

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Wednesday, 2 September 2020 (Morning)

Virtual proceeding

PRESENT:

Lord Hope of Craighead (Chair)

Lord Brabazon of Tara

Lord Goddard of Stockport

Lord Horam

Lord Liddle

Lord Snape

Lord Haselhurst

IN ATTENDANCE:

James Strachan QC, Counsel, Department for Transport

Jacqueline Lean, Counsel, Department for Transport

WITNESSES:

Tim Furnell, Bob Hunt and Gareth Morgan (Ingestre Park Golf Club)

Tim Smart and Alan Walker (HS2 Ltd)

IN PUBLIC SESSION

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(At 10.30 a.m.)

1. THE CHAIR: Good morning, everyone, and welcome to this virtual meeting as we, the members of the House of Lords Select Committee on the High Speed Rail (West Midlands – Crewe) Bill, resume our proceedings after our summer break.
2. I should explain that this is the last week in which we will be sitting as a Committee virtually. We will be moving to a hybrid system next week and for the week after that, which will be the final week of our public sessions. By hybrid, I mean that we will be sitting physically in one of the committee rooms in the House of Lords during these final two weeks but able to include those who prefer not to be there in person by means of a system similar to that which we will be using today.
3. This virtual meeting is being broadcast, as all our meetings have been to date and will be in the future. A full transcript of each meeting is put on our website and can be accessed by means of our parent website which is called parliament.uk. Our website also includes details of the programme for our meetings and any other relevant information. Petitioners and all members of the public are encouraged to make full use of that website.
4. May I remind everyone that, in our consideration of the petitions and the promoter's response to them, this Committee will continue to be guided by the principles of fairness and impartiality? We will proceed as fast as we can but not in a way that will fail to give effect to those principles.
5. It may be helpful if I were now 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 the gallery view to do that. 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.
6. As far as possible, we will determine a pre-determined 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 by me on screen. I will then call you to speak at an appropriate point. In order to allow for interventions, I will invite

speakers to pause from time to time. I will then either call someone to speak or invite the speaker to continue.

7. We will adjourn for a few minutes' break after about an hour and we expect to finish at about 1.00 p.m. but, if necessary, we will be able to resume at 2.00 p.m. Participants should have the exhibit bundles open and available. For this session, that is bundle A10, P28 and R70. We will navigate the documents using the numbers in the bottom left hand corner of each page. Members have already viewed the video which was sent to us for scrutiny by the petitioner.

8. We shall now begin with petition 29, Ingestre Park Golf Club, and I would be grateful, Mr Strachan, if you would open the proceedings for us.

9. MR STRACHAN QC (DfT): Thank you very much. I hope everyone can hear me clearly. There's one matter which I'm happy to deal with either now or later on if it's more convenient. I was just going to list the documents that have been submitted to your Lordship's Committee since July. There are five documents. I don't want to interrupt the start of the petition but if it's convenient I could do it now just so that your Lordship has that on record.

10. THE CHAIR: Well, I think if it's very brief. Are you going to take more than five minutes over this?

11. MR STRACHAN QC (DfT): No, no, my Lord. I was just going to list them so that everyone was aware. It will be a couple of minutes at most.

12. THE CHAIR: Yes, great. Well, I think we've seen them but please go through the list if you would.

13. MR STRACHAN QC (DfT): My Lord, yes. There are just five documents that have been submitted. The first is a letter dated 20 August of this year from HS2 to Cycling UK Limited following their appearance. The second is a letter dated 27 August of this year from HS2 to the Royal Society of Wildlife Trusts setting out an assurance on the secretary of state's behalf following their appearance and announcing a biodiversity fund of £2 million. The third is a note sent to the clerk on 27 August of this year setting out a response to the Royal Society of Wildlife Trust's document, 'What's

the Damage?’ The fourth is a note on traffic and transport concerns regarding the petition of Theo Clarke MP due to be heard later in your session and the fifth is a note in response to a question asked during Ingestre Parish Council’s appearance from Lord Snape regarding Sandwell Borough Council’s withdrawal. I hope your Lordships received all of those.

14. THE CHAIR: Yes, we have seen all of these documents. Thank you very much indeed.

15. MR STRACHAN QC (DfT): Thank you. Well, I’ll turn to the petition that’s for today’s business. This is obviously the hearing of a petition from Ingestre Park Golf Club P2A-HOL-029. I believe that the Committee will be familiar with the location of the golf course, I think at least part of the Committee having visited, but if one turns in the exhibits to P28(1), there’s an inset map there which identifies with the blue flag the location of the golf course which is just to the south of Ingestre village and, from that same map, the main part of it, your Lordship will see that the HS2 line bisects part of the golf course: part on embankment in the orange colour on the right-hand side, then moving in to a cutting, shown by the green part of the line, as it moves across to the left of that slide.

16. And P28(3) in the exhibit pack shows the Committee the scheme once constructed, where the line will lie in relation to the current golf course arrangement and you can see that it crosses over, bisects a number of the golf course’s existing holes. And your Lordship will hear more, obviously, from the petitioner very shortly but just by way of very brief background, the petitioner, in response to this, did originally seek relocation of the golf course and club to a location somewhere near Tixall, a village nearby, and that was pursued as a proposal in the other place, in the House of Commons. It was also raised as a point in the written petition before your Lordship’s Committee and that would have involved relocating the golf course in its entirety which was resisted by the promoter.

17. The promoter proposed reconfiguration of the golf course and, for that purpose, during the passage of the Bill in the other place, promoted additional provision 2 arrangements which involve reconfiguration of the golf course with land to the north and if I just indicate where that is by taking your Committee back to P28(2), the

preceding slide, you can see land in pink. You haven't got all of the land to the north on this slide but the land to the north includes a parcel of land just to the south of BOAT – that's a byway open to all traffic – but that's Ingestre Park Road, a pink area of land and then on the other side of Ingestre Park Road, a much larger area of land for reconfiguration of the golf course and you'll hear more about that very shortly.

18. THE CHAIR: Amongst the documents which we have, Mr Strachan, if I can just mention this, in the group marked as A10 is A10(4), in which the petitioner states that the club now accepts the AP2 based proposed reconfiguration. That's really what you've been showing us, is it?

19. MR STRACHAN QC (DfT): My Lord, yes, that's right. In the petition you will have read, no doubt, that they were pursuing relocation to the other location but in A10(4) it's confirmed that the golf club are now accepting the principle of reconfiguration, using that land that I've just identified for your Lordship. So that's, at least as I have understood, A10(4). So that isn't, in substance, an issue before the Committee. There are other, obviously, requests that the golf club are making which we'll come to. But I just gave you that by way of background because you would have seen reference to relocation as opposed to reconfiguration and those are two different things but it's now reconfiguration using that other land which is the focus of the petition.

20. And your Lordship will also have seen, and if one goes back to the 'P' set of exhibits, that this was a matter that was considered in the other place and you've got the extracts from the House of Commons Select Committee second special report and third special report on pages P28(4), (5) and (6) and indeed (7), just as to what happened there. And could I just point out that the P28(7) is the promoter's response to the Select Committee's directions in that respect.

21. And in consequence, both the promoter and the golf club have been taking forward the proposals for reconfiguration, and I don't want to trespass on what the golf club wants to say about that in due course, but that's been an ongoing process of identifying an appropriate design, which the golf club now are putting forward their own design, and a timetable for the implementation of that reconfiguration which has to obviously interact with the timetable for the construction of the railway in this location

and you will hear more shortly about what is actually needed to take place on the golf course land by way of utility works. There's two major utility works that will be outlined for your Lordship, in addition to the earthworks to construct the railway across the golf course.

22. If it helps and, again, I don't want to steal their thunder of course, but in the 'A' set of exhibits, my understanding is that the golf club's requests which are going to be raised with your Lordship's Committee today are on slide A10(7) and there are five requests which they're raising. We will respond in due course. If the Committee has had the opportunity to look at some of the 'P' exhibits, you will see there are already a number of assurances issued by letter which have been issued by HS2 which are in the latter part of the pack but we'll come to them as necessary.

23. I hope that gives you at least a brief introduction of where the petition is geographically and what I understand to be the live issues for today's session.

24. THE CHAIR: Thank you very much, Mr Strachan. That's extremely helpful. Well, Mr Furnell, I think it's over to you now to present your case.

Ingestre Park Golf Club

Submissions by Mr Furnell

25. MR FURNELL: Mr Lords, good morning. Can I, by way of introduction, describe my own background which is a member of the club's HS2 Committee and I've been a member of the club since 2011?

26. My Lord Chairman, if I may just raise one procedural point before we proceed, it's our understanding that following the various evidence being provided that we will have the opportunity, as it were, to cross-examine the witnesses that HS2 bring to the table. I just wanted to clarify that if that requires the involvement of Mr Morgan, who doesn't feature in our initial presentation to you, that he will be able to participate in that cross-examination.

27. THE CHAIR: Yes, I don't think there's any reason why he shouldn't be able to do so. And should I mention that, just for your own guidance, that after we've heard Mr Strachan's reply, I will give you an opportunity to make any submissions in response

to what he has said. So that will be the order of events: your presentation; Mr Strachan's reply and then your reply to Mr Strachan.

28. MR FURNELL: Thank you very much, that's very helpful. I'll start then by thanking you for the opportunity to present our case today and to share with you our requests on how to ensure a sustainable future for our club and our community.

29. We submitted our petition to you in August last year and, as Mr Strachan has hinted, there have been a number of significant changes have emerged since that and today we want to ensure that you are fully aware of the latest position and the reality of the HS2 approach to these changes and the current situation we find ourselves in.

30. We intend to set our case out by explaining the following key areas: firstly, our experience of the past seven years; secondly, what we consider to be HS2's failure to respect the outcome of the House of Commons Select Committee hearings; thirdly, what we describe as the current situation; fourthly, the risks related to the HS2 programme of works; and, finally, our requests and suggestions to you today. I will take you through those areas and call upon our expert witness, Mr Hunt, when dealing with HS2's programme and the risks associated with that.

31. In order to assist your consideration of our case today, we want to make clear from the outset what our requests are and you have an exhibit from us, A10(7), which sets those out, but I'll just summarise them for you up front. We ask that HS2 confirm that extinguishment is no longer being considered; that HS2 delay the start of any utility diversion works; that they secure third party land required as part of the AP2 proposals as soon as is practicable and, certainly, before Royal Assent if possible; that they confirm the budget for the construction of the new holes for the implementation of the AP2 course; and, lastly, that they confirm an agreement, heads of terms, some mechanism to ensure the implementation can happen, together with appropriate consultancy funding. So those are the headline requests that we make today.

32. Just to describe our club and the impact of the proposals, we're glad that you've had an opportunity to look at the video that we sent and we used at the previous Committee and we understand that you may have visited the Ingestre area in the past.

33. If I can call and refer to you now, exhibit A10(7) please. Sorry, A10(8),

apologies. A10(8) summarises our employment role. We have greenkeeping staff, office staff, bar staff. Community action is and continues to be one of our key objectives and was, indeed, endorsed by the Commons on a number of occasions in the Select Committee hearings. That slide also summarises the various community activities that are currently a key part of our role as a local community and a golfing community.

34. In these difficult and ever-changing times, we've found that golf, and our club in particular, has proved to be a desperately needed hub for physical and mental wellbeing. We believe that the retention of our club and serving our communities is more important than ever. Golf clubs have, we hear, reported across the UK a boom in membership and play. We have not, due in part, we think, to the impact of HS2.

35. If I could turn now to exhibit A10(2), please. This aerial reminds you of the nature of the existing course and the adjoining AP2 land to the south.

36. THE CHAIR: Could I ask you to identify where the clubhouse is, because in our visit we came and looked at the clubhouse? We didn't, of course, walk over the course but that was our first sight of where you are and I'd like to be absolutely sure where it is on A10(2). I think your connection is a bit slow but can you identify where the clubhouse is for us?

37. MR FURNELL: Yes, I'll do that. Sorry, we are receiving some technical difficulties at this end as well. I'll proceed on the basis that people can hear me.

38. THE CHAIR: Yes, we can now.

39. MR FURNELL: Thank you. The exhibit is actually aligned to correspond to the video that you watched. So if you're looking at exhibit A10(2), the clubhouse is –

Brief technical issue

40. MR FURNELL: The Ingestre road runs, as it were, diagonally across that top left quadrant of the exhibit. AP2 land is to the left of that.

Brief technical issue

41. MR FURNELL: Ingestre Hall is the cluster you can see on the left-hand side of

that slide.

42. THE CHAIR: Yes, right, thank you.

43. MR FURNELL: If I can now turn to exhibit A10(3), please. This shows you the impact of Phase Two on our course, how dramatic it is and how it severs our course. Indeed, a part of the course, on the right-hand side of the exhibit as you look at it, is left severed permanently from the rest of the course and the clubhouse. Mr Strachan summarised the impact but, he's right, the line crosses our course in a cutting, Bramcote south cutting, which is approximately 17 metres deep and 650 metres long and on the Trent north embankment, which is approximately 11 metres high and 200 metres long. In addition, there are extensive areas of landscaping and ecological mitigation.

44. For your information, Phase One of the Bill dealt with a very similar set of circumstances at the Whittington Heath Golf Club in Staffordshire, well known to us, where the impacts of the line were very similar. I would just say that their experiences in achieving 18-hole golf continuity and completing construction of their new holes in advance of HS2 works are significantly different to the proposals and timetable HS2 are proposing for us. We do ask why it is fair to treat them differently.

45. Turning to the past seven years, it was 2013 when our nightmare began with the first consultation on HS2 and seven years later we really have no details yet established of when and how our future is to be confirmed. Today therefore is the last formal and public opportunity for us to share with you and the wider public, the reality of those seven years, the reality of the delays and confusion we've had to deal with.

46. Unfortunately, it's the nature of HS2 that they only seem to start dealing with the details necessary to resolve the complex and challenging projects like ours when a Select Committee such as today looms. We are then faced with frantic attempts and information being thrown at us at the last minute in an attempt to resolve those issues. Collaboration has been used as a word; it's not an experience that we share.

47. We don't want to dwell on those failings because the most important thing today is for you to hear and understand our request and suggestions but what we do ask is that you understand and take into account our reality; you understand our genuine and enormous frustration at the impact these uncertainties have had on our club and the

burden of those seven years.

48. We think we've done everything possible to secure a sustainable future for our club and our community. There seems a reluctance on HS2's behalf to ensure a similar outcome. Indeed, they constantly seem to seek an alternative outcome: our extinguishment. You will see from today that major issues remain unresolved.

49. We believe that extinguishment was ruled out by the Commons Select Committee directions following their July 2018 and May 2019 hearings. Indeed, in autumn last year, after submitting our petition to you, we acknowledged that our longstanding preference for a new site was unrealistic. That was the Tixall site that Mr Strachan referred to earlier. We offered to work together with HS2 to deliver the reconfiguration, a sideways move, but we have been hindered in that progress. HS2, in our view, have failed to consider the complex design, timetable and programming issues and continue to effectively threaten us with extinguishment.

50. Can I call for exhibit 10(4) now, please? This is the exhibit that summarises the changes since our petition was lodged and, again, Mr Strachan referred to this earlier. I want to make clear that we no longer wish to pursue the relocation. We're fully committed to delivering a future for our club based on the reconfiguration.

51. The other updates since the petition was submitted are summarised on that slide. Compensation remains unresolved. HS2 have changed their mind in a very important detail and required us to delete two existing holes from our reconfiguration proposals relatively recently. A lot of detailed design work has been undertaken and shared with HS2 and, importantly, endorsed by our membership. Critically, our need for 18-hole continuity remains a fundamental part of what we see as our future.

52. Exhibit 10 –

53. THE CHAIR: Just pause there, Mr Furnell, just to be sure whether members of the Committee have any questions so far. No, I don't think they do. Yes, Lord Brabazon and then Lord Horam. Lord Brabazon first, please. You'll need to unmute your microphone. Lord Brabazon, if you'd like to put your question. I don't think we're able to hear you. I'm not sure what the problem is there but can you try again? No, I'm afraid we're not receiving your sound. Lord Horam, while Lord Brabazon is

waiting, could you put your question?

54. LORD HORAM: Yes, could I just put my question? Bullet point 3 of the presentation in A10(4) makes the point that there are two extra existing holes which HS2 wants eliminated. Is that correct? Two existing holes beyond what has already been asked are to be eliminated; is that right?

55. MR FURNELL: Yes, I was about to summarise the changes in some more detail but, fundamentally, the point here is that in, I think, I believe, July of this year, we were notified that two holes that were previously, had been indicated would be capable of being retained and therefore incorporated in the new design, would no longer be capable of retention. So we're highlighting a change to what had been detailed design work and a lot of discussion leading up to that point.

56. LORD HORAM: But you would be compensated by two holes elsewhere in the reconfigured course.

57. MR FURNELL: Which I'm about to summarise and describe to you, yes.

58. LORD HORAM: Could you just tell me how many existing holes are retained in the present plans as opposed to new holes that you have to design?

59. MR FURNELL: Certainly, my Lord. Four of our existing holes remain intact.

60. LORD HORAM: Only four?

61. MR FURNELL: Two of our existing holes need rebuilding and remodelling. So six existing holes are retained, two of them need remodelling. So a further 12 holes are to be the subject of new construction.

62. LORD HORAM: Thank you very much.

63. THE CHAIR: Okay, Lord Horam. Lord Brabazon? I'm afraid we're still not receiving your voice. I think until you can sort that out, I think we'll have to move on. Any other questions meantime? It may be, Lord Brabazon, you'll be able to, by linking in by email to John Turner, you'll be able to see whether you can sort the sound system out but I think we have to move on. Any other questions from the Committee? Well, Mr Furnell, will you continue with your presentation, please?

64. MR FURNELL: Thank you, my Lord. Yes, I was going to call please for exhibit A10(5) now. This aerial shows in simplified form the proposals that we've just been discussing with Lord Horam in fact and we've been discussing with HS2 for the last year. They are, again I summarise, you'll see the impact of the line, you'll see to the left of the exhibit, of our existing course, those four holes remaining intact, the two that are shown – sorry, those four holes are shown in sort of greeny blue. The two in pinky red are the two that require remodelling. You'll see two in the field immediately adjacent to and beyond our clubhouse, two new holes being constructed on land this side of Ingestre Park Road and then 10 new holes on the far side of Ingestre Park Road. So that's a summary of the emerging and detailed proposals.

65. If I could now turn to our concerns about the response of HS2 to the Commons Select Committee hearings. At our first appearance in 2018, Ms, now Dame, Thornton QC stated, 'If I wasn't coming here with a timetable that worked to ensure that this club could have a new golf course one way or another in time, before construction starts on this railway, I would be doing a disservice to the petitioners and HS2 would be treating them unfairly'.

66. It seems that we have been treated unfairly as no such programme has been offered or contemplated by HS2. That assertion from Ms Thornton has long been forgotten.

67. Following that first appearance, the Committee directed HS2 to come to a solution that allows the golf club to continue as a community asset and the secretary of state in response confirmed his intention to progress that very request. He also referred to a request from us for funding for specialist advisers and those specialist advisers, International Design Group, were jointly appointed and their chairman, in fact Mr Hunt, is an expert witness for us today and you'll hear from him shortly.

68. During our second appearance in 2019, Mr Mould QC stated, 'HS2 has carried out considerable work with a view to accelerating the programme. So what we are able to say is there will be at most, we think, a six-month hiatus when it will be necessary for the golf club to reduce in size to a minimum of nine holes'.

69. Those details were a commendable and significant change to what AP2, as published, required of us. AP2 as published required the closure of the entire course for

15 months. Interestingly, Mr Mould made no reference to the promise from Ms Thornton of 2018. Our MP, at that second May 2019 hearing, having stressed the need for continuity of golf, stated in his appearance that as far as he understood from what HS2 were saying, there would be continuity for nine holes for six months and 18 holes on either side of that. He asked for that to be confirmed and the chairman confirmed that to be their understanding.

70. When examining the cost at that Committee, Mr Walker, one of the witnesses today, confirmed his estimate for the AP2 proposals to be £4.8 million. At that time, we made it clear that we considered this estimate to be no more than an educated guess because, at that time, no surveys of the site had been done and no analysis had been undertaken. We provided detailed costings to the Committee after the hearing had been completed and, subsequently, Mr Walker acknowledged that the £4.8 million was now obsolete.

71. The report of that Committee is before you in various exhibits. I won't go through it but suffice to say that that Committee, through great importance from the parish council – who petitioned and told them that they were very concerned at the loss of golf facilities and they were concerned at the potential financial collapse of the club, given the impact – again, the secretary of state welcomed the decision and said he would work with the club to take forward the proposals.

72. The various promises that I've referred to in the Select Committee assurance and presentations were not strangely taken forward through the formal assurances however. The assurance 15 May 2019, after our hearing but prior to the Select Committee report being published, was offered to us. It sets out how 18 holes should be provided until six months before any work starts on our course, nine holes should be in play in the six months before the work starts, but is silent on the proposals for during those works and after those works. Not quite what Mr Mould had set out. Not quite what Ms Thornton had set out.

73. It's over two years since the Select Committee ruled on our future and sought our continuation and, we consider, ruled out our extinguishment. It's over 15 months since the Select Committee directed that the club could 'operate with nine holes for six months and with 18 holes before and after this period'. HS2 have shown little respect

for those directions. They've continued to threaten extinguishment. They've not provided details to demonstrate how golf continuity can be guaranteed. As an aside, we've been faced with information over the last week in submissions to this hearing that we've never seen before and some of the exhibits, that I'm sure you'll be talking about later, are news to us.

74. If HS2 won't comply with the directions from the Select Committee, we wonder what, to some extent, the point of those hearings was. It's important though for the Committee to understand that we have been trying to establish with HS2 for the past year how the details of the AP2 proposals can be delivered. In confirming to them, again I repeat, in autumn last year that we were no longer proceeding with Tixall, we made very clear at that time that there were certain matters that amounted to our red lines, those being 18 holes of golf continuity; an adequate budget to establish the necessary quality of our new course; and a timeline, a programme of works for all enabling, utility and other HS2 works that allowed for realistic delivery of the proposals. We still have fundamentally, a year later, not received anything amounting to the necessary details or programmes, not agreed a budget, not resolved key compensation matters. That delay, that lack of information, has caused consternation amongst our staff and our members.

75. The only matter that HS2 have provided a degree of certainty about is when they refer to the outage of remits that they say they have, the contracts they say they have, with the two utility companies, Cadent and BPA. They say that the delay beyond 2022, which they are now suggesting is the start date for their works, is not possible. They've failed to provide any details or timetables of the preparatory works for those works. Only very, very recently have some details of the environmental mitigation works been established. We've seen nothing, other than the exhibits that I referred to a few minutes ago that feature today, on how golf continuity can be provided or how the scope of retained holes can be secured during the various construction phases. They've failed to explain why these utility diversions cannot be delayed or accommodated and we await with keen interest their comments on that today.

76. To us, the delays to date have been firmly at HS2's door as it were. We acknowledge that there have been parliamentary elections. We acknowledge the impact of Covid. Interestingly, the utilities start date that I've just referred to, the Cadent and

BPA works, were originally programmed and set out in the environmental statement as starting in 2021. So HS2 have already had to push back their programme by a year. However, they're not prepared to consider a further delay it would seem. After seven years of delay by HS2, it does not seem to us to be unreasonable to ask for a further short delay in order to ensure the implementation of the Select Committee directions. We are not arguing that a January 2022 start date makes that implementation impossible but we do say that there are significant and serious risks associated with the programme. However, we are convinced that in order to ensure these proposals are realistic and deliverable, we need the start date pushed back.

77. You may ask, why do we need more time and there is a certain irony for us asking for more time, having been frustrated by the delays to date. That irony is not lost on us. However, the request is a result of those delays, of HS2's failure to provide details and information, failure to agree budgets and remaining inflexible about the utility start date situation.

78. Our golf club membership and the ability to attract income from societies, other golfers, clubhouse use, catering etc, is built upon 18-hole golf. Our existing offer provides for adequate playing capacity, numerous tee times, two-tee starting, nine hole playing options for our membership numbers and makeup. It's inevitable that we will lose significant numbers of members and hence income, even if we can achieve the 18-hole golf continuity that we seek.

79. From the start of the HS2 works, disruption through construction, shared access, reduced car parking, temporary tees and greens will mean a significant reduction in our income. The current and ongoing Covid crisis makes it even more important for us to assist and retain our existing members. In order to achieve the 18-hole continuity and hence limit those losses and provide for a sustainable future, we consider it essential that the implementation of the AP2 proposals is delivered in such a way as to guarantee 18-hole golf continuity and avoid a rushed and risky construction programme.

80. My Lords, at this point I would like to call upon our expert witness, Mr Hunt, please.

81. THE CHAIR: Yes. Just before you do that, are there any questions from the Committee before we hear from Mr Hunt? No, I think you can proceed then,

Mr Furnell, with your witness.

82. MR FURNELL: Thank you.

Evidence of Mr Hunt

83. MR FURNELL: Mr Hunt, you are chairman of International Design Group, a golf design and project management company. You've been in the golf industry for over 40 years and have extensive experience across the globe of award-winning golf course design, development, funding and construction, including I believe the Brabazon course at the Belfry. You've been involved in the design and the development of over 400 courses and are a published author on golf development and, importantly, you provided expert witness advice at the Commons Select Committees and have been involved with the Ingestre Park project since November 2018. Is that correct?

84. MR HUNT: That's correct.

85. MR FURNELL: Can I call now for Lords to look at exhibit A10(6), please? Mr Hunt, is this exhibit your summary of what you understand to be the current HS2 programme overlain with the golf construction programme?

86. MR HUNT: Yes, we've never received a working programme from HS2 but the exhibit is a summary of what we understand to be their programme overlain with the only programme that we can envisage in trying to maintain 18 holes of golf.

87. MR FURNELL: Thank you. Can you identify the critical elements of that programme as you understand them to be?

88. MR HUNT: There are two stages: design and planning, stage 1; construction, stage 2. Everything here is based on the premise that we have to start work on 1 April next year to have any chance of achieving a continuity of 18 holes throughout the programme of HS2 works. If 18 holes are not continuously on offer in Ingestre, in my opinion, the viability of the club would be threatened.

89. There are two pipelines which HS2 propose that should cross the site. These are advanced works for the main AP2 contract and the dates of occupation of parts of the golf course are what is driving the golf course reconfiguration. The first diversion work

is planned to start in January 2022, at which point the club would only be left with 11 playable holes. Now, there are some holes which go in different directions and would make a silly routing if you ask people to walk backwards down holes, so, in reality, only 11 holes.

90. In order to maintain 18 holes, we've tried to develop for the club a phasing strategy and a programme based on the exhibit on loss of part of the course in January 2022 but it requires the following items to be in place. We've got to get all the design work completed. With the current delays on the appointment of necessary consultants, that becomes much more difficult. We have to get Royal Assent and we have to get Royal Assent by the end of the year. We have to get all outstanding survey work which has been delayed by Covid and is now due to be completed after we are proposed to start work on site. We have to deliver a planning direction and we have to get any conditions required by that planning direction discharged.

91. HS2 have to obtain ownership of the third-party land by 1 March 2021 in order to allow the contractor to establish a contractor's compound to actually start work on 1 April. This has been the continued position from the beginning. The contractor has to be appointed to set up the site by 1 March 2021. There are large amounts of materials that have to be ordered, some of which need to be ordered before Christmas and so there will be financial commitments necessary before we necessarily have all of the planning consents to enable us to do the work.

92. The weather must be good enough to allow the holes to be built: the first two holes by 1 June 2021 and the remaining holes by 1 June 2022 – 2022 or 2023. Those items, those dates, are fundamentally critical for getting this work done because we are only left, even with those unbelievably tight deadlines, with three months in which to grow grass. I think when I first talked to Mr Walker, the HS2 expert, we talked about nine to 12 months to get a decent grass sward grown. This strategy, these dates imposed by HS2, only allow three months to grow grass. That asks a huge amount of the greenkeeping staff.

93. But if any of these above points don't happen, we will have lost the ability, firstly, to build the two holes in time and then the ability to construct the remainder of the holes through the winter on a very thick clay soil with a very high stone content. A delay,

putting the Cadent pipeline diversion back after the BPA pipeline instead of before, would give us a reasonable chance of maintaining 18 holes and would still allow the seasonal working of Cadent and if we do –

94. THE CHAIR: Mr Hunt, I'm sorry to interrupt you. It's rather important to understand exactly what you're proposing there. The BPA works you would envisage remain as identified on this exhibit. Are you suggesting that the Cadent works should be postponed until after the BPA? Is that right?

95. MR HUNT: If that happens, my Lord, then we stand a reasonable chance of trying to get the grass grown and the work done in time. But with Cadent coming on site when it's proposed, on 1 January, we are left with an impossible or an extremely high-risk situation of being able to deliver the golf holes needed to maintain a programme for 18 holes. So one opportunity would be to move Cadent from their current occupation date of 1 January next year to the following year.

96. THE CHAIR: So January 2022.

97. MR HUNT: 2022, to the following year, that's right.

98. THE CHAIR: That's the proposal. Right, thank you.

99. MR HUNT: That's the proposal. If we succeeded, based on the current programme that you see before you in exhibit 6, and we get the two holes built by 2021, we've got to finish those remaining holes through the winter of 2021/22 and have these complete by June 2022. This is asking so much when on a similar site with similar ground conditions we experienced ruts in the soil over five feet deep with machinery trying to work. But we're asking an awful lot of the contractor and, having talked to him, it is just possible that if the weather were reasonable, we could get it done but the risks are so high that in normal circumstances we'd never contemplate it.

100. THE CHAIR: Mr Hunt, I think it's my mistake. According to the exhibit, the proposal for Cadent Works is January 2022 so you're really suggesting it should be 2023, aren't you?

101. MR HUNT: That's right, my Lord.

102. THE CHAIR: Yes, that's my mistake. I think it should be 2023.

103. MR HUNT: Yes, that's correct.

104. MR FURNELL: Mr Hunt, can I please check at that point? You've described a number of the risks in the programme and you've advised the club of those risks at some length. What do you rate as the risks of those, in terms of likelihood?

105. MR HUNT: Well, the first major risk is further delays by HS2 in appointing the consultants to get all the necessary planning work and design details completed. We were left in a situation where it became impossible to deal with this whole project through a local planning authority planning application. Time had just ran out on us. Whilst all the design work was ready, it was impossible because we had no consultants' reports to accompany our design work for a local planning authority application we would complete in July. We still remain in that situation where none of those consultants has actually been involved.

106. MR FURNELL: And the second risk?

107. MR HUNT: So, trying to get all of those consultants appointed would be a very important factor. The second risk is obviously getting Royal Assent and then the land becoming available. At present, there's no guarantee the site will be available for occupation by 1 March to allow a start on site on 1 April. We were told by HS2 that a minimum of three months would be required after Royal Assent to ensure land access and it now appears that they can deliver the land within 28 days after Royal Assent.

108. The third risk is getting an unfettered planning permission, in effect a planning direction and in effect a planning permission from the local authority, sufficient that we can start work on site without conditions being imposed which stop the contractor working or working efficiently. We need to get the survey work done which is not programmed to be completed until after the work was started on site and we fully expect there to be conditions dealing with that.

109. But the fourth major risk, which is the biggest risk of all, is the weather. Whatever happens with the British weather, I think we've all been experiencing some weird weather, whatever happens, these programmes are critical to the day. We don't

have a spare day in the programme if we're to maintain these dates and these dates have been forced on us by HS2. And so we're showing a programme which is as if the sun were going to shine every day. We're asking so much of a contractor and the weather. We have only three months to grow grass after he's finished his works and so we're asking him to build in an unbelievably short time, bearing in mind the terrible soil conditions. All of those risks compounded together put us into a situation where we can only describe them as extremely high risk.

110. MR FURNELL: Mr Hunt, if a sensible delay of one year can't be achieved, what needs to happen?

111. MR HUNT: Well, if we're forced to accept these risks, we must try to ensure that the club can have the information necessary in order to obtain the consents and that we have the least conditions possible. We need to try to resolve with the club a way of working where most of the bureaucracy which surrounds building a railway is not imposed upon building a golf course. In short, we need to have all of the decisions on an outstanding issues list of over 40 items agreed, matters actioned and obstacles removed.

112. MR FURNELL: You've heard from Lord Chairman that he's clarified the potential for a slightly revised timetable for that which we promote today which is a full year's delay. You've offered an, as it were, hybrid solution of a push back of the Cadent works only. Do you believe that to be or is there a solution going forward?

113. MR HUNT: Yes, the sensible solution for everybody is to delay both pipeline occupations by one full year. That would allow a normal golf course construction programme, it would allow us a reasonable amount of time to grow grass, it would allow us time to get the planning permissions and to discharge them without rushing through trying to get the minimum conditions. One year's total delay would be the reasonable solution and so we are left with a balance of risk. What we have before us in exhibit 6 is the highest risk. What we have with a moving of Cadent to after BPA is reducing the risk but the only reasonable risk is a one-year delay to both pieces of pipeline occupation.

114. MR FURNELL: Thank you. Now, turning to the budget question, is it fair to say that this time last year you shared a budget estimate with HS2 of approximately

£4.8 million plus land costs for the reconfigured course based on your detailed design scheme, the design that you designed with the club throughout the last year and the feedback at that time was that you were, broadly speaking, talking the same language? You've subsequently had to revise that, haven't you, and increase the budget. Why was that necessary and how do you explain those increases?

115. MR HUNT: We have been trying to get the boundaries of the site agreed with HS2 for a very long time, the detailed boundaries of the site where we can be absolutely sure exactly how things fit together. Those boundaries in the discussions that we had previously had, we were led to believe that hole 4 on the existing golf course and the tees at hole 8 could be reincorporated into the golf course from the original plans and thus maintain those two holes. We had finished all the design work completely, all the drawings that were necessary and the statements and the impacts. Everything was complete on this basis, believing that what we had been told was true. We were subsequently told when we challenged that statement, 'No, you can't have these holes'. That meant that we had not only to move one of the holes on to the other side of the road, on to the northern side of the road; it meant that we had to realign one of the other holes within the golf course.

116. By moving that one hole to the north of the road meant that we had to further increase the site area that we needed to accommodate the reconstructed holes but it meant that all the work had to be redesigned and on our normal basis we did the redesign work. We've completed that work and we are fundamentally ready to submit, subject to getting all the consultants and the consultants' reports appointed and done in time. But that process has added about £1.4 million worth of cost in the construction changes needed to move that hole on to the other side of the site. That doesn't include land costs; that's just the cost of reconfiguring the reconfiguration.

117. MR FURNELL: Thank you, Mr Hunt. So that latest figure that you've shared with HS2, that latest budget, you believe to be an accurate and reliable budget.

118. MR HUNT: That latest budget is based upon the rates which were quoted by two contractors when HS2 went out to tender and we went out to tender to obtain budget figures. So the rates used, delivered, by those two contractors have been used to prepare the budget, the quantity of work has been specifically broken down into as much detail

as possible, and we have confirmation from LSH, the town planning advisers from HS2, that they are content with both the rates and the quantities. Unfortunately, we seem unable to get HS2 to confirm agreement of that budget.

119. MR FURNELL: Thank you, Mr Hunt. My Lords, that's where I intend to complete Mr Hunt's evidence. I'll pause there, if there are any questions.

120. THE CHAIR: Well I'm going to ask Mr Strachan first whether you have any questions to put to Mr Hunt, and then I'll come to members of the Committee. Mr Strachan?

121. MR STRACHAN QC (DfT): My Lord, thank you very much. What I'm proposing to do is, in due course, to get my specific witnesses to respond to some of the points being raised, rather than spend a lot of time asking questions challenging differences of view, if that's acceptable to your Lordship, because there are some fairly fundamental differences of view on some of the things you've heard. But I'm not sure it's going to be a particularly productive use of your time if I were to cross-examine in detail on that. So experience is, yes, it may not assist your Lordship, but I was just going to clarify just one or two things with Mr Hunt, if that's acceptable.

122. THE CHAIR: I think we can be guided by you, Mr Strachan, but what you're suggesting seems a sensible way to proceed. If you have some short points to put, you could do so now.

123. MR STRACHAN QC (DfT): Thank you very much. Mr Hunt, as I've indicated, Mr Walker you know, who is instructed on behalf of HS2 as the golf consultant, who is experienced in designing golf courses; is that right?

124. MR HUNT: That's correct.

125. MR STRACHAN QC (DfT): I'm going to leave Mr Walker to come back and respond to some of the points you've made in due course, Mr Hunt, but just in terms of the latest costings, as I've understood it, I think those are the ones that were sent to us last week, was it, on Saturday?

126. MR HUNT: Yes, I've produced – I think I'm on the 13th budget as HS2 have changed their minds each time. So I keep reiterating in the budget for every single

change they make. So last week we had changes on the footpath and that was reflected in the budget.

127. MR STRACHAN QC (DfT): Well Mr Hunt, I'm not going to take time trading views on who's changed their mind, but I just wanted to get the date. The latest budget that you're putting forward is the one we received last week, which I think is in excess of £6 million.

128. MR HUNT: That's correct.

129. MR STRACHAN QC (DfT): And I think, Mr Hunt, you've also seen a letter from the Department for Transport; if you haven't, I can get the reference for you. My Lord, for the Committee's benefit, that's in the P bundle and it's a letter from the Department of Transport, P28(97). And Mr Hunt, that sets out the Secretary of State's position on how funding of the reconfigured golf course, in order to provide a community asset of the type that was discussed, will need to involve agreement on what facilities are offered to the community. Have you seen that letter, Mr Hunt?

130. MR HUNT: I have seen that letter.

131. MR STRACHAN QC (DfT): And so far as I'm aware, those points of detail from the club as to what will be done haven't been the subject of proposals from the club as yet, unless you've seen them. Is that right?

132. MR HUNT: I understand, although Mr Furnell will be able to confirm, I understand that the club have a draft response; however, the information that was coming from HS2 as yesterday, as long ago as that, the HS2 information would enable the club to take a legal view of their response back to HS2.

133. MR STRACHAN QC (DfT): I'm obviously not asking about legal matters, Mr Hunt; it's more about the practical measures, you're appearing as a golf course expert, what practical measures would be on offer to deliver the community asset nature? And I think you've confirmed that there are draft proposals but they haven't been sent to us as yet.

134. MR HUNT: I think if you're asking what the content of the golf course is that deals with the matters which the Secretary of State has asked for, we have, as we were

originally briefed, replicated all of the current facilities which the club has to enable it to deliver facilities for the groups which are identified in the Secretary of State's letter.

135. MR STRACHAN QC (DfT): Right, Mr Hunt, I'm sorry; that probably wasn't answering the question I asked. I think you referred to earlier there'd been a draft set, but they haven't been sent to HS2 as yet; is that right?

136. MR HUNT: That is correct.

137. MR STRACHAN QC (DfT): Yes, okay. And just finally, Mr Hunt, in relation to the timetable that you put up on the screen at A10(6), A10(6), the timetable for reconfiguration that you were speaking to the Committee about a short time ago, you've got work starting on Phase Two in quarter 3 of April 2021. You've got two holes starting in Phase One, and then 10 holes starting in quarter 3, as I can see from –

138. Yes, that's correct. It's rather like a rolling programme. Once the contractors start the first element of works within their programme for the two holes, they then have to move across the road. And so each element of construction follows like a train around the whole golf course. So they would start work as soon as, for instance, the large bulldozers have finished building on the two holes; they then move across the road and start working on the other holes.

139. MR STRACHAN QC (DfT): Well if I can put it in this way, my Lord, rather than take more time on it, it's a point of difference, I believe, between Mr Hunt and Mr Walker as to when work can commence on all those additional holes, with Mr Walker proposing that they could start in April 2021. That may –

140. MR HUNT: We're agreed, sir, that all work can start in April 2021.

141. MR STRACHAN QC (DfT): Oh right, okay, well that's helpful then. My Lord, those are the only questions, subject to the caveat I've made. I'll get my witnesses to respond in due course.

142. THE CHAIR: Yes, thank you. Now as far as the Committee is concerned, are there any questions from members of the Committee to this witness? Lord Brabazon, you'll have to unmute again. Yes, can we hear you now? No, I'm very sorry, I'm afraid we're not getting any sound from you, so I think we'll have to hold your questions back

until later, if at all. My Lords, I'm going to break now for five minutes to give everybody a chance to just stretch their legs and so on. So we'll come back again, it being 11.38, let's come back at 11.45. Mr Furnell and Mr Strachan, would that suit you, 11.45 to resume?

143. MR FURNELL: Absolutely.

144. THE CHAIR: Good. All right, we'll break off just now.

Sitting suspended.

On resuming –

145. THE CHAIR: Lord Brabazon, I think your sound system is now working and I'd like to give you an opportunity to put a question to Mr Hunt, which I think you were indicating you wanted to put earlier.

146. LORD BRABAZON OF TARA: Thank you, Lord Chairman, I hope you can now hear me.

147. THE CHAIR: Yes.

148. LORD BRABAZON OF TARA: Yes, good. Mr Hunt, thank you for your evidence. I looked at the timetable which you set out on page 6 of A10; it looked extremely tight to me. I had been under the impression, perhaps wrongly, that it took about two years to build a golf hole, including obviously the fairway and the green, in particular, and the irrigation and the drainage, etc. You mentioned earlier that you had been involved in building the Brabazon course, which was named after my grandfather as a matter of fact, and I actually opened it; it must be over 40 years ago now. Can you say on a brand new course like that, and we are talking equivalent because the new holes on this are brand new, how long that took to construct?

149. MR HUNT: Your Lordship, it was an interesting project working on the Brabazon, but my role was as project manager on behalf of the PGA, since I at that time was technical director of the PGA subsidiary, PGA Design Consulting, which is now International Design Group. And so in that role as project manager, one of my jobs was to look at the programme all the time, to make sure that we could deliver on time. My

job was involved in the reconfiguration or the rebuilding of the Brabazon course, whilst it remained in play, so that we could run the Ryder Cup. In that work that was done in rebuilding the Brabazon course, it took us pretty much two years to redo all the greens in situ and rebuild the works that were needed elsewhere. However, I was also involved in the PGA National Course, which I'm sure your Lordship will know is next door to the Brabazon, and the PGA National Course took us two and a bit years to complete, most of that time being involved because that, like Ingestre, is a very thick clay soil, and so the delays during the winter were significant. And then we had to grow the grass and it took us six months to grow the grass to a minimum standard for soft play.

150. Here we have only got three months to do that. We've recently done it on a project in the Czech Republic but it requires intense, intense, work from all the maintenance staff and intense applications of chemicals and fertilisers. We're asking, in my opinion, too much of the British weather and the chances of things going wrong in that period to say that it is a reasonable programme. But it's the only thing we can do, based upon the dates on which chunks of the Ingestre course will be taken away.

151. LORD BRABAZON OF TARA: Thank you very much, Mr Hunt; thank you for that.

152. THE CHAIR: Thank you. Well Mr Furnell, I think it's back to you now to continue your presentation.

153. MR FURNELL: Thank you, my Lord Chairman. Just before I conclude, and I am about to conclude, just to clarify, Mr Strachan referred in his questioning of Mr Hunt earlier to a Department of Transport letter dated 25 August. I'd remind you that Mr Hunt is our golf course construction and funding expert, not a community use expert. The golf club received that letter and I've referred earlier to a flurry of activity that we've had over the last week or so. And this letter is just one of those; it came completely out of the blue. The board has met very recently and we will be replying to that letter but Mr Hunt is in no position to give you any details of our handling of that matter.

154. THE CHAIR: Yes.

155. MR FURNELL: So yes, my Lord, my next intention was to set out our requests in

detail, and that's set out in exhibit A10(7). In order to address the issues we've raised with you today and to ensure urgent and proper implementation of our proposals for the reconfigured course, we ask you to endorse the following actions. Firstly, that HS2 confirm that extinguishment is not to be considered further.

156. THE CHAIR: By extinguishment, you mean what – simply, that the whole golf really has to be brought to an end?

157. MR FURNELL: Indeed, that's the phrase used with us. The phrase, to be fair, used is always from HS2 that they are balancing the costs and benefits of their reconfigured proposal against the best costs and disbenefits of our closure. We thought that matter, and we still feel that matter, was addressed and concluded in the Commons Select Committee conclusions to ensure our continuity.

158. THE CHAIR: Can I just pursue that a little bit with you, Mr Furnell, so that I can follow the significance of the 25 August letter? Obviously, you're going to reply to it, but the impression I get is that, in the fourth paragraph on the first page, propositions have been put forward to secure value for money. And on the following page, it's made clear in the final paragraph that all the points in the letter are not negotiable. Is the point you're seeking to make that if that line is taken, and the funding that you need is simply not available to enable you to carry out the proposals which Mr Hunt has been describing to us, then extinguishment would follow? Is that the point you're making?

159. MR FURNELL: That seems to be the impression. As I say, we remain uncertain in this topic; that letter was received out of the blue. As you might imagine, given the contents you've summarised and the other concerns, has caused us to pause to say the very least. I don't wish to exaggerate the point because we are in dialogue with HS2; I'm simply saying that we have felt for a long time now that using the phrase, 'extinguishment', threatening us with it, in effect, and that's been the message that we've received, whether it was intended or not, is not conducive to collaborating; to agreeing the budget, to agreeing a timeline, to delivering AP2.

160. THE CHAIR: Yes, thank you.

161. MR FURNELL: The second request is that, in order to ensure the 18 holes of golf that we say are necessary, that they are available at all times, that no enabling

preparatory, other than necessary surveys, utility or other HS2 works, should start on our existing course before January 2023 at the earliest. Mr Hunt described in his evidence an, as it were, alternative strategy as a sort of fall-back scenario whereby if, for example, the Cadent works that are proposed for January 2022 were postponed, that would help. He's right in that respect; we accord with that view, but our principal and important request is that all works are delayed for that year.

162. The third request is that HS2 use best endeavours to secure the land, the land that's in three third party ownerships required for AP2, as soon as is possible, prior to Royal Assent to enable earlier construction works. Our fourth request is that they should be obliged to ensure the earliest practical delivery of their components, such as the planning direction. Fifthly, they should be obliged to confirm formally the budget that we've talked about today, and the budget that will continue to be talked about I'm sure. But my Lords, how long do we go round that circle? How long are we uncertain about the budget that to us establishes the quality of the product that we believe we're entitled to? So we ask that that budget be confirmed and it includes the new tees, the fairways, the greens, for our existing holes and it includes the new crossings and routes of access to Ingestre Road.

163. Our sixth request is that HS2 be obliged to formally confirm again advance funding of the various consultancies that Mr Hunt talked about, and indeed others, for the various planning direction and local planning authority application that's now required to be able to get moving. Lastly, we ask that some form of agreement, some form of heads of terms, to ensure the implementation of AP2, the reconfiguration, and the associated compensation claims, including confirming our own legal costs, are confirmed by HS2. Again, we are left in great uncertainty and great inability to some extent to respond without those matters being confirmed. We ask that they be done by October of this year.

164. So, my Lords, those are our requests and I'll now make a closing statement, if I may, just to wrap our presentation up. And I'll obviously take any questions after that. We've set out our case, we believe, and explained the reality of our current challenges. We want to resolve matters with HS2 and we want to move forward to implementation. We need to secure a future for our club and our community and indeed the local community. In order to secure these things, we ask that our requests be agreed and I

would remind you of Ms Thornton's 2018 statement that we should be treated fairly. We need HS2 to deliver on their components of the programme in order to ensure Phase 2A and our reconfiguration project can be implemented speedily and effectively. My Lords, thank you.

165. THE CHAIR: Thank you very much, Mr Furnell. Any questions from members of the Committee before I pass on to Mr Strachan to present his case? Well Mr Strachan, I think it's over to you now to present your case for us.

Response by Mr Strachan

166. MR STRACHAN QC (DfT): My Lord, thank you very much. If I could just say a few brief comments before I turn to the witnesses, just by way of introduction. First of all, I was very pleased to hear Mr Furnell's last observation about working constructively with HS2; that is certainly HS2's intention to work constructively with the club. And I certainly don't want my response to some of the criticisms to be taken in anything other than a response to things that we don't accept and certainly not to alter the mood which we would endorse of working together to ensure the reconfiguration can go ahead. It is, of course, challenging but HS2 has been working very hard to produce a timetable and a set of proposals that will minimise the impact on the golf course through the reconfiguration proposal. So I don't want to alter that mood, but there have been a lot of criticisms made by the golf club in the opening introduction of what were described as delays on the part of HS2 or changes. And I just need to respond in brief; I refer the Committee to a lot of the documentation which you have in the P set of packs but, in brief, can I just point out a couple of things? The first –

167. THE CHAIR: Before you do that, Mr Strachan, do I understand from the opening remarks you've made that the answer to request 1 is that extinguishment is not being considered, that the aim of the constructive talks you're talking about is to preserve the golf club; is that right?

168. MR STRACHAN QC (DfT): The aim is to preserve the golf club. The only caveat to that which is referred to in the letter from the Department for Transport and which we say was clearly part of the House of Commons' recommendation is that it's not at any cost, and that what we're dealing with here is public taxpayers' money. And, as you'll hear, the costs of reconfiguration already vastly exceed what would ordinarily

be payable for compensation for this sort of interference with a golf club. But we are seeking to preserve the golf club in its current situation with the reconfiguration. But what ultimately has to be controlled is the overall cost of that reconfiguration because we as yet don't have all the information from the club, as I'll explain, as to what those costs are. So there's a very clear commitment expressed in the letter that your Lordship's referred to, to take forward the principle of reconfiguration, but the caveat is that there needs to be an ultimate ceiling on how much money is spent on a project of this kind and to have proper knowledge of what the ultimate bill is, because it is going to be footed by the taxpayer. And as part of that, because a lot of money is being spent, one needs to secure the local community asset provisions. And your Lordship will know that this is actually a private members' golf club and, in order for it in perpetuity to be accessible to the community where this amount of money is being spent to achieve reconfiguration, there needs to be agreement and mechanisms to enable that to take place.

169. And that's what the letter refers to. I hope that clarifies it, my Lord. Extinguishment is not, I think, is the technical term for the golf club ceasing to be in its current form; that is what we are trying to avoid but only with the knowledge of the overall costs of what is entailed. And I'll come back to that in a moment, if I may, just in terms of what we actually know at the moment as opposed to what we don't know. But just a couple of points on that. First of all, without seeking to rake over the history, it is important for the Committee to note until, in fact, August of last year, the golf club was seeking relocation, as you've heard; they were not wedded – indeed they were opposed – to HS2's proposal for reconfiguration and retaining the golf course in its existing location as a community asset. And, therefore, a lot of energy was spent, both in the other place, and in dialogue or lack of dialogue with a dispute about that. We're very pleased, of course, that the golf club has now come round to the principle of reconfiguration and what we've proposed by way of additional provision to, but it's important to note when that occurred and the amount of energy that has been expended in the principle of relocation prior to that.

170. I'm not suggesting the golf club wasn't entitled to pursue relocation but it certainly affects the ability to bring forward a co-operative reconfigured golf club and course until such time as they came round to that point of view, which was at the end of

last year. And you'll see it was written into the petition before your Lordship's House that they were still seeking relocation, but then there was a letter that subsequently said that they would change their mind. So that explains part of the factual context. Since that time, the HS2 – and indeed prior to that time when defending reconfiguration rather than relocation – HS2 has spent a lot of time and energy taking expert advice, and you'll hear from Mr Walker in a moment, throughout that whole process as to how reconfiguration could be achieved. That was with a reluctant golf club, of course, at that time but now the parties are working together and that's excellent, but it does explain a lot of the history.

171. The second point to note is that reference was made to another golf course, Whittington Heath, where there was an effect from the line. Your Lordship will see in some of the correspondence the facts are rather different there. For example, the club house was taken as part of that facility and the golf club indeed worked with HS2 to reconfigure in situ from an early stage, as opposed to the history I've just explained to your Lordship here. So the timings are rather different and the situation was very different. We are not in any way treating this golf club unfairly or in a different way; we're treating it entirely fairly and trying to grapple with the specific issues that arise here now that everyone's agreed on the reconfiguration.

172. And the third point if I could just explain, my Lord, is about information. There is, and again I don't want to rake over the past, but there are a lot of things that HS2 still doesn't know, which it needs to know from the golf club, to understand the overall picture as to total amounts of public money that will need to be expended. Can I just give you a flavour of that? Just again, as I've said, I don't want to spend a lot of time in circumstances where parties are now working constructively, but I'll just give you an idea of important information which remains outstanding. For example, the golf club's financial information for the purposes of compensation or understanding how the business works is fundamental to any compensation claim, understanding the total bill. And that was, as your Lordship can see, P28(44), a letter sent on 24 October 2019 from HS2 – it begins at page 43 – responding to the petition that was made to your Lordship's House, and the debate about equivalent reinstatement and compensation. But if your Lordship looks under the heading, 'Extinguishment', on page 44, there are five paragraphs there made about overall costs. And in the penultimate paragraph on that

page – they’re all relevant, I won’t read them out – but in the penultimate paragraph on that page, we’ve been inviting the club to provide estimates of its compensation, to provide us with details of the financial accounts, to be able to refine matters and bring things forward for an agreement, and the club has not done so. And that remains the case today; we don’t have the club’s financial information to enable us to put together the overall package. And you can see that that creates, for HS2’s perspective, and in particular in relation to public money, a real problem because we don’t have that detail of the compensation, the financial detail which we would normally expect to be able to see.

173. My Lord, the last point on this, you’ll hear a little bit later perhaps from Mr Smith, there’s been a big issue about the principle of compensation. As a matter of principle, would a golf club of this type, where it’s affected by a public scheme of this type, be entitled to compensation on an equivalent reinstatement basis, to use the jargon, under rule 5 of the compensation code, or not. And that was a real point of dispute between the parties; it remains a point of dispute. All I want to point out to your Lordship about that, that is ultimately a matter that’s ordinarily resolved by recourse to the Upper Tribunal (Lands Chamber) in the event of a dispute. Now that might be seen to be a difficult process or lengthy process, but HS2 offered the alternative dispute resolution mechanism to resolve that principle, where one has an early neutral evaluation on appointment by an expert to come to a view on that to enable both parties to proceed on understanding how compensation would be approached. That’s something we’ve offered the club but they have chosen not to take up.

174. So I don’t want to spend, as I’ve said, an inordinate amount of time responding to all the criticisms, but our understanding and my instructions as to what has happened are very different in character to that given by the club as to what’s happened in making progress. Over the past year, since the golf club has come round to the principle of reconfiguration, there has been very considerable work between the parties to try and agree a formal proposal which will enable the impact on the golf club to be minimised, the impact on holes, minimised as much as possible and to bring forward the reconfigured golf course as quickly as possible within the timescales. But there are some basic problems that both parties face. And I’ll just turn to my witnesses in a matter of moments. The first is the programme for the overall construction programme;

Mr Smart will explain why it is not viable to push back the utility works in the way that the golf club is seeking, and the huge impact that would have on the whole project.

175. Secondly, whilst of course constructing the new holes involves everyone working together, as My Lord Brabazon's pointed out, a period of time for the new holes and the growing of grass to take place, Mr Masters will explain how – sorry, Mr Walker will explain how that can be achieved in the programme we're suggesting. And lastly, in relation to bringing forward heads of terms and acquiring land, those are all matters that HS2 is trying to take forward as quickly as it can, both in agreeing the detail of the package of measures as you've seen from the correspondence, and from an accelerated programme for carrying out surveys, taking possession of land, subject of course to getting the powers under Royal Assent ultimately. But taking forward everything that we've done in advance as quickly as possible to enable this impact to be minimised.

176. With that introduction, my Lord, again I'd like to call Mr Smart first just to explain to the Committee and respond to that request number 2, why we do not consider it's practicable or viable to put back the construction programme in the way that's been suggested by Mr Hunt. So could I turn to Mr Smart to help the Committee on that and call him as my witness? I think Mr Smart's already given evidence; I know he has given evidence to the Committee. So I wasn't proposing to introduce him and his expertise but as your Lordship knows, he is obviously head of engineering as HS2. I think I've probably got his exact title wrong; he can correct me, but I wasn't going to run through those qualifications, but I'll just ask him to address the timetable.

177. THE CHAIR: No, I think you should go direct to the points of fact you want to deal with. But just before you do that, again, I look across to the members of the Committee for any questions. Lord Goddard has a question; yes.

178. LORD GODDARD OF STOCKPORT: Yes, could I just ask one question? Whittington Golf Club which were with you from the start, that timescale as proposed to this petitioner who came round, if you like, one year ago. Are those timescales possible now? Are they unreasonable or reasonable bearing in mind the new starting, if you like, the new starting place?

179. MR STRACHAN QC (DfT): The answer to that, Mr Walker will address you on that in a moment as to what can be done by way of growing, or sorry putting in new golf

holes and growing them in a timescale. Undoubtedly, they require both parties to co-operate and they require a fair wind, but the position as I understand it is that, yes, they are achievable, to have 18 holes back in play in, I think it's September 2022 which is when the major land requirement is necessary from the remainder of the golf course. But I'll get Mr Walker to help you with that more specifically in a moment, if I may. I hope that answers your question. And I should emphasise, I don't know the precise times of the Whittington Heath petition but I was alerting you to the differences between the two. I know that they were initially objectors; I don't know exactly the terms of their objections originally, but I can check those for the Committee if that would help.

180. THE CHAIR: Right, well thank you very much. I think we can proceed then to Mr Smart's evidence.

Evidence of Mr Smart

181. MR STRACHAN QC (DfT): Thank you very much. Mr Smart, could I ask you to please assist the Committee in relation to the question of what is going on on the golf course by way of construction works? Just to take us through that. And then to explain your views on the proposal that one would put back, delay of the utility works, in either of the two manners suggested by Mr Hunt and the effect of that on the programme.

182. MR SMART: Yes, good morning, my Lords. My Lord Chair, I will start off by giving an overview of the HS2 route as it passes through the golf course, and then I shall proceed onto the constructions works and, particularly, the utility works which the petitioners have raised. In doing so, I shall probably need to refer to round about half a dozen exhibits and I will pause after I have finished each exhibit to allow for questions but, of course, I do understand that there may be some hands before I've finished and I will deal with those questions as they come, my Lord.

183. So if I can go first to exhibit P28(3). I'll just give you a minute to pull up that exhibit. This, basically, shows the HS2 operational route as we pass across the golf course. You will see outlined on that exhibit in red the demise of the existing golf course today. It doesn't show the additional lands required under AP2; they are on another exhibit I'll refer to. But just for reference now, they are in the areas to the north and south of the top left-hand side, where you see 'BOAT 1'. That is the area, that's a byway open to all traffic and that's the area which will be used to provide the additional

reconfigured golf course.

184. MR STRACHAN QC (DfT): Mr Smart, I think you mean top right-hand.

185. MR SMART: Sorry, right, I apologise. So you can see the route coming from the right-hand side beneath Lionlodge Covert. And that is what is known as north Trent embankment. Now Mr Furnell, I think in his evidence, made some statistics about the embankment and I think he was referring to that which was in the golf course demise. But actually that embankment is at 1.1 kilometres long and between 10 and 11 metres on average high. As we come to the area which is just beneath the pond, where you can see the words, 'Ingestre Park Golf Club', we're at about ground level there, existing ground level. And then we go into what is Bramcote south cutting and that actually is a cutting of round about one and a half kilometres, and it is 17 metres deep. So to give you some idea of that, that's just short of about four Routemaster London buses. So it's a very deep cutting. And earthworks are critical to the construction of Phase Two of HS2. I will pause there because that's an outline of the route to see if there are any questions before I move to the next exhibit.

186. Okay, I think I will then move to exhibit P28(2). So what we have here is the configuration of the route as we construct HS2 through here. And the pink area outlines the land that we will need, and you can now see in pink in the area of 'BOAT 1', on the right-hand side, the additional land for the reconfigured golf course is shown there as part of it. You can also see where we will be stockpiling spoil, which is shown in the dark brown, and you will see across and south of our HS2 route a yellow line which is the haul road in which we will bring material in for the construction of HS2. Now, my Lords will recall from my engineering teaching presentation that the haul roads are critical, not just to allow us to access the site for construction, but they are a key mitigation in which we can keep construction traffic off the roads and, therefore, mitigate as far as possible any impacts of the construction traffic.

187. You will see two utility compounds which are shown in the orange. On the right-hand side is Haywards Lane utility compound, and that is the utility compound required for the British Pipeline Agency fuel pressure pipe.

188. MR STRACHAN QC (DfT): Mr Smart, sorry, just again, just a slip, Hanyards Lane rather than Haywards Lane; I think you referred to Haywards Lane.

189. MR SMART: Apologies, yes, Hanyards Lane. That is the compound necessary to do the diversion for the British Pipeline Agency 250 millimetre fuel pipeline. I believe that pipeline actually supplies Gatwick Airport with its aviation fuel. Moving to the left, you will see Ingestre Park Road utility compound, and that is the utility compound necessary for the construction of the Cadent utility diversion, and that is a 300 millimetre high pressure gas pipeline. So those are the compounds which will acquire to do the work. And you will see that the compound for the Cadent works is right in the middle of the golf course. Unless there are any questions on that exhibit, I will now move specifically to the diversions that we have to do prior to us doing the earthworks, which will explain the criticality of why we need to do these major utility diversions as soon as we can, before we can actually start construction of the earthworks in the trace.

190. So if I move now to exhibit P28(40), if we look at the left-hand side, in the pink area you will see a label that says 'Bramcote south cutting', and you will see two red – sorry black – lines for the utility diversions. One is labelled 'GHNGD', and that is the Cadent 300 millimetre high pressure pipeline. And the other is labelled 'FUBP', and that is the fuel pipeline. And you can see just beneath the actual arrowhead that sits pointing to Bramcote cutting, that both of these utilities go across our 17 metre deep cutting. So if we do not make these diversions, clearly, we can't get the trace through. So they have to be diverted. And the way that we will make these diversions is shown in the dotted pink, if I can call it that, with the initials, 'UT'. So if we look at the Cadent diversion, you will see that the UT diversion is just to the left of where the Ingestre Park Road utility compound is, and we will then go 90 degrees across the route from the north to the south. And once we are south of the route, we then head to the west, along the trace, and I won't refer to the exhibit, but if you want to see where the connection's made, it's just off this particular exhibit where you see the little number 7, and it's actually shown on exhibit P28(41). But we go along and we reconnect in to the existing pipeline away from the route, so we can make sure that we don't interfere with the Cadent gas main.

191. I'm now going to turn to the fuel pipeline. Now the fuel pipeline is a much longer diversion; it's about a kilometre in total that we have to divert. And you will see that we make this diversion along the top of the trace. So if you look at exhibit P28(41), just adjacent to the arrow that points to Tixall footpath diversion, you can see the FUBP, fuel

pipeline, and that's the point where will have to connect in to make this diversion. And if I then go back to P28(40), we then take this diversion along the top of the northern side of the trace until we get to a point just to the left of Hanyards Lane utility compound. And then we come 90 degrees across the route where we turn 90 degrees towards the east, and then we connect in to the existing pipeline again where it says, 'British Pipeline Agency 250 diameter fuel pipeline'. So that's the nature of the utility diversions that we need to make.

192. Now as you can see, we need to make those diversions before we can start our earthworks. And, certainly, the fuel diversion sterilises about a kilometre of the route; we couldn't do any earthworks until that is done. The Cadent works is seasonal, so that has to be done in the May to October latest window because, obviously, it's gas distribution; it's high pressure. Also because of the nature of the safety of these works, gas pressure pipelines need about a 50 metre exclusion zone while they're working, they're hot-working, they're welding pipes and you've got gas. So we cannot run these utility diversions in parallel; we have to do this sequentially. And we will do the first of these diversions, which is the Cadent works, starting in January 2022, going through till September 2022. Now that period of time is not just to do the diversion of the gas main; we also need to do environmental and heritage surveys because we need to look at translocation of any species, and we also need to check for any significant archaeological finds which we would have to deal with.

193. So we need to do some surveys, investigation and translocations, and that would happen in the sort of January to March time, and March we could actually start doing the diversion.

194. THE CHAIR: Can the Cadent diversion be after the BP diversion? One of the suggestions has been that keep the date for the BP line but postpone the Cadent one until later.

195. We've looked at the best programme to achieve through here, and the Cadent diversion because of where the nature of doing the undertrack crossing is, and the extent of the BP diversion, this would give us the best advantage in terms of programme. Because we need also obviously to have the seasonal point of when the Cadent work can be done. So we're working fairly hard here to try and accommodate as best we can

what we can do to minimise impact, but that gives us the best programme advantage as we understand it, my Lord.

196. So I think one can see that we can't do earthworks in this area until we have done the utility diversions because, clearly, they are in the trace in the way, and we need to move them. Then if I come to why is that critical? Well it's critical because it is condition precedent for starting for the earthworks. And the earthworks are the critical path for the construction of Phase 2A. Mr Hunt, in his evidence for the golf club, explained the importance of weather for golf clubs, and I can tell you that it is equally important for construction of earthworks of railways and, indeed, any infrastructure that requires earthworks. We have to move around 20 million cubic metres of material on Phase 2A and, therefore, the construction of the earthworks is critical.

197. We only have about four earthwork seasons to get this work done, and the reason we are reduced in earthwork seasons is because one has to allow for the ground movement associated with cuttings and embankments to actually manifest before one can start laying track. So as soon as you've built an embankment, you need to have the residual movement or the residual heave, which is upward movement of a cutting, reduced to a minimum before you can start laying track.

198. Now clearly, one can do ground treatment, and we do that where necessary, but that is additional cost. Most cost-effective way, of course, is to let the ground move and often we can't afford to wait that time and we need to do some sort of ground treatment to mitigate the effects of ground movement, but there's still a limit to what you can do. So there is a time constraint on the whole of the earthworks, and as I said, with the amount we have, it's absolutely critical to construction.

199. Now if, I may return to the construction layout which is on P28(2), not only if we pause the utilities works, we have got a delay, but if we don't do the utility works, we still have a problem with regards of construction of the main embankment because, as I have just given in my evidence, the haul road comes across the golf course and that haul road is fed from, effectively – it's bringing supplies in from our road head, which is about five to six kilometres away on a A513 at the new Staffordshire Showground. So if we can't haul along there, we can't even begin to start constructing the embankment which is the north Trent embankment which is shown on the exhibit P28(2) – that is

where the Hanyards Lane utility compound is. That's that embankment there, and as I've said, that embankment is 1.1 kilometres long and 10 to 11 metres in height, so it's a significant amount of earthworks.

200. So there's two key impediments here which would delay our earthworks. One is, we couldn't start until we'd done the utility diversions, and two is, even if we could overcome that one, we'd still have the problems with the haul road of getting in to construct any earthworks to the south, even outside the demise of the golf course. So I'll pause at that point for any questions on my evidence so far.

201. THE CHAIR: Just to be quite clear, you're saying that the diversions have to take place before the haul road is developed?

202. MR SMART: We will probably start developing some of the haul road because that's just a temporary measure, but we can't start cutting the ground to form any cutting because that would sever the utilities.

203. THE CHAIR: Yes, I see, thank you. So I think you can go on, Mr Smart.

204. MR SMART: I guess the next question would be what would be the cost if we were to pause.

205. MR STRACHAN QC (DfT): Mr Smart, can I just get used to address two things in turn? The first is the request is to delay the start of these works to the earliest of January 2023, or indeed put the Cadent works after the BPA pipeline works, and I just want you to be clear, Mr Smart, so from your perspective, as to what the effect would be of delaying those works in either of those two ways, to the scheme, both in terms of its delivery and then in terms of costs.

206. MR SMART: Because by delaying the utilities you delay the earthworks in two respects, one is construction outside of the golf course demise, and two, even the construction within it, you would delay the completion of HS2 Phase 2A.

207. MR STRACHAN QC (DfT): Perhaps you can help me, how long the delay would be –

208. MR SMART: So a year on our earthworks, I have said, is going to be a year on

the programme, or the schedule to complete. Now, the reason this is particularly important to us is we need to get Phase Two open to get trains into Crewe at the same time that Euston, which is being opened in stages, can deliver 10 train paths an hour. So we need to have that railway ready, which means we need to start constructing our earthworks as soon as we can in 2023.

209. What would happen if we delay by a year is that the date of entry into service of HS2 trains, which would be going to Crewe, and furthermore, they'd be going on to Warrington, Wigan and Preston, could not happen until we complete our works. So that's the first thing, and that is obviously an economic benefit which can be valued.

210. Secondly, the other costs, which will be direct costs, would be those which we would, if you like, feel through the construction of the works because of the delay we would have. And we've looked at what that would be, and assuming we could offer off-hire everything we can and then bring it back again at the time we could get back in here to construct the works, we'd be looking at a cost primarily through staff and some prelims and site establishment, of about £1.8 million a month. So I can well predict that this particular set of earthworks will be on the critical path for construction. So if we were to say we got a delay to our construction of a year, we've got a cost of round about £90 million to delay the works.

211. Now, I do take the point that this far out before we've got a contractor on board, that there is – the predictability of the critical path and the scheduling can have some scope around it and we could have – I'm not saying we will – as much as maybe three months' float, but if we delay by a year and then we would reduce the costs by, say three months, because we could just about manage that, we're still in for a cost of £60 million, plus you've got then, still, the important point of the delayed opening of HS2 into Crewe and beyond.

212. MR STRACHAN QC (DfT): Thank you, Mr Smart. I think you said £60 million or between £60 million and £90 million.

213. MR SMART: Correct, Mr Strachan, I think I would frame it in those terms. I would expect it to be at the higher end, because the earthworks are absolutely critical, but if there is some float, which we will only know later when we've got the contractors on board, it wouldn't be any more than three months and that might give us the lower

end of around £60.

214. MR STRACHAN QC (DfT): I just hope you can help here. You mentioned £1.8 million per month but I couldn't do the calculation of £1.8 million per month to get to the figures –

215. MR SMART: Yes, I'm rounding up because that's substantially some of the staff costs, but there are other bits and pieces. But that's the order of costs we're looking at.

216. MR STRACHAN QC (DfT): I just wonder whether it's per month, or my notes suggest it was per week, but can you please just check with where it's per week or per month?

217. MR SMART: Actually, if you do the maths, is per week, isn't it? I'll just confirm that. So £90 million is a year's delay.

218. MR STRACHAN QC (DfT): Thank you very much. My Lord, those are all the questions I have for Mr Smart on the engineering side. There may be some questions from the committee, or indeed, from the golf course.

219. THE CHAIR: Mr Furnell, I think you have an opportunity, if you want to put questions just now.

220. MR FURNELL: Thank you, my Lord. First of all I start by thanking Mr Smart for an explanation that we've been asking for, for about a year now, of the matters he's run through. It's illuminating to the other detail at long last. I think, if I may, Lord Hope, you asked Mr Smart whether Cadent could follow BPA. I believe he said it was the best programme advantage. He didn't actually answer your specific question as to whether it was constructionally possible, so I'd ask him that first.

221. MR SMART: It is constructionally possible, yes.

222. MR FURNELL: Thank you. Secondly your, I think is now, £1.8 million per week – can I confirm it's per week not per month?

223. MR SMART: I've got to just do the maths. If you divide 90 by 12, that gives you the answer. So that's around a month, I think.

224. MR FURNELL: I'm just keen that we, to use your phrase, don't use an order of costs, but we have some detail to underpin the assertion that I assume is following from that figure, because we've spent two years talking about detailed budgets and you're talking about an order of costs.

225. MR SMART: Well, I say order of costs because as you are aware, Mr Furnell, we haven't tendered this work yet; therefore it's an estimate at this stage. We will get an actual cost when we go to tender and we get our contractors. So anything at the moment is an estimate and that's why I say an order of costs but we can certainly provide some breakdown of how that cost is built up, if that would be helpful.

226. MR FURNELL: I think from our perspective that would be desirable; I'm sure the Lords will agree that would be desirable for their purposes. My final point is that you referred to this far out and we could have a three months' – was it float, sorry, you used, the word?

227. MR SMART: My point there, Mr Furnell, is that we won't know the actual programme until we get contractors on board. However, we have done an awful lot of work around how one would construct this work, not least because one has to do it for the construction of environmental statement. So we have to know in some detail how we're going to build this work for the reasons that I've said of the construction of the environmental statement, impact on roads, impact on air quality and everything else. Secondly, we need to understand it for our tender documentation and for our cost planning for this work. So in terms of where we believe the ultimate programme to build this work, the schedule if you will, which the contractors will provide once they're on board, we think that there's a very, very strong chance that the earthworks, and therefore this work for the golf course, will be on the critical path.

228. There's a potential, depending how the contractors go about it, that that might be reduced and that is my point, that if a year's delay wasn't quite on the critical path, what would it be? So it could be three months less than that. So that's why I'm framing my delay costs between – for being, if you like, three months less. But as I say, final –

229. MR FURNELL: Very finally – I'm sorry we're having some technical difficulties hearing you, but my final question, if you can hear me, perhaps you could nod. Just in layman's terms, this is a massive programme, Phase 2A, of which there are hundreds of

engineering components. Ours is one small component in amidst of all that. Are you suggesting and concluding and advising the Committee today that the delay that we're requesting is fundamental to that programme, and other components can't be rejigged accordingly?

230. MR SMART: I am, and the reason I am suggesting, or I'm actually saying that's the case is because the criticality of earthworks in general, which is where the critical path goes through for construction, for the reasons I explained around both the time to construct, the wait time before you can start bringing through track systems, and the general constructability of how one accesses the trace with haul roads and where you can get access from.

231. MR FURNELL: Thank you.

232. THE CHAIR: Any questions from the Committee? Well, Mr Strachan, I think we can move on then from there.

Evidence of Mr Walker

233. MR STRACHAN QC (DfT): Thank you very much, my Lord. Can I ask Mr Walker then to assist the Committee in relation to the reconfiguration itself? My Lord, I don't think Mr Walker has – well, I know he hasn't appeared before your Lordships' Committee before. If I could just turn up P28(8) in your exhibit pack, you'll see on that slide is a summary of Mr Walker's expertise, and Mr Walker, could you please just confirm what's set out in that slide? You are a qualified golf course architect, a member of the European Institute of Golf Course Architects, a PGA Master professional and past captain of the PGA of the Great Britain and Ireland. And you're the owner and operator of Garon Park Golf Complex, which is a 27 hole complex, and you being a golf course architect for six full 18-hole golf courses in addition to several smaller golfing projects in the United Kingdom.

234. MR WALKER: Yes that's correct.

235. MR STRACHAN QC (DfT): Mr Walker, I also referred in my brief introduction to you having been advising HS2 for some time in relation to the reconfiguration. I think you appeared as a witness in the other place. Is that correct?

236. MR WALKER: That's correct.

237. MR STRACHAN QC (DfT): Thank you, Mr Walker. Can I ask you then, please, just to help the Committee in terms of what is proposed by way of a reconfiguration and the effect on the golf course of the various stages? And I think for these purposes, the best slide to start with, my Lord, is P28(20) where the golf course is shown with the numbered holes, and then this deals with the period, I think Mr Walker, between now, or continuing until January 2022, but perhaps you can assist by just explaining the slide to the Committee.

238. MR WALKER: Yes, thank you. Thank you, my Lord Chairman. Slide 28(20) shows the existing 18-hole course that will be used and we will continue to operate as normal until January 2022. There will be some minor survey works, mainly ecology, that will be pre-arranged with the club so not to interfere with the day to day operation during the period up to January 2022. The survey works will normally take place during the weekdays and may include some holes or other areas of the course to be closed off for short durations while the survey work takes place, and weekend work will not happen so the golf course will be completely clear at the weekend.

239. If I can invite my Lords to move up to slide P28(21), this slide illustrates the HS2 Cadent work, together with the associated environmental works and access works during the period from January 2022 until September 2022, as shown there by the highlighted yellow timeline image above the above the course picture.

240. The blue highlighted area is the extent of the proposed works. At this time the club will lose holes 5, 7, 12 and 14, and the works infringe the sixth tees, so this will leave 13 complete holes remaining at this time. At this point, there will be a possible 12-hole temporary routing that starts at the current hole 1 and would end the current hole 18. This routing, I believe, will be familiar to members, as the majority of this routing will be played in the same sequence of holes that the members currently play. That is holes 1 through 4, 9 through 11, and 15 through to 18. This routing, the 13th hole is not used at this stage, as it doesn't naturally link up to any of the other holes in the 12-hole routing. To connect the 11th hole to the 15th hole, there is an approximate walk of 200 metres to that 15th tee.

241. There is an opportunity to play 18 holes by playing the 12-hole routing followed

by playing holes 1, 2, 3, 4, 8 and 9 again, playing them twice, making an 18-hole routing in total. We appreciate that this, or I appreciate that this may only be possible with the adjustments to the tee starting times and may not work, or may not be feasible on very busy days at the club. But regardless, it is a possibility, especially for some competitions, to be able to be played over 18 holes.

242. I also believe that neighbouring clubs may well assist with reciprocal offerings, some free golf or reduced rates for members of Ingestre, and that also the Staffordshire Golf Union will do all they could to encourage the clubs in their union to help Ingestre during this period.

243. Also, it's not unusual for golf clubs to experience reduced holes or temporary reconfigurations during course improvements. When larger maintenance projects take place, such as irrigation, or drainage or when hole safety issues are identified, holes are closed for a period of time. Many clubs experience this situation over the period of their lifetime.

244. Can I invite my Lords to P28(24), please? This slide illustrates the commencement of the HS2 BPA works from September 2022 onwards. Once again, the blue line shows the extent of the works. At this point, five existing holes remain plus two adjusted holes, leaving seven holes of the existing course available for play. When we refer to the club's exhibit A10(6), both of our timelines are constant with our timings, that at September 2022, the 12 newly constructed holes would also be ready for play at that stage. So there is an expectation that there is an 18-hole course available at that time.

245. Looking at the club's exhibit A10(6), HS2 believe that there is an opportunity to merge phase 1 and phase 2 of their programme together and start the entire construction of the new hole on 1 April 2021. If this can be achieved, it will assist with a longer growing period so that there is more chance of the new holes being ready for play on October 1, 2022. We also appreciate that, with all golf course constructions, decent weather is critical to the process and the progress of the development, but by starting all 12 holes at once, a time saving may be achieved.

246. There is additional work to be completed on holes eight and 18 of the existing course which are planned for Q2 of 2023, but the club will still have 18 holes to play

during that period. If there was a delay in opening new holes, the new there would be seven playable holes plus the potential of the two new holes on the land to the east of the club house which would offer a nine hole routing with the prospect of 18 holes following up reasonably quickly.

247. In my opinion, the vast majority of club members would be supportive of their club and would continue with their membership. If this situation arose, they will be able to see the new holes progressing and look forward to them becoming available very shortly, offering them the opportunity to play a new modern golf course constructed to a very high specification.

248. Additionally, if a delay is incurred at that point, it will be during the winter period which for the majority of golf clubs in the United Kingdom, is by far the quietest period. Can I ask My Lords to move to P28(27), please?

249. This slide illustrates the 18-hole routing prepared by Ingestre Golf Club's adviser, International Golf Design. It has been routed so that holes 1, 9, 10 and 18 are all close to the club house, allowing for two starting points on holes 1 and 10, which is similar to what the club have in place today. Only four of the current holes would be used and another two will be reconfigured, together with the 12 holes, the new 12 holes, an 18-hole course will be established.

250. You will see that the routing requires golfers to cross the BOAT 1 road on four occasions, being from the first to the second hole, the eighth to the ninth, the 10th to the 11th hole, and finally 13th green to the 14th tee. I make a point that many golf course cross roads to access other parts of their golf course, some are major roads and some are minor roads, similar to this situation, and it is both accepted and is quite a normal occurrence.

251. For this golf course to be constructed and ready for play in Q3 of 2022, construction work would have to commence no later than 1 April 2021, in my opinion. But this is achievable with the programme that has been worked up with HS2 carrying out the required survey works under notices that have already been served. Then moving on to commence construction work on the land after Royal Assent. If the new land is acquired by agreement before Royal Assent, then there is a possibility to start that work earlier. Thank you.

252. MR STRACHAN QC (DfT): Thank you, Mr Walker, and I hope that that may have answered my Lord Goddard's question, although there may be some further questions. And, so far as the timetable is concerned about notices, those aren't strictly speaking a matter for Mr Walker, but the Committee has P28(18) and (19), the details that HS2 has put forward of the timelines of the activities that accompany, or prefigure the construction, such as work on the planning applications, notices for environmental surveys and possession of the land to enable construction work to start in April 2021 in the way Mr Walker's described. But other than that, my Lord, I was going to leave Mr Walker to answer any questions the Committee or the golf course have.

253. THE CHAIR: Yes. Before I come to Lord Haselhurst, who's put his hand up, Mr Furnell, now, do you do you have any questions? I'm looking particularly at the time; we're nearly at one o'clock. It would be quite convenient, I think, to finish Mr Walker's evidence, if we can, before we break for lunch. Is that possible?

254. MR FURNELL: My Lord Chairman, I'm glad you raise that point. I was going to suggest, as we do have a number of questions and a number of points to raise, that we might go to lunch now. Personally I could do with a break as well.

255. THE CHAIR: Yes, all right. Well I think, just before we do that, perhaps I can come to Lord Haselhurst before we break. Do you have a question you'd like to put, Lord Haselhurst now?

256. LORD HASELHURST: Thank you very much indeed, Chairman. I just was curious to know from Mr Walker's experience whether he has – he can recall a golf club being impacted as severely as Ingestre see themselves, and have come back from it after the disruption in a stronger position. I mean, are they really facing doomsday, or is there, in fact, a better land that can be travelled to after a certain degree of turmoil in the middle?

257. MR WALKER: Thank you, my Lord. Yes, I do, I have actually personal knowledge of a golf club that was impacted because I was actually the club professional there and it was Wanstead Golf Club in East London, which was an 18-hole course, of which four holes were closed for a total year whilst the gas main went through them. Only 14 holes of that golf course were available and, as I said in my evidence, the club members understood the situation, got behind the situation and the club still prospers.

So, my view is this is an interruption to the club members, but the dawn of a better day and a much more modern golf course, a much better way that it's been constructed, to very high levels. I believe that the club will come back as strong, if not stronger. That's my view.

258. LORD HASELHURST: Thank you.

259. THE CHAIR: Good. Well I think Mr Furnell, what we'll do is break now and we'll come back again, please, as promptly as possible at 2.00 p.m. So shall we pause now and we'll see each other at 2.00 p.m.?

260. LORD HORAM: My apologies, my Lord, I have to leave for a previous engagement; I think you're aware of that. I'll feed in my comments to the clerk later on.

261. THE CHAIR: Yes, thank you very much, Lord Horam. We'll keep in touch, of course.

262. LORD HORAM: Yes, indeed.

263. THE CHAIR: We'll fill you in with any discussions that we have.

264. LORD HORAM: Indeed, thank you very much.

265. THE CHAIR: All right, two o'clock.