

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Wednesday, 29 July 2020 (Morning)

Virtual proceeding

PRESENT:

Lord Hope of Craighead (Chair)

Lord Brabazon of Tara

Lord Goddard of Stockport

Lord Haselhurst

Lord Horam

Lord Liddle

Lord Snape

IN ATTENDANCE:

Timothy Mould QC, Lead Counsel, Department for Transport

James Strachan QC, Counsel, Department for Transport

Jacqueline Lean, Counsel, Department for Transport

WITNESSES:

Rupert Thornely-Taylor, Rupert Taylor Ltd, acoustics and vibration expert

Cllr Nicola Woodhouse

Cllr Sue Haenelt

IN PUBLIC SESSION

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(At 10.30 a.m.)

1. THE CHAIR: Good morning, everybody. This is a resumed hearing by the House of Lords Select Committee on the HS2 (West Midlands – Crewe) Bill. Today we are going to be considering a petition by Ingestre with Tixall Parish Council. There are one or two things I need to say before we go into the discussion on the matters raised by that petition. First of all, 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.

2. As far as possible we will follow a predetermined order of speaking as set out in my brief which has been shared with 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 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. Participants should have the exhibit bundles open and available. For this session, that is bundle A9, P27 and R48. We will navigate the documents using the numbers in the bottom left corner of each page.

3. We shall now begin. Before I come to today's petition, there is a matter of general interest with which I must deal and this is the question of additional provisions. It's a matter which does affect today's petition but also a number which we have yet to hear. We've been asked to give a ruling on how we propose to deal with additional provisions and I'm now going to read out what that ruling is.

4. The Committee has been asked to give a ruling about additional provisions for the guidance of all parties appearing before it in these proceedings. As Lord Walker of Gestingthorpe explained when he was delivering a ruling on this issue by the House of Lords Select Committee on the High Speed Rail (London – West Midlands) Bill, the expression, 'additional provision', has a technical meaning in relation to private bills. It refers to an amendment giving to the bill's promoter powers which go beyond the scope of the original proposals and which may potentially have adverse direct and special

effects on particular individuals or bodies over and above any effects on the general public.

5. The question that this Committee has to decide is whether it has power in the case of this hybrid bill to consider, and indeed should consider, matters of that kind which have not been the subject of an instruction from the House of Lords. Two additional provisions were submitted and considered by the House of Commons. Under the rules governing private bill procedures in this House, the introduction of additional provisions is expressly forbidden. Paragraph 2 of Standing Order 73 of the House of Lords Standing Orders Relating to Private Business states that no such provisions should be received in the case of a bill brought from the House of Commons. Paragraph 9.24 of the Companion to Standing Orders and Guide to Proceedings in the House of Lords 25th Edition 2017 is to the same effect.

6. The bill with which this Committee is dealing is a hybrid bill and the standing orders say nothing about hybrid bills. Reference was, however, made in the discussion before Lord Walker's Committee to passages in Erskine May's 24th Edition of 2011 at pages 947 and 985. See now pages 116 and 776 of the 25th Edition 2017 which make it clear that the practice in relation to hybrid bills precludes additional provisions in the House of Lords; it is the second chamber. That applies here as we are sitting in the second house. Hybrid bills are invariably first introduced in the House of Commons.

7. It was pointed out in the hearing on this issue by Lord Walker's Committee that simply as a matter of timing an instruction may be given by the House of Lords in the case of a hybrid bill, not only immediately after the second reading debate, but also on a later occasion. But as Lord Walker noted in his ruling, for the House of Lords to give an instruction for an additional provision to be included in the bill would be contrary to well settled practice. As he said, a hybrid bill adversely affects many interests and fairness requires that those affected should have the opportunity of presenting petitions against the bill in both houses of parliament. Those adversely affected by an additional provision ordered in the House of Lords as the second house would be denying that opportunity in the Commons as the first house unless the bill were to be returned to a Select Committee of the House of Commons with all the delays and additional expense that this would give rise to. As a matter of practical reality, almost every additional provision which solves or mitigates difficulties for one group of residents along the line

raises new difficulties for another group. That is why petitions against additional provisions are permitted and why parliamentary practice regards it as unfair for additional provisions to be introduced in the House of Lords as the second house.

8. As what we see in the very unlikely event of our receiving an appropriate instruction from the House, we will of course hear all relevant evidence and submissions and any petitions against the additional provision but it would be fanciful to suppose that at this late stage any such instruction will be given. It would be a waste of time and resources for us to hear evidence and submissions in support of an application for an additional provision that has not been considered in the other house. So we decided to follow the precedent set by the ruling made by Lord Walker's Committee; any applications of that kind will not be admitted in these proceedings.

9. We are aware that certain petitioners have suggested that changes similar to those that might be made by additional provision might instead be effected through an order under the Transport and Works Act 1992; that would involve a process which is separate from the parliamentary process on this Bill, and it is highly unlikely that we could be persuaded that there was any recommendation that we could, or should, make in respect of such an order. That is the end of our ruling.

10. Now we come to today's petition and perhaps I could make it clear at the outset that our advertised closing time is 1 p.m., so I hope the parties will be able to respect the timing of the hearing today to be sure that we are able to finish fairly promptly at 1 p.m. in the interests particularly of the broadcasters who are looking after us and making these proceedings in this virtual way possible.

11. So first, Mr Mould, I would ask you to open proceedings on this petition.

12. MR MOULD QC (DfT): Thank you very much indeed, My Lord. You are to hear the petition of Ingestre with Tixall Parish Council. The petition itself is in your documentation at R48(1) through to (7). There is a written promoter's response document which begins at R48(8) and runs on to page R48(34). This petitioner appeared in the course of the Select Committee proceedings in the other place with, firstly, petition 110 against the Bill, and then petition AP2-21 against the second set of additional provisions. And they were heard by the Committee in the other place on 15 May 2018 on their initial and on 8 May 2019 in relation to their petition against the

additional provisions.

13. Paragraphs 85 and 86 of the Third Special Report of the Select Committee of the House of Commons addressed briefly some of the issues raised by their petitions in the other place. I think the only other thing I need to do by way of opening is just simply to invite you to turn up exhibit P27(1), P27(1), which is an ordnance survey map base. And you'll see that the administrative area of the Ingestre with Tixall Parish Council is shown with the red lines. The Ingestre Parish Council is the area - the plan is orientated so that north is effectively to the left – so the Ingestre Parish Council area is the area shown in the red line to the east and the Tixall Parish Council area, the larger area, shown to the west. And you can see the line of the HS2 Phase 2A railway running across, in a broadly south-north orientation, across the centre of this plan.

14. And I believe that the Committee visited the Ingestre and Tixall area when it went on a visit to the route.

15. THE CHAIR: Yes, we did.

16. MR MOULD QC (DfT): So you'll remember the area; it's an area which is rich with historic assets, some of which I believe the petitioners are going to mention to you in the course of their petition. But if I can just orientate you briefly, if you can look at box F4 on this plan, if that's clear to you, within that box you can see Ingestre Hall. Ingestre Hall is a historic building, listed building, and within the area of Ingestre Hall there is a church, that is Ingestre Church. And there is also, within that although not marked, there is the Home Farm Group. And there are other important buildings in the vicinity of Ingestre Hall; the Orangery is one of them which is a building, and also the Pavilion which is a building, although not marked, which is just to the north of the words, 'The Mounts'. Do you see 'The Mounts' just below Ingestre Hall? There's a historic building known as the Pavilion just to the north of that area of Woodland.

17. Then moving to the west of the line into Tixall, staying in F, but if we go down to F7, do you see there's a notation, 'Gatehouse', just next to the telephone box notation?

18. THE CHAIR: Yes.

19. MR MOULD QC (DfT): That's another historic building, listed building. And

then the group of buildings identified as Tixall Mews is another group of listed buildings within the area. So it's an area which is rich in assets of that kind. You also will have seen, and I should just mention, the Ingestre Park Golf Course and Golf Club. You can see that in F5, the golf course notation is shown with the route of the railway running over the top of it; do you see that? So, at the moment the golf course is located essentially to the left and right and beneath the area where the railway will be constructed.

20. And the other point of reference is perhaps just to show you one or two of the highways. There is a meandering minor highway which is shown with the yellow notation which runs, broadly speaking, from H6 in a westerly and northerly alignment all the way up to C6; do you see that? That's Tixall Road and at C6, Tixall Road is joined from the south-east by Hanyards Lane; do you see? And then shortly beyond the junction with Hanyards Lane, you see that Tixall Lane meets with a more significant road, a red road; that is Blackheath Road. I think those are the highways that are mentioned in the documents before you.

21. So that is all I wanted to show you and your colleagues by way of opening, just I hope to give some idea of the location. I perhaps ought just to say that, as is clear from the grey shading through which the HS2 route runs, as you will know, that grey shading is intended to indicate the limits of the land which is subject to acquisition and use for the purposes of the Bill. And you'll see that, as we pass through the area of the Ingestre and Tixall Parish Council, those lands are quite extensive. That reflects the fact that there are some significant civil engineering works required here. To the south of the golf course, the main engineering feature is the construction of the Trent North Embankment which, broadly speaking, goes up to the end of that sort of orange notation on the line, just to the south of the golf course flag. And then the line turns green; do you see that?

22. The next stretch up, all the way up to Park Farm at D4, that is the Brancote South Cutting which is a cutting that's intended to get to a depth of about 13 metres, I think, with the embankment sides that will be created on either side of it. And the other thing that I should show you, just for context, is at, broadly speaking, G3 and 4, there's quite a large area of land which is away from the main route of the railway, which is shown grey shaded; it overlays the words, 'Ingestre CP'; do you see that? That's an area of land that's included in the Bill in order to enable the partial reconfiguration of the golf course

so that those holes that are lost to the railway, at the current location of the golf course, they're able to be relocated, reconfigured, so that the golf course incorporates that land on a reconfigured arrangement as it were. And I'm sure you'll be hearing more about that when you resume your hearings in September.

23. THE CHAIR: Could you just explain the colouring along the railway line? There are two viaducts in this particular section.

24. MR MOULD QC (DfT): Yes.

25. THE CHAIR: Are they coloured in any particular way?

26. MR MOULD QC (DfT): Yes, if we move from south to north, you can see that, as we enter this area, we have the green notation; that represents cutting. And then the railway passes along a length of embankment as it passes to the east of the settlement of Great Hayward. And then it goes on viaduct over the Great Hayward Viaduct, which is one of the most significant single civil engineering structures along the Phase 2A route which, as you can see, needs to take the railway over this branch of the West Coast Main Line which you can see running in the sort of easterly alignment through Great Hayward and also, over the River Trent and the Trent and Mersey Canal. So it's got to negotiate each of those existing features.

27. So that's the function of the Great Hayward Viaduct. And then, having passed over the Great Hayward Viaduct, the railway then goes on to the Trent North Embankment, which is the next section of brown notation. Then, as I say, goes into the Brancote North Cutting just at the point of the golf course. And then as it goes further north, at Park Farm at D3, it passes over a shorter section of embankment, and then goes back into cutting as it passes to the north, essentially to the east of Stafford.

28. THE CHAIR: Yes, thank you very much. Can I say, Mr Mould, I don't want to take too much time up in your introduction because I want to give Councillor Woodhouse as much time as possible to present her case. So could you be fairly concise in what you're going to say now?

29. MR MOULD QC (DfT): I've finished.

30. THE CHAIR: You have finished? Good, excellent; that's perfect timing. Well

Councillor Woodhouse, it's over to you. I should explain that because virtual proceedings like this are quite demanding on everybody, I'm proposing to take a short break at about half past eleven, just so that people can have a bit of a rest. So if you'd like to bear that in mind, you'll not be taken too much by surprise.

Ingestre with Tixall Parish Council

Submissions by Mrs Woodhouse

31. MRS WOODHOUSE: Do you want me to start?

32. THE CHAIR: Yes, please. When you're ready.

33. MRS WOODHOUSE: My Lord Chairman, I very much appreciate Mr Mould's introduction and explanation of the features of this area. Ingestre and Tixall are two adjacent small villages with a combined parish council. The population is 340 adults. Both villages are directly and specially affected by HS2's planned route, as Mr Mould has explained. They're both conservation areas in the historic parkland setting of the former Shrewsbury Estate. And myself and Mrs Haenelt and the whole parish council are representing the residents so much affected by the promoter's plans for many years already.

34. A number of assurances have been received over the years, which are appreciated by the parish council, but we have further concerns, or we have concerns in this petition for your consideration. If you'd like to look perhaps at A9(4), that is Ingestre Golf Course, the Hall, the Stables, it shows the layout of the golf course. The parish council hopes that the golf course and the club house will remain in Ingestre as it's an important community facility, local employer, the only licensed premises in both villages, and also the associated footpath that is dependent on the golf club remaining in Ingestre, will be invaluable on very narrow lanes that have no footpaths.

35. We've considered the listed buildings that Mr Mould mentioned. We feel they're heritage assets and designated assets. We are very concerned that, on the promoter's response document at R48, they're described as 'of moderate importance', which I don't think Christopher Wren would like that. I don't know if anybody wants to comment on that, or shall I carry on?

36. THE CHAIR: I think if you carry on, please. Do you have the page at which that comment has been made by the –

37. Page 14, 15. Sorry, R48. Sorry, just one moment. R48(21), at the very bottom of one page and the top of the next page.

38. THE CHAIR: Yes, that's fine, I have that; thank you.

39. MRS WOODHOUSE: Is that all right?

40. THE CHAIR: Yes.

41. MRS WOODHOUSE: I don't know if it's unusual but there are nine officially listed buildings in Ingestre and 15 in Tixall. There's the Gatehouse, the church, both grade I. Ingestre Hall, grade II*, of national, maybe international, importance. They form a beautiful cluster of eight listed buildings in the heart of the former Shrewsbury Estate, located within only 850 metres of the line. I realise that the promoter tends to consider things within 1 km of the line; there are others further away, but we've taken the under 1 km.

42. Page A9(6) illustrates some of the significant buildings which members, I believe, will have seen. They may not have seen the Pavilion belonging to Landmark Trust, but all these buildings have their own websites and things if members want more information. The particular concern to everybody were all these buildings and the fact that they keep together in a cluster because they are the estate as it was designed. The Church of St. Mary The Virgin in Ingestre was built to a design of Sir Christopher Wren, completed in 1676, the only Wren church outside London, featuring Grinling Gibbons' oak carving, Burne-Jones' stained-glass windows. Nicholas Pevsner describes it as 'a room of blissful harmony'. Now we're not negating problems of unusual historical churches, particularly at the moment when we hear the problems of Westminster Abbey having to lay off staff, but we have a huge responsibility as a small village to maintain, to support the people of the parochial church council of this church, to sustain it. It is a regular place of worship and the essential community building for the people of Ingestre. Incidentally, it's not a chapel for the Hall; it's always been a parish church and it's always used for regular worship. Your colleague, Lord Shrewsbury, will confirm that.

43. Ingestre Hall, grade II listed, built in 1613, rebuilt in 1880, has a Capability Brown landscape and is only 350 metres from the line. Even nearer to the line is Ingestre Pavilion, that was a sort of summer house up in the woods, and built in 1752. The Orangery has been very recently fully restored, 400 metres from the line. There also the Old and New Stables blocks, the Home Farm buildings and the Farmhouse, all listed. All these properties are local employers in an area with no public transport and many of the young people in the village are employed in these businesses.

44. If I can go on now to noise and vibration. We're very concerned about the stability and viability of these buildings. We're concerned that they will be jeopardised by the construction and running of the railway. It has not been proved to us as petitioners that the church has any foundations substantial enough to withstand noise and vibration during construction of the railway and the cutting that Mr Mould mentioned. I should perhaps add at this point that, in the original petition that was written a year ago, there was a question of blasting for this cutting. Apparently, that's since been found not to be a concern.

45. If I can go onto A9(10), there's somewhat of a typo here because it's the financial viability of the listed buildings and a liability on the people as residents of these very small villages. There are a lot of students that visit the church, international students at Ingestre Riding Stables, and a lot of training. There are concerts held at the Hall, the Orangery, the church, and they bring in an income and publicity and things. There are very high specialist maintenance costs in these buildings, a huge responsibility.

46. Perhaps at the moment I could ask our witness, Mrs Haenelt, who has collected figures in considerable detail. Would that be appropriate, my Lord Chairman?

47. THE CHAIR: Yes, certainly.

48. MRS HAENELT: Can I say that I have lived in Ingestre and Tixall for my whole life and I'm 69, so if I burst into tears, please forgive me. It is the most special place to live and we are so lucky, and I think the whole community is totally distraught by what we perceive may be the effects, particularly - I'm not personally so much worried by when it's up and running - but the construction period, we believe, that the listed buildings will suffer greatly, not just from noise and vibration but loss of income that we need to sustain these buildings. Mr Mould? No, okay.

49. THE CHAIR: I don't know where these noises come from, but please don't be put off by them.

50. MRS HAENELT: There was a ringing noise.

51. THE CHAIR: Yes.

52. MRS HAENELT: It takes a lot of money to – I'll declare that I am Treasurer and a church warden of Ingestre Church so I do have a particular interest but for a much longer time, I've been a parish councillor for both parishes. When I lived in Tixall, I was their parish councillor; I'm now an Ingestre parish councillor, and I think I've served for about 35 years. Maintaining these, I'll talk initially about the church. We already struggle to maintain an equilibrium in finance. For example, last year's accounts, our income was £12,040; our outgoings were £16,978. 2020 will be much worse because of COVID-19, but that is the same for everybody and all listed buildings will be in a similar position.

53. But just as the village starts to recover from the effects of Coronavirus, we will be having construction. We already have, I believe, it's Murphy's who are doing investigations around moving the gas pipeline over which the line runs. And it's a little lane and we regularly have, at the moment, 15 cars parked down there; it's very hard to get through to see my sister-in-law, but that's another matter.

54. Income from visitors and tourists. I believe I'm not allowed to talk about income from worshippers, so this is over and above what we receive from congregation. We have visitors and tourists, not just from the UK but from all over the world. We have a visitors' book and in that visitors' book we have beautiful comments about the Christopher Wren building from tourists from Japan, Canada, New Zealand, Australia, many from America; from all over the world they come to see this and also a lot of UK visitors. So totally apart from any income from worship, we receive on average over the last years, including tax reclaimed from small Gift Aid, we have on average – well that's a funny average - £1,151.63 per year, coming from tourists and visitors. That does not include a penny from regular churchgoers; those are our visitors.

55. Those are who we fear will not easily be able to access the church, the Hall or any of our buildings, during construction which, I believe, is about we've been told roughly

three years, but may be longer. That is a huge amount of money for us and I personally am terribly concerned about this because I feel that figure of nearly £1,200 will probably be down to a couple of hundred during those three years. And I don't know how we're going to make that up, quite frankly.

56. Nicola, do you want me to say anything else here? I've got figures on weddings, how much we get for each one, but I don't know whether you want me to say any more at this point. My Lord Chairman, would it be possible to send you the evidence so that you can have a close look at it afterwards? Who would I send it to?

57. THE CHAIR: Well, I think you certainly send it by email to an address that our clerk will provide you with; that would be very easily done. I think you're presenting your case extremely well; the detail of the figures doesn't matter quite so much as the overall point you're making about the financial distress that you're expecting to suffer during the construction period because of the fact that tourists will be dissuaded from going anywhere near the church. And I think that point is very clearly made, so the detail of the figures doesn't matter quite so much as the overall picture which you've presented very effectively.

58. MRS HAENELT: Thank you. So shall I hand back to you, Nicola?

59. MRS WOODHOUSE: Okay, okay. Right, the listed buildings also have extensive benefit, obviously, to the area, promoting the history, the heritage, the countryside, and several of them run courses; the riding stables, the Hall. Ingestre Hall has 3,000 children through it in a year and it's the only residential arts establishment now left in Britain for children to stay. Unfortunately, they can't at the moment but it also has weddings and concerts every week. They're also important, all of them, particularly perhaps Tixall Gatehouse, sustaining Staffordshire tourism. And people come, again, from all over the world to these buildings, and we can send you more evidence. We hope that the Select Committee appreciate the dilemma that our parish council is in. If I can move on now to transport issues. Is that all right, My Lord Chairman?

60. THE CHAIR: Yes, please.

61. MRS WOODHOUSE: We appreciate the assurances that have been given already about the crossroads at Hoo Mill and the idea of a temporary, maybe even permanent,

roundabout; it's a very, very dangerous bend. It's 61 degrees at the tightest and there are many accidents. Nobody's been killed there yet but it's frightening and it's not safe for pedestrians. Even adults are frightened of walking from Ingestre to Great Hayward, which is the only place that there are shops. The viaduct will go over this but it's a rather elaborate way of changing the crossroads. Anyway, sorry, the roundabout's welcomed.

62. We've said in our petition that we hope that the promoter can influence and be concerned for the traffic. The construction traffic has to come through these lanes until the haul road is available up the line because of low bridges and things. They are small country lanes. We hope that the Schedule 17 provisions of the Bill will ameliorate the problems. Now just yesterday I had, or we had, many more reassurances about how the promoter will cope with, particularly, the junction of Blackheath Lane and Tixall Road, and Hanyards Lane. It's the main route round the east side of Stafford. I don't know if members are aware, if the M6 is closed, the traffic has to come through the junction that I'm talking about next to the crematorium. And it just clogs; that is without any construction traffic.

63. I know that the PRD documents have said that construction traffic will be kept to a minimum and the effects of it, but already this junction is heavily overloaded without construction traffic. We understand there will be close working with Staffordshire County Council Highways Department, and we'll follow that with great interest and hope we can keep the county moving.

64. Our request is for consideration of all these issues. I don't know if the word is 'compensation' or 'mitigation'. My late husband spent many, many, many years trying to mitigate for this and influence our previous petitions. Ingestre Church had a damaged roof when the lead covering was stolen last summer, July '19, and this was in the original petition. And we now have to find and again my witness can add, if you want the exact details of the £4,500, we have to supply to satisfy the insurance cover by putting a roof alarm on in case the lead's stolen again.

65. THE CHAIR: Mrs Haenelt, you're raising your hand; you wanted to say something in that connection, did you?

66. MRS HAENELT: I've got the exact figures in front of me. Last summer it was

actually not the whole covering of the roof; it was about probably a quarter, if that, I think, was stolen. We were insured, not for the full cost of the lead, but we actually were able to claim about two-thirds of the costs, so we incurred a loss of around £6,000. That was really because the insurance would have covered that loss except because, as Nicola was saying earlier, it's a grade I listed building, it's a Christopher Wren building, so we have to apply to our diocesan architectural committee, which is Lichfield, before we do anything to the church. Even though this was a replacement lead, we had to employ an architect to do full plans and to check all the work which costs us a quarter of the cost of the lead; it was almost £3,000 just in architect's fees.

67. THE CHAIR: Can I just see if I understand how this relates to the proposal that we're considering? This is, I think, all related to the point you're making, that the income which you would normally receive from tourists is crucial to the future of the church. And this is an additional cost which you're having to face which ultimately you would be defraying by income which you would get from these people which you think is going to be reduced, if not denied to you completely. Am I right?

68. MRS HAENELT: Yes, you are right. We have to have an alarm because so much church lead is stolen throughout the country that insurers now demand, as well as having your lead marked with something called SmartWater, which can be detected. Unfortunately most places where people get rid of lead do not look very carefully, so it still gets bought from these thieves. So then insurers, church insurers, decided that we had to have a roof alarm. Unfortunately, we hadn't considered that at the time because we hoped we were remote enough. But now we're in the position, if the lead was stolen again, if the whole of the lead on the church was stolen and we didn't have a roof alarm, it would cost us probably in the realms of £80,000 to £100,000, and we'd only have received £13,000 from the insurers, if we were in this position.

69. They have informed us now, if we fit a roof alarm, we can be fully insured. So we feel we have no choice but to do that in case this happens; it's happened once so it could happen again.

70. THE CHAIR: Yes.

71. MRS HAENELT: And the more visitors we have to Ingestre, the more people realise what there is there to be taken.

72. THE CHAIR: Well I think we have that point. Obviously, it's a very major expense you're having to face. So would you like to continue, Councillor Woodhouse?

73. MRS WOODHOUSE: Thank you, My Lord Chairman. There is that expense and also to maintain, without going into too many details which we can send to you later, to sustain the income is to ask for consideration towards a replacement organ. Now I believe about £80,000, please, if you would be so kind. We understand that on Phase One, at Wendover, because they have a nice church and concerts, the roof was replaced, or an offer to consider the cost of replacing the roof, by the promoter.

74. THE CHAIR: Have you been raising these points with the promoter? There's obviously been discussion going on and assurances being given about a number of things, but have you made these points particularly in your discussions with the promoter?

75. MRS WOODHOUSE: Yes, and the suggestion was, 'Put them in your petition today', which I realise is a slightly different area of concerns that you might be thinking about. Have I mentioned the – yes, sorry – we have, yes. And we've also heard about the two grant bodies, the CEF and the BLEF funds. I don't quite understand why there's £40,000,000 on Phase One, and £5,000,000 on Phase 2A, but no doubt we'll learn later. And I realise it all waits for Royal Assent.

76. I've nearly finished, Mr Chairman, if I may. This petition that we've put here is built upon the previous petitions that you referred to at the beginning. And the extensive work of our colleague, Dr Anne Hardy Andrews, who sadly passed away in April following a long illness. So, the parish council, we have a wonderful new clerk, but we've had to try and pull this together without Anne, and it's a really big struggle. And, in conclusion, Tixall and Ingestre have particular significance for their rich historic and natural environment, landscape beauty and value. The parish council has a duty to protect and sustain this. We do appreciate the establishment of the Trent Sow Parklands Group who will, hopefully, be influencing all this work. Thank you.

77. THE CHAIR: So does that complete your presentation?

78. MRS WOODHOUSE: It does, Mr Chairman.

79. THE CHAIR: Well can I say that, understanding of course the difficulties you've been placed in getting this all together, the written material you have given us is extremely well put together and puts the points very clearly for us, and it does provide really a context for Mr Mould to explain what the promoter is doing to meet your various concerns. So your verbal presentation has been very helpful as well but we certainly have read and will pay close attention to what you've given us in writing.

80. Now what I propose to do is to break for five minutes for you to gather breath, and we'll be coming back to you once we've heard from Mr Mould, with any points you'd like us to consider at the end. So that you have, as it were, a right of final reply. So if you'd like to bear that in mind. We'll break for five minutes, resume at, let's make it 11.30 now because we're 11.24. We're going to close the broadcast now and we'll start again at 11.30.

Sitting suspended

On resuming –

81. THE CHAIR: Mr Mould, can I say in inviting you to present your case that we, of course, are interested in not only what we've heard today from Councillor Woodhouse but also what is in the written petition in much greater detail. We're particularly interested in the assurance that you've been able to give. So if you could bear that in mind in what you're about to say to us, please.

82. MR MOULD (DfT): Yes. What I propose, if it's convenient, is to call Mr Thornely-Taylor in a very few moments just to explain the position with regard to the assessment of the likelihood of noise and vibration effects of any significance during construction of the railway on the valuable historic buildings that have been mentioned to you. He'll answer any questions that arise, obviously. Once we've gone through that process I was going to then just address you myself on the community issues that petitioners have raised. Then briefly touch on traffic. If there are – then I can certainly look briefly at the assurance letters. If there are questions arising from those then obviously I'll do my best to assist on those as well.

83. THE CHAIR: I think that's a very helpful agenda. Yes, thank you very much.

Response by Mr Mould

84. MR MOULD (DfT): So, first of all can I begin with one point which I understand was a source of concern to Mrs Woodhouse. It related to something that was said at page R48(21) of the petition response document. You'll recall that she drew attention paragraph two at the bottom of that page and to the fact that it had attributed a moderate value to heritage assets in Ingestre. If you just look at the very bottom of page 21 and over the page to page 22, you'll see that that attribution of value is in fact to the Ingestre Conservation Area, which is obviously a distinct statutory designation to the listed buildings themselves. It relates to the area rather than the buildings. I am confident from the instructions I have that, for the purposes of undertaking environmental impact assessment, it is reasonable to identify the conservation area as being an asset of moderate value, using the methodology that is deployed.

85. But may I say immediately and unreservedly there can be no issue at all as to the very great value of the church and of the hall as heritage assets in their own right. Your Lordship and others on your Committee will be very familiar with what a Grade I listing connotes. It connotes a very small group of buildings which are considered to be of the highest level of historic and architecture value to the nation. A Grade II* listing is not a great deal lower in terms of value. It is also a relatively small subset of all those buildings that are included on the statutory list. HS2 Ltd and the promoter are in no doubt as to the very great importance that both law, policy and the public interest places on the preservation of those buildings, both for now and for future generations. That is the effect of their listing. There is no issue about that. I hope that will reassure Mrs Woodhouse in relation to that point.

86. That said, may I then, I hope, conveniently call Mr Thornely-Taylor if he is on screen, because I would like him just to explain to the Committee what has been done in relation to assessing the risks of impact on those buildings in terms of ground borne noise and vibration. Also to explain his judgement as to whether that risk is one that is to any degree significant.

87. THE CHAIR: Yes.

88. MR MOULD QC (DfT): So Mr Thornely-Taylor, would it be helpful if the Committee were to have open in front of them a plan which is at P27(6)?

89. MR THORNELY-TAYLOR: Yes, it would. I will – yes.

90. MR MOULD QC (DfT): Perhaps you would just remind the Committee of what sequence of plans this forms part of.

91. MR THORNELY-TAYLOR: This is the plan for operational noise. It shows, as I explained in the explanation I gave last week, a number of things, primarily in terms of the observed adverse effect levels from operation. I explained the lowest observed adverse effect level and then the significant observed adverse effect level. We see Ingestre and the listed buildings towards the top left of the 27(6). And as far as the operational noise in terms of LAQ, they are outside the grey contour. There are some buildings that do get a little box around them to indicate that maximum noise level take them just above low. That does mean that the contractor will be required to mitigate and minimise operational noise.

92. The other thing which we see are the dotted lines, which indicate the study area, so to speak. This isn't a plan showing vibration effects. If I could mention vibration from operation because the petitioners have drawn attention to the vulnerability of the listed buildings to potential vibration damage. Operational vibration will be well below significant thresholds for vulnerable buildings, and there is no concern that in the operational phase either the church or Ingestre Hall would be at risk of a vibration effect.

93. THE CHAIR: Can I interrupt you there please? In your presentation on noise you told us something about how vibration itself can create noise effects, but I think the concern that has been expressed is not the noise effect so much as the physical shaking that vibration would give rise to. And in that connection, does the nature of the ground conditions, the sandstone underneath, have something to bear about the transmission of physical vibration effects?

94. MR THORNELY-TAYLOR: It does indeed, My Lord. At the distances concerned, there would be no physical vibration effects regardless of the underlying soil structure. Here we have our latest information from the geotechnical investigation is that what's known as Mercia mudstone. It actually provides a very good sub-base from the point of view of vibration of the physical kind that you refer to. I certainly had those effects very much in mind when I made the comment a moment ago that levels of

vibration are well below any level that would cause a physical effect on the buildings from operation. I'll talk separately about construction in a moment, the construction phase, but that I hope deals with the issue of operational effects.

95. THE CHAIR: Yes. Councillor Haenelt, you're raising your hand. I think in fairness you could perhaps put a question shortly if you have one.

96. MRS HAENELT: Yes, thank you.

97. MR MOULD QC (DfT): Mr Thornely-Taylor, would you like to turn to the construction phase now and address first of all your understanding of the construction methods that HS2 is expecting to deploy in order to construct the most significant of the civil engineering operations in the vicinity of the listed buildings we've heard mention of? That is to say the Brancote South Cutting.

98. MR THORNELY-TAYLOR: Yes, and I think, my Lords, it's helpful if we look at P27(2) to get an indication of the works that are required.

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

100. MR THORNELY-TAYLOR: There's nothing particularly unusual about the works that need to be carried out. There's earth moving, excavation. The petitioners have referred to the fact, and we've just discussed the presence of stone below the overburden, but that can be removed without blasting. So the plant that will be in operation are earth movers, graders and bulldozers, dump trucks. There will be plant required to remove the Mercia mudstone, but as I say, not by blasting. There will be a period when the new formation to go under the railway will be compacted. That involves vibratory rollers but their effect decreases rapidly with distance.

101. There will be plant for bridge construction. Fairly typical civil engineering works, of the kind you see on road schemes as well as rail schemes. Predictions of vibration from those activities all lead to results which are well, well below thresholds of damage to even the most potentially vulnerable building in the buildings concerned. For example, the stained glass in the church is probably the most vulnerable feature from the vibration point of view. Received levels of vibration of the physical kind, as your Lordship said, was what the petitioner was concerned about, would be well below

figures which could cause damage to any of those structures.

102. THE CHAIR: Thank you.

103. MR MOULD QC (DfT): If we just turn to noise, we do have, I think, a table in the exhibits which just shows the results of the assessment of noise effects during the construction phase, Mr Thornely-Taylor. That, I think is P27(9).

104. MR THORNELY-TAYLOR: That's right. The construction noise predictions are done in a way that produces two numbers. One is a typical figure and another is the highest monthly figure. On P27(9), we see a little indication in the fourth column from the right in the lower of the two tables, where it has 'D5' which indicates that overall this effect will take place over a period of up to five months. We see in the wide box in the middle 'day', 'earthworks' and 'bridge construction'. Those are the activities that the result of give rise to the prediction that is shown there. Then the two figures are 52 and 58, which means the prediction for the highest month is 58, but typical 52.

105. It also needs to be borne in mind that the way construction noise predictions are carried out, there are several pessimistic assumptions made, particularly where there is a substantial distance involved between the sources of the noise and the receiver. We can actually see a section through the area concerned. We were looking, when I was describing construction activities, at P27(2). You'll see, slightly towards the left of centre, section 2A to 2B, a pair of black arrows pointing to the left. They run from St Mary's church down to the works. If we actually go to that section, which is two pages further on. I will turn to it myself.

106. MR MOULD QC (DfT): The operational section.

107. MR THORNELY-TAYLOR: D27(4). That helps us to understand a number of things about noise and vibration from the construction work. We see the railway on the left and St Mary's Ingestre Parish on the right. The numbers underneath are quite small but they are metres. It's well over 400 metres to the church. There will be earthworks quite a lot nearer to the church than the railway but you can see where the little symbols indicating trees change from dark green to light green to the right of where it says, 'perimeter drain'. That's about the extent of earth moving.

108. The construction noise predictions are very pessimistic about propagation over that distance. Because the figure that I've just referred to of 52, 58, is above what the environmental statement uses as a lower threshold as a screening level for sensitivity receptors of this kind, a place of worship and a place for musical performances, that immediately leads to a process of more detailed investigation. I think it is very likely that when the time comes to do the detailed construction noise predictions when the exact plant contractor proposes to use and when and where and at what time, that the final prediction will be lower than those figures. The outside to inside noise reduction of the church conservatively, one can put at 20.

109. So we're talking about noise inside the church while these moving vehicles and similar activities are taking place, which would be just audible. A feature of this church and the other buildings in the area is that there isn't any local traffic noise. There's a road that reaches them, but it hardly has any traffic on it. So, in contrast to many comparable buildings where there are vehicles going by frequently on a road, usually quite near, the baseline is very low. It is a very quiet area and it would be wrong of me to suggest that sitting in the church you wouldn't hear any earth moving equipment but with a sound level in the 30s, it will be far from significantly intrusive.

110. MR MOULD QC (DfT): Mr Thornely-Taylor, two more questions. The first of them is this. Are you able to say, given the evidence you've just given about the position with regard to ground borne vibration, are you able to say anything about the relationship between ground borne vibration levels and the risk of any actual physical damage to a structure as a result of construction activities which give rise to potential vibration of the kind you've discussed?

111. MR THORNELY-TAYLOR: Yes, I can confidently say there is no risk at all of damage to any of these structures from vibration.

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

113. THE CHAIR: That includes the stained-glass windows in particular. You say that about –

114. MR THORNELY-TAYLOR: Yes, and I have a number of other projects that I'm working on where we have churches with stained glass windows and I've looked

particularly into issues of vulnerability of them. I have that in mind when I say confidently there is no risk of damage to structures from vibration.

115. MR MOULD QC (DfT): The final question is this. The petitioners mentioned a church which was at the settlement of Wendover in the Chilterns, which is affected by the Phase One railway project. Are you familiar with the arrangements that were made in relation to that church during the Phase One parliamentary proceedings?

116. MR THORNELY-TAYLOR: I am. I was the expert witness in those proceedings and gave evidence in respect of that petition. The reason for works on the roof for that church was that the noise effect was predicted to be higher than at Ingestre, and it was part of a group of measures to improve the sound insulation of the church to minimise the effect on it. But its position relative the railway was quite different and its circumstances were different. There is no need at Ingestre for any improvements to the sound insulation of the church, as was the case at Wendover.

117. MR MOULD QC (DfT): Thank you. Well, my Lord, that concludes the questions I had for Mr Thornely-Taylor but I believe there may be questions for him from others.

118. THE CHAIR: Yes, indeed. Councillor Woodhouse, you have your hand up. It's your opportunity to put questions to this witness. You'll have to unmute, I'm afraid. Can you unmute yourself?

119. MRS WOODHOUSE: Okay, sorry. It's a practical question. I know that Mr Thornely-Taylor did a presentation last week on noise and vibration which I tried to watch and I couldn't. I wonder if somebody could send me a link so that I could follow that up and understand that presentation please.

120. MR THORNELY-TAYLOR: Probably not for me to say but I'm sure it can be done.

121. MRS WOODHOUSE: Thank you.

122. THE CHAIR: Yes. It is available on Hansard, I believe. The proceedings were taken down in shorthand and our clerk, John Turner, could put you in touch with the relevant link so you can read what happened at the proceedings.

123. MRS WOODHOUSE: Thank you.

124. MR THORNELY-TAYLOR: And a recording is also available.

125. THE CHAIR: Yes.

126. MRS WOODHOUSE: Thank you. That's my question.

127. THE CHAIR: Yes, and Councillor Haenelt, you had your hand up earlier. If you have a question, please put it now.

128. MRS HAENELT: Am I muted as well? No. I wonder if Mr Thornely-Taylor or Mr Mould could explain to me what, exactly, are geotechnical investigations because the email we received last night mentioned them and said that you were more convinced, that HS2 was more convinced than ever that there wouldn't be any impact on the church. I don't know what a geotechnical investigation is. Is it purely a desktop?

129. MR THORNELY-TAYLOR: It's both. There is a database of geotechnical information available across the whole of the UK, which is past records of investigations that have been carried out. Primarily, what is done is to sink boreholes to core the ground and see what comes up in the cores. We also know the basic geology of the area quite well. The Mercia mudstone is a feature of quite a number of locations along the alignment, but fundamentally it's the carrying out of physical measurements of ground properties, which in some cases involve very elaborate things like measuring the speed of sound in soil and rock, for the purpose of improving vibration and ground borne noise predictions. But also to obtain engineering properties of soils and rocks in order to design cuttings and excavations and bridges and foundations for bridges and that kind of thing.

130. MRS HAENELT: Thank you for that because I had no idea. I'm not a scientist. Have there been bore holes done?

131. MR THORNELY-TAYLOR: At this stage, there has not been as much geotechnical investigation as there will be following Royal Assent and progress awards construction but on Phase One, for example, there is continuing geotechnical investigation as that work progresses. Before any construction work begins there will be a considerable increase in the amount of information that becomes available.

132. MRS HAENELT: Thank you.

133. THE CHAIR: Can we raise the question of the nature of the rock or ground conditions under the topsoil? You've described it as mudstone. I see that in the petition it's described as hard sandstone. Are they the same thing or is there a difference?

134. MR THORNELY-TAYLOR: Similar. Unlike limestone, which is a sedimentary rock, limestone is present in other parts of the country. But sandstone and mudstone are, in fact, compacted sand and mud, compacted so much that they are rock like. They almost always have a layer of weathered material on top which means that back in geological time, they were exposed to the atmosphere and weather conditions, softened the rock, or the stone, and made it somewhere between the hardness of soil and rock. We think, actually, that most of the material that will be excavated to form this cutting will be of that kind. It will be above the competent stone or rock which occurs further down but mudstone is more like sandstone than limestone.

135. THE CHAIR: Thank you.

136. MR MOULD QC (DfT): My Lord, I don't know if there are any other questions from our colleagues. If not, that completes Mr Thornely-Taylor's evidence.

137. THE CHAIR: Lord Snape does have a question. Lord Snape?

138. LORD SNAPE: As far as I understand it, Mr Mould, Ingestre Hall, about which we've heard some details today, is actually owned by Sandwell Metropolitan Borough Council, near Birmingham. Do you know whether, as owners, they petitioned the Lower House about vibration or likely vibration damage and whether or not any negotiations have been held, if they have indicated any concern? Whether negotiations have been held them on the lines of them expressing concern, the sort of which both the witnesses have expressed the morning?

139. MR MOULD QC (DfT): To the best of my recollection, there was no petition from the owner of the Hall and I do not recall the issue of potential physical damage to the Hall as a result of construction of the railway to the west being a matter that was debated or discussed in any significant degree at the Select Committee. If it was, it's certainly not something that springs to my mind as an issue. Nor is it something, as I

recall, that was considered by the Select Committee in their reports, for reasons that are obvious in the light of what I've just said.

140. As you and your colleagues have heard from Mr Thornely-Taylor, the assessment that has been carried out thus far, informed to some degree by some preliminary work to investigate the ground, has enabled HS2 and its advisers to draw a fairly firm conclusion that such that the risk of physical damage is really nugatory. It is of course always in principle possible that that assessment and that judgment will need to be revised as the works progress. I don't want to be heard to be saying by that, that I think that there is that risk, but in principle one can never rule out completely when one is looking forward to a major construction project, that things don't happen quite in the way that has been predicted, despite all the work that is done to try and understand the nature of the risk.

141. The promoter's approach is not to leave that eventuality, however remote, uncontrolled. The project does have a ground settlement policy and regime. It's set out in information paper C14, I think. That is one of the information papers that I believe members of the Committee have been provided with as part of the basic documentation. It's a regime which is in place in relation to the Phase One scheme. As you personally may recall, it is an arrangement that was also put in place in relation to the Crossrail project, where obviously the risk of ground settlement impacts was far greater, with an underground railway through London, than it probably is in relation to construction an over ground railway in Staffordshire.

142. I only mention that because the point that one can get from that document when one looks at it, is that insofar as there may conceivably be any degree of risk in future to listed buildings of the kind that we're discussing through the construction of the railway, they are accorded the highest level of protection under that policy. There is a successive process of assessment as the detailed design of the project proceeds in order to ensure that the initial assessment, at present which is 'no risk'. The initial assessment is kept under review and were things to change that arrangements can then be made to put in place the necessary measures to protect those buildings and their constituent valuable features such as stained glass windows and so forth, from any damage.

143. LORD SNAPE: Thank you. Can I, Lord Chairman, then ask either of these two witnesses from the parish council whether or not they received any representations from

the owners of Ingestre Hall expressing concern on the lines of the concern that they have expressed before this Committee this morning?

144. MRS HAENELT: Would you like me to answer that, Nicola?

145. THE CHAIR: Shall we wait to see what Mr Mould says and then come back to you, Councillor Haenelt? Mr Mould, do you have an answer to Mr Snape's question?

146. MR MOULD QC (DfT): Forgive me, I thought it was directed at the petitioners.

147. LORD SNAPE: Indeed it was, Lord Chairman.

148. THE CHAIR: I see, I beg your pardon.

149. LORD SNAPE: I don't need a response from Mr Mould. I just wonder whether the petitioners had been in touch with the owners as they are speaking, obviously, on their behalf when they talked about the likely damage through vibration, etc, during the construction phase.

150. THE CHAIR: Yes, thank you. Councillor Woodhouse, perhaps you could answer?

151. MRS WOODHOUSE: I believe that Mrs Haenelt's had discussions with the principal of Ingestre Hall and can expand on that, if she may.

152. THE CHAIR: Yes.

153. MRS HAENELT: Yes. I spoke to Mr Pepler, who's the Head of Centre at Ingestre Hall, which is owned by Sandwell Metropolitan Borough Council. Their main concerns – there seems to be some problem. He said to me that because it was owned by Sandwell he understood that because they were a public landowner, they couldn't petition to the House of Lords. Now, whether he's got that wrong I do not know. He said they were a public landowner so they hadn't been able to do a petition. It sounded wrong to me but I didn't want to argue with him. Anyone know about public landowners and petitioning?

154. MR MOULD QC (DfT): Well, my Lord, I'm happy to say what I can in response to that, if you'd like me to.

155. THE CHAIR: Yes, please.

156. MR MOULD QC (DfT): There certainly would be no impediment to the owner of a property who fears that their property may be specially affected by public works which are proposed under – in this case a Hybrid Bill – no impediment to them making a petition to Parliament, either to the First House or to the Second House in relation to that point. It's not their status as a public body that is material, it's the fact that they are the proprietor of property that they fear may be subject to adverse impact. I would be surprised if a public body who was concerned about that had not taken some advice to discover what their rights were. So if they are labouring under the misapprehension that has just been suggested, that is a source of surprise to me.

157. Certainly, I'm not aware, and again I put it that way because I don't claim omniscience in these matters, but I'm not aware that – oh, I've just had some instructions. This may resolve the thing. I'm told that there was a petition from Sandwell Borough Council in response to Additional Provision 2 in the House of Commons. It did raise the issue of vibration in Ingestre Hall but that petition was withdrawn without being heard. That would explain why it's not one that lodged in my memory, I'm afraid. So it appears that there was a petition but it wasn't heard by the Committee. It was withdrawn before it was necessary for them to appear on it.

158. THE CHAIR: Well, thank you very much. Lord Snape, do you want to pursue this point any further or does that give you your answer?

159. LORD SNAPE: It obviously gave me my answer, Lord Chairman. I'd just ask Mr Mould, in his opinion, when this petition was withdrawn, presumably it was withdrawn on the grounds that maybe Sandwell Metropolitan Council, and none of us are qualified to speak on their behalf, felt that perhaps their fears about vibration damaging the Hall were unfounded. Whether or not they received certain assurances outside the petitioning process, none of us know, but surely the owner of a building as significant as Ingestre Hall would want to petition either this Committee or the Lower House if they were genuinely concerned about the effects of vibration on the building structure.

160. MR MOULD QC (DfT): Well, plainly, the inference is that you and your colleagues may see fit to draw from the fact that they withdrew their petition in the other place and that they haven't petitioned your Lordships' house are a matter for you. All I can say is that, if my Lord Chairman and Lord Snape, and others – if you would feel that

it might assist you to have a note about that petition and the circumstances in which it was withdrawn, subject of course to any element of confidentiality that there may be in those circumstances, I'm sure that we could furnish that information to you. I make that offer if that's something you would like us to do.

161. LORD SNAPE: I think that would be useful, Lord Chairman. I'll conclude the matter there, if I may.

162. THE CHAIR: Thank you very much, Mr Mould. I think if you could make that inquiry and provide us with the information that would be extremely helpful.

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

164. THE CHAIR: Thank you. Should we move to another topic?

165. MR MOULD QC (DfT): Yes. My next item was to turn to the issue of community effect that was, I think, at the heart of the presentation made today by the petitioners. In the light of the evidence you've heard from Mr Thornely-Taylor, you will understand, I'm sure, that the promoter's position is that there is no direct basis upon which any form of compensation is likely to arise. Certainly under the statutory regime because in order for there to be a case for compensation there would need to be some damage resulting from the construction or operation of the railway that gave rise to a loss, and which therefore fell within the scope of the statutory regime.

166. The approach to addressing the impact of construction in the broader sense is generally one that is addressed under this Bill, as with other similar schemes, through the mitigation measures that are deployed in terms of noise barriers and matters of that kind. It's not ordinarily the case that compensation is payable for the disturbance that results from construction works alone. The requests that you have had from the petitioner in relation to the roof and the church organ are essentially matters, as I understand it, that have arisen without any direct reference to HS2. Although, I appreciate the point that your Lordship raised with the petitioner, that their concern is that in the future they may find that the reduction in visitors whilst construction is going on, if that is what happens, that that may have the effect of reducing the funds that are available to them.

167. It was really in that context that in the discussions that have taken place about this issues between the promoter and the parish council, their attention has been drawn to the community and environment fund. You recall Mr Miller told you about that fund when he made his presentation to you in March. There is a fund, which totals some £5 million in relation to the Phase 2A Bill, under which local community groups, parish councils and others can apply for funding – or be able to. It will come into operation at Royal Assent. They will be able to apply to the body that is established by the promoter to administer the fund for payment of monies out of the fund for community projects and needs that are considered to be meritorious.

168. Whilst the use of religious buildings for faith based activities, if I can put it that way, would not ordinarily fall within the scope of the fund, where community buildings including churches are used for community based activities, such as I think in this case includes musical events and similar things, that would certainly be within the scope of the funds.

169. The thought was that firstly there's no evidence to suggest that the construction of the railway would actually give rise to any measurable loss, which would be compensable in the ordinary course of events. Secondly, there is plainly some concern about the wider potential for the construction of the railway to affect the community in a way that is not easy to quantify. But that the community and environment fund is available in order to enable parish councils and others, such as the petitioner, to formulate a bid in relation to some community initiative. Whether it be repairs of a building or other functions that they think would offset, if you will, the concerns that they have about the wider impact of construction of the railway and to make that bid when the fund becomes open to the funding body.

170. THE CHAIR: Is the fact that the buildings are listed, particularly the Grade I in relation to the church, a factor that would influence the people who run the fund as a strong case for benefit from the fund? Because the responsibility of upholding a Grade I building when all you can do is rely on dioceses funds and tourists and so on is very heavy. I can understand the concerns that have been expressed.

171. MR MOULD QC (DfT): Yes, and indeed it sounds as though the funds that are available from community activities themselves, and understandably, are relatively

modest. So that may reinforce the point that what little they have, they would like to keep, as it were. My sense is, and forgive me, I don't want to appear anything other than precise about this, but my sense is that the factor that your Lordship mentions, the fact that these buildings are listed, would be a factor of weight in support of an application. The right course, obviously, would be for the parish council, if they were minded to pursue that approach that I have just mentioned, would be to look in detail at the published information about the way the fund operates and to consider what kind of bid they think they would wish to put forward. And, obviously, to think about how to shape that bid in such a way as it seems to enjoy the strongest chance of success against the criteria.

172. THE CHAIR: Sorry again to interrupt, but would be in order for this Committee simply to express a hope that favourable consideration would be given to such a bid if it were to be made? I mean, we're not imposing anything on the promoter. We're simply expressing a hope. That might give some weight to the application if it were to be made.

173. MR MOULD QC (DfT): I see absolutely no reason why the Committee shouldn't take that course at all. The Committee, in my respectful submission, is entitled to give voice to whatever judgment it considers to be appropriate in response to a petition of this kind. Yes.

174. THE CHAIR: Thank you.

175. MR MOULD QC (DfT): But to make a direct payment of the kind in relation to those two matters that the petitioners have quite candidly put forward in terms of their request, that is to say the installation of a roof alarm and a contribution towards the repair and upkeep of the church organ – there isn't an obvious link as things stand. It's for that reason that although the sums themselves obviously appear very modest in the light of the overall expected costs of the Phase 2A railway, one has to have one eye on the need to ensure that where public money is spent, that it's spent in a way that principled, as it were.

176. THE CHAIR: Yes.

177. MR MOULD QC (DfT): So it's a gentle nudge in the direction of the fund, I think, that is my response to the main part of the petitioners' presentation to you today. I

am happy to answer any questions, of course, that may arise in relation to that suggestion.

178. THE CHAIR: Any questions, Councillor Woodhouse? I'm just suggesting, we could perhaps help you by expressing a hope. It gives no guarantee whatever but at least it indicates some sympathy with the points that you have been making.

179. MRS WOODHOUSE: Yes, my Lord Chairman. Obviously, your surname is very appropriate, and your title in that.

180. THE CHAIR: It's sometimes used against me. I won't express exactly how but of course, I have to discuss it with members of the Committee. It wouldn't be myself. It would be the Committee as a whole that would be expressing a view.

181. LORD SNAPE: It wouldn't be a chance of hope of course, Lord Chairman, would it?

182. MRS WOODHOUSE: My Lord Chairman, we have received the details of the funds that Mr Mould mentioned. We're looking at them and we'd very much appreciate your Lordship's general suggestion. We look forward to hearing more about that. Thank you.

183. THE CHAIR: Thank you. Well, Mr Mould, where do we go from here? Is there anything else you need to cover?

184. MR MOULD QC (DfT): Well, I'm conscious of time. I was just going to draw your attention very briefly to some of the other assurances. I think you said that it would be helpful to the Committee if I just at least identified those.

185. THE CHAIR: Yes, it would be helpful to identify them, indeed.

186. MR MOULD QC (DfT): Yes. Perhaps if I could draw your attention to P27(23) because the other assurances I think are largely focussed on traffic management. I mentioned to this you when I briefly opened earlier this morning, but you'll see that on P27(23) there's a map. You can see that it identifies some compounds which need to be set up and deployed during the course of construction. They're shown with the red squares and the names are given. Also, construction routes, which are the green dash

notation, firstly along Tixall Road, which is marked, and Great Haywood Road. Then Hanyards Lane is shown as a construction route. Just at the point where Tixall Road and Hanyards Lane meet on the left-hand side of this plan, that's the junction which then leads fairly quickly on to Blackheath Lane. In relation to that point, which Mrs Woodhouse raised briefly, I have up to date information about that.

187. The County Council are not proposing any further physical works to that junction but HS2 is in close liaison with the County Council because we recognise, as the petitioners have pointed out, it's one that requires careful management in order to accommodate even the relatively modest quantities of HS2 construction traffic that will pass through it. It is the view of both the County Council and HS2, as I understand it, that it will be possible to manage that traffic by deploying management techniques, such as, if necessary, banksmen on particularly heavy days in order to ensure that those two junctions flow as freely as possible. That liaison will continue during the detailed preparation for construction of the railway and it will continue under the egis of the general and the local traffic management plans that Mr Smart described, I think, when he made his presentation to you.

188. Then at P27(24) Hanyards Lane is not ordinarily a carriageway. It's essentially a private road, which HS2 needs to use for a period of time in order to gain access to one of those satellite compounds I showed you on P27(23). P27(24) is an assurance, whose purpose essentially is to commit the nominated undertaker to keep the use of that route, Hanyards Lane, for HS2 construction vehicles really to the realistic minimum. There will need to be some residual traffic that will need to use it but the purpose of the assurance is to ensure that as far as reasonably practicable, traffic serving that compound accesses it via the site haul route. Do you remember those routes that will be established along the railway line itself under construction? That's the purpose of that assurance.

189. Then at 27(25), residents of Ingestre have been concerned that access to the settlement of Ingestre is really by a single road, Ingestre Park Road. They were concerned that the HS2 works might lead to periods when that road had to be closed off and it would be difficult for them to gain access. So, the process of this assurance is to give reassurance that this is not going to happen. As you can see, unless something really wholly foreseen occurs, which has to be managed, HS2 and the nominated

undertaker will not prevent vehicular access to Ingestre via that route.

190. Then I think the third one is introduced at P27(26). The Hoo Mill crossroad, which is at the junction of Ingestre Park Road, Hoo Mill Road and Great Haywood Road, is shown on the plan on page 27(26). The Bill provides for the construction of a temporary roundabout at that junction to ease capacity and flow when traffic levels are raised due to the need to take HS2 construction lorries along the Great Haywood Road. A schematic of that arrangement is shown on page 27(27) and an assurance has been given at page 27(28) in response to the desire of the parish council that that temporary roundabout should, if possible, be retained as a permanent feature. They see advantages in that junction being a roundabout junction in perpetuity. That isn't ultimately a matter for HS2 and the nominated undertaker to decide. That is a matter for the local highway authority under the powers I mentioned to you yesterday, but the assurance is designed to give at least some comfort that HS2 will seek to raise that. It will raise that issue with the County Council and if they are persuaded that it should be retained on a permanent basis then the assurance is to the effect that it will be.

191. Those I think are the principle traffic management assurances. There are other assurances in the various letters that you find beginning at P27(48) and carrying on through to P27(76). Is it convenient that I commend those to you and if you want to get a full sense of the range of assurance that they're there?

192. THE CHAIR: I think that's all we need. We can see where they are and they're set out one-by-one and the dates of course speak for themselves. I think that's all we need just now, thank you.

193. MR MOULD QC (DfT): Yes. Well, my Lord, on that basis, unless there is any other matter on which I can help you, I think that concludes what I wanted to say in response to the petition.

194. THE CHAIR: Thank you very much. Well, Councillor Woodhouse, I think we turn finally to you for any further comments you might like to make on proceedings this morning.

195. MRS WOODHOUSE: My Lord Chairman, we value the time and attention that's been given to our tiny little villages that we care so much about. I don't dare mention an

alternative route because I know I'm not allowed to but we're very sad that it doesn't go up the Trent Valley, or doesn't go at all, but we're not allowed to say that. We value the time and the attention and the detail. We just wish Dr Andrews was here to help us and we value the reassurances. I don't know if, Sue, you want to add anything,

196. MRS HAENELT: Probably not. It could go on a long time.

197. MRS WOODHOUSE: Yes.

198. MRS HAENELT: No, I think you've covered it really, although I will add, as I've said before, our main concern, I feel, because we've had a lot of assurances about other things, is the impact on the community, the impact on the listed buildings. It's not the vibration. It's not the noise. It's the fact that visitors, tourists, wedding couples, will not want to fight their way through what will essentially be a building side. It's a beautiful, tranquil place, as you'll know as you visited it, but I really dread being treasurer of the church at that time because it's already such a struggle and we will inevitably suffer considerable loss in income from, particularly weddings and visitors. I don't want to say anything else.

199. THE CHAIR: Well, as I said earlier, I think that you put that point across extremely well. We're fully appraised of the concerns that you've been describing to us. Would you just like to leave it there, Councillor Woodhouse? You've covered the ground. We've read the written material as well, so we're pretty equipped with the case you're making.

200. MRS WOODHOUSE: Yes, and we'll get printed copies of this later, won't we?

201. THE CHAIR: Yes, certainly, yes, and you'll be able to read on Hansard and indeed look at the video of today's proceedings if you'd like to go back over and see what you've been telling us. So can we thank you both very much, indeed, for your presentation. Mr Thornely-Taylor, again, thank you for your help on the issues of vibration, which we appreciate. Well, Mr Mould, I think we can bring the proceedings to an end. The next public meeting of this Committee will be on 2 September and that will be conducted in the virtual manner, which we've been doing today. In the following week we expect to be physically in the committee room but of course everything depends on the progress of events which are not entirely under our control. So thank you

all very much indeed, and I am going to end proceedings on that note. Thank you.