we got into this long waiting game for the guidance that's only just come out. I hope we can now remedy that in how we conduct that.

217. And separately, that we can make sure that not only does it reference the new guidance but all inconsistencies with the new guidance are eliminated, not just in the technical note bits but specifically where it relates to cycling infrastructure but to carriageway widths more generally to pick up that point about 7.3 metre carriageways. So we need to be able to see some of the rest of the guidance and the rest of the technical highway guidance too as I said, just the bits that relate to cycling, which have been shared more recently.

218. But yes, for all that Mr Mould pointed to documents that were shared with us on 25 February, it was only an extract; we didn't get to see the bits about 7.3 metre carriageways and so on. I hope we can have that conversation now to make sure that all of those details are sorted out.

219. As regards Yarnfield Lane, I understand the point that it's probably not appropriate to set in absolute stone that this is exactly how the design will be. I think we need to know that there is a detailed design that can work that takes account of the provision of barriers, that works during the construction phases, during as well as at the end result and that connects with the wider network as well, a link in a cycle network is only as good as its weakest components and the junctions at both ends of the link also need to be in place, but as I say, particularly we need to make sure that it works during the construction phase as well as at the end result.

220. One thing about the bridge across the M6, we haven't said very much about Highways England's cycling structure design. We've mentioned it, we've made reference during these discussions, to CG195 as another of the good practice design guidance. That is Highways England's own cycling structure design. Yes, they, for their part, will need to be assured that the provision made for cycling across the M6 complies with their guidance and it would be good to know that the width that is built

into the Bill allows for a design that is compliant with their guidance. So I want to suggest that we have that discussion as well to make sure that we've got all of these things agreed and sorted within the timescales that this meeting is considering the Bill.

221. So, just on the timescale point, it has been mentioned that the Cycling and Walking Infrastructure Group, now that the new guidance is out, there is a very large backlog of work to do. I am going to need to just liaise with HS2 to make sure we probably need a dedicated session specifically on HS2-related work as well as all of the other things that are going to be on that Group's agenda.

222. What are the timescales in which we would need – I would like to ask, if I may, what are the timescales in which we need to do that to be confident that we have got everything in place so that hopefully we can relay back to this Committee that everything has been agreed, or failing that that I have the opportunity to come back should I feel that that is – to ask to come back should I feel the need to do so. If I can just seek clarification on the timescales and then perhaps I will just ask that question and I will just wrap up with some comments about Yarnfield Lane and the roundabout.

223. THE CHAIR: Yes. That's a perfectly proper question. The position is that we will be adjourning during the summer recess until the first week in September; we will be sitting for two days in that week and we will be sitting the following two weeks as well. It is anticipated that the hearings will conclude at the end of that third week in September. I must say, if you have any points to raise, you should be in a position to raise them with us before the third week in September begins, if I can give that as a target for you and then, if we do need to come back or you need to come back to us we would be able to fit you in then. It is possible that we can have hearings at the very end of September as well if we need to; but the present plan is to conclude at the end of the third week. Is that enough guidance for the time being?

224. MR GEFFEN: Thank you. I will need to liaise with HS2 and with the department and indeed I suspect with Highways England to make sure we have at least an agreed plan whether we test at this point but we know that something can work within the space that you are providing or that if need be that we come back and talk about whether more space is needed in order to comply with Highways England's standards as well as the DfT's.

225. THE CHAIR: Yes. Mr Mould I think was wanting to make a comment.

226. MR MOULD QC (DfT): It was simply this: Your Lordships have heard a fairly full exposition of the position of Mr Geffen and indeed the response I hope, from the promoter. I would very much hope that if there is a need, if either party feels the need to report back to the Committee, in the light of discussions that that can be done in writing rather than the need to have a further appearance. I simply put down that marker. I'm sure that that would be, in principle, that would be a preferable way to proceed, particularly in the current circumstances.

227. THE CHAIR: Well I think we appreciate that point very much. The only thing that we have at the back of our mind is the appearance, at the very late stage, of the document LTN/1/20.

228. MR MOULD QC (DfT): Of course

229. THE CHAIR: Which obviously does need to be studied by everybody to see exactly what it brings to bear on the issues we've been discussing. But if it's possible to deal with it all in writing we would be delighted.

230. MR MOULD QC (DfT): Thank you very much.

231. THE CHAIR: We have to hold the door open, if necessary, as a last resort, for a further appearance, which I would hope be very short, indeed if it comes to that.

232. MR MOULD QC (DfT): I entirely understand. I am grateful.

233. MR GEFFEN: Likewise, thank you very much Chairman. If I can just briefly on the – well I think I've probably said what needs to be said about Yarnfield Lane. If I may just briefly, on the A34, A51 junctions, I was somewhat perturbed by the reference – there was a possibility that the pedestrian crossing at that junction with the – is a Toucan crossing. We have a menagerie of crossing types, there's Zebra's, Pelicans, Toucans. Toucans are a crossing that can be shared by both cyclists and pedestrians so the possibility of a Toucan crossing at that point is something that I hope we will get to consider.

234. The idea that cyclists might have to get off would not comply with the design

guidance, so I hope we can find a more satisfactory solution than a crossing that cyclists would be required to dismount. I am pretty sure that the new guidance will say a cyclists dismount road sign is a sign that should be avoided, certainly the London cycling sign standards say that and I am pretty sure the new design standards will say that too. So I hope we can come up with a better crossing there.

235. We're going to look at the Sustrans route; that may well indeed be a more satisfactory route for many directions. I just refer back to my earlier point about the need to make sure that it works for all possible directions that cyclists might need to go in, not just from A to B but from C to D, wherever C and D might be.

236. And the other thing is that it needs – if we're going to rely on an off-road route then if it's going to work for people to make day to day journeys, including school pupils whatever, then it needs to be lit and surfaced to standards that make it usable in all weathers and at all times of year, which is often a shortcoming of the sort of off-road national cycle network route. In fact Sustrans is the modus for the National Walk and Cycle Network ditching parts of the network because they themselves have recognised that too much of it is not up to standard in various ways, and some of it is down to poor servicing and lighting. So, I hope that we can make sure that whatever is done using an NCN route is adequately lit and surfaced. I'm not entirely sure how that splits between HS2 Limited's responsibilities and the County Council. But from our point of view, as the user organisation, that's something else that we want to be sure is in place.

237. THE CHAIR: Mr Mould, any comment?

238. MR MOULD QC (DfT): Just in case there is any misunderstanding of the division of responsibilities on that; the Bill does not propose any works to the national cycle network route at all, it's not a responsibility of HS2 or the nominated undertaker; that would be a matter which would be entirely within the remit of the local highway authority. So I think Mr Geffen would need to direct his points to Staffordshire in that respect.

239. THE CHAIR: Thank you very much.

240. MR GEFFEN: Well that makes it all the more important then, that we get a good cycle crossing as well as a pedestrian crossing at the A34, A51 junction. That's all I

need to say at this point.

241. THE CHAIR: Well thank you very much Mr Geffen, and thank you too Mr Mould. The Committee will adjourn now. The next public meeting will be at 2.00 p.m. so at this point I'm going to close down the broadcast and we'll resume at 2.00 p.m. Thank you.

242. MR MOULD: Thank you.