

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Monday, 14 September 2020 (Afternoon)

In Committee Room 4a
(Hybrid Proceeding)

PRESENT:

Lord Hope of Craighead (Chair)
Lord Brabazon of Tara
Lord Goddard of Stockport
Lord Haselhurst
Lord Horam
Lord Liddle
Lord Snape

IN ATTENDANCE:

James Strachan QC, Counsel, Department for Transport

WITNESSES:

Councillor Althea Allison (Woore Parish Council)
Councillor Gaynor Irwin (Woore Parish Council)
Alan Melvin (Woore Parish Council)
Tim Smart (HS2 Ltd)
Peter Miller (HS2 Ltd)

IN PUBLIC SESSION

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(At 2.45 p.m.)

1. THE CHAIR: Good afternoon everybody. Welcome to this hybrid meeting of the Select Committee on the High Speed Rail (West Midlands – Crewe) Bill. Now we are meeting in hybrid fashion, some of us will be present in a Committee room in the House of Lords observing social distancing, others will be dialling in. Today besides myself we have in the room Lord Brabazon, Lord Horam and Lord Liddle and also James Strachan QC, counsel for HS2.

2. It may be helpful if I were now to set out how this session will work. All of our remote participants are on the Zoom call and we can all see each other. You may need to switch to gallery view to do that. Remote participants will be muted at the start of the meeting. You may control your own muting, but please remember to unmute before speaking. You may receive a prompt on your screen inviting you to do that. As far as possible, we will follow a predetermined order of speaking, as set out in my brief, which has been shared with all participants. Unless anticipated in the brief, you should wait to be called before speaking. If you wish to intervene at any point, please physically raise your hand so that it can be seen by me on the screen. I will then call you to speak at an appropriate point.

3. In order to allow for interventions, speakers should pause from time to time. I will then either call someone to speak or invite the speaker to continue. Participants should have the exhibit bundles open and available. For this session that is bundle A18, R38, R90, R91, R92, R110, R113 and P37. We will navigate the documents using the numbers in the bottom left corner of each page. We shall now begin with petition 13, Woore Parish Council. Mr Strachan, would you be good enough to open the proceedings for us?

Woore Parish Council

4. MR STRACHAN QC (DfT): Thank you, my Lord. This is the petition of Woore Parish Council. If I can refer the Committee to P37(2), you'll find a map there which sets out with a red line the boundary of the parish. One of the things the Committee may notice immediately is that the HS2 line of route does not pass through Woore Parish Council as shown on the map but you can see the line of route in the right-hand corner of that map shown with the pink, orange and green notations and then black and

white indicating the start of a tunnel. I should have said that Woore is located in the County of Shropshire, rather than Staffordshire, to which you have made reference previously. You will see that the village of Woore, as shown in the centre of the map, has two roads running through it shown in red. They're both A roads. There's the A51 running from the top to the bottom of the page, which is referred to in various places as London Road. Then there is the A525, which crosses the A51 at crossroads in Woore itself, and the village is therefore bisected by those two roads in either direction.

5. Woore Parish Council did petition against the Bill in the other place when it was first deposited and that is because they are affected by construction traffic that accesses construction sites along the line of route, using the A roads that pass through the village. I will show you a little bit more about that in a moment. As a result of that they proposed alternative routes for those pieces of construction traffic to access the site. One was from the motorway M6 via Keele services, along a new construction route and another was from Manor Road, which I'll show you in a bit more detail in a moment but one can see on this map to the right-hand side of the page a yellow road that passes past Manor Farm, just below the line of route itself and passes out towards the A51. They also had two alternative proposals for bypasses to be constructed, a shorter and a longer one, around Woore itself. Those asks amongst others were heard by the Committee in the other place but no direction was made that the promoter pursue either of those in light of the promoter's position on them.

6. I might, just at this point, just refer your Lordship's Committee to P37(13) so you can see another map illustrating the same point. P37(13) is a construction map and the area pink represents worksites in and around the railway. Off to the far left of the page, you can see Woore marked just below the NM and the green hatched lines that run along the roads through Woore and along Newcastle Road indicate proposed construction traffic routes.

7. Although it's not necessary to look at the detail now, there are traffic predictions of HGVs and other traffic that pass along these routes at various points shown at the locations indicated. For example, L and K on the left-hand side indicates the proposed traffic that will pass along the A51 into and out of Woore during construction periods.

8. If it helps to illustrate the alternatives that the parish council had proposed in the

other place, they're illustrated on P37(23), which was the alternative proposal via Keele services. There are two plans there shown. If one looks at the right-hand side, the plan on the right-hand side, the red line is the line of the route, and you can see that the green above it is the M6. There was a proposal to build a construction route from the Keele services down towards the red line, the line of route. That was the Keele services proposal. The problems with that as identified by the promoter in the other place are summarised on slide 24.

9. On slide 25, you can see the Manor Road proposal, which was proposed in the other place by the parish council. You can see that involved the orange or yellow – I think it's orange colour – use of an existing minor road, Manor Road, but widening it and the need to replace a bridge off the A51 to access the site. The problems with that were identified on slide 26. In addition, the Committee should be aware that there was an assurance given to residents in the area that that southern part of Manor Road would not be used as a construction traffic route given its nature.

10. I draw attention to that, your Lordship's Committee to that because we, the promoter, has pointed to the parish council that, insofar as they're pursuing alternative construction routes of that type, they would involve the need for additional provisions in order to take the necessary land and powers and consequential effects on others if they were to be pursued. We raise that in response to the petition as originally submitted to this House, when it was first submitted, and that is in our response document at R38(49). It is unnecessary to go to it. We repeated the point in letter to the parish council dated 28 August of this year. That's at P37(40), and the relevant passage is on page 41.

11. On reviewing the exhibits for today's hearing that we've received from the parish council, we apprehended that the council is still proposing to raise those matters with the Committee and so we wrote again on Friday to draw attention again to the observations of this Committee as to not considering additional provisions. That is why I raise that as a point of order. We do submit that insofar as the parish council is seeking to raise those matters with you today, they're matters which the Committee ought not to consider bearing in mind the need for additional provisions.

12. What the petition did raise, and it may be these are matters that are going to be

raised, was what the Committee directed in the other place after hearing the petition from Woore and that is at P37(16). We've set out the passage from the House of Commons Select Committee recommendation, paragraph 36, 'Engaging with Shropshire County Council about traffic calming measures outside the school in Woore and along the highway, further work on the safety of pavements, funding a school patrol crossing officer during term times and seeking areas of replacement parking'. That has been the matter of considerable further work by the promoter and there are two reports which we provided to the Committee, one is at R92, and the other is at R91, which set out the work that's been done to introduce traffic calming measures for Woore by way of recommendations and those things that have been proposed and those things which haven't in consultation with Shropshire County Council, I emphasise those are a recommended package of measures. They do in part require both the agreement of the local highway authority, namely Shropshire County Council but we're also waiting to hear from Woore Parish Council as to its views on that package.

13. My Lord, I hope that gives you some orientation as to the nature of the petition issue. There isn't, within the exhibit pack, a list of specific requests or matters of that kind that I can draw your Lordships' attention to. We have sought to work out what we understand the parish council will seek to raise. They may however correct me or raise other matters. I'll leave that to them.

14. THE CHAIR: There was quite a useful index at R38(20). Perhaps you'd care to look at that. It does list a number of issues. There's reference to where one would find the matters discussed in the petition.

15. MR STRACHAN QC (DfT): My Lord, certainly that is and that's contained in the petition response document, which seeks to summarise what's in the petition. Certainly my Lord, yes, the responses to each of those requests or matters raised is set out in more detail. We were seeking to work out from some of these slides that came in by way of evidence whether there were other matters, but I'll leave that to the parish council's comment.

16. THE CHAIR: Is your position then, leaving aside requests entailing an additional provision, all those other matters are open for discussion, if Councillor Allison wishes to open them up?

17. MR STRACHAN QC (DfT): My Lord, yes, we're perfectly content with those matters which don't require additional powers in the way I've indicated, requiring an AP to deal with those. I will respond in due course to any of those matters that are raised. I've already indicated in the documents you may find some of those matters addressed but the council may have comments to make about that.

18. THE CHAIR: Thank you very much. Well, Councillor Allison, I'm going to pass to you but before I ask you to speak, can I make it clear that after you've spoken Mr Strachan will have a right to reply, that you will then be able to reply to what he has said as a final right of reply?

19. CLLR ALLISON: Okay.

20. THE CHAIR: So you'll have a sort of final say if there are points he's raised on which you wish to make further comment.

21. CLLR ALLISON: Thank you.

22. THE CHAIR: Can I pass to you now to open your case please?

Submissions by Cllr Allison

23. CLLR ALLISON: I can. Can I just establish whether you wish me to introduce my witnesses on the way – we have a plan, if you like, of who would speak where – or just to do an introduction?

24. THE CHAIR: I think deal with it as you think best. We're in your hands on that matter.

25. CLLR ALLISON: Okay, thank you very much. Well thank you for your welcome here. I will start by putting everybody at ease and say that I would like to begin our presentation by stating that in our petition today we will not be making any additional provision requests. What we seek as an outcome can be achieved under existing legislation contained under the Transport and Works Act order 1992. It is our understanding that a TWAO gives far-ranging powers that are the equivalent of a hybrid Bill, notwithstanding very large pieces of work – then a planning commission might be included – and that a TWAO would give all the power required to make the provisions

that we seek. The Act also gives the promoter power to use compulsory purchase of land and to provide an alternative route. So we start from that basis this afternoon.

26. What we seek from your Lordships today please is best summed up as an open-hearted hearing of the grievances we feel underpin our petition to this House and the assurances and provisions we seek from HS2. HS2 will tell you otherwise but the truth remains part of the reason we are here today is directly due to error by HS2 back in 2016. We are unsure when they actually realised that our parish community was not part of Staffordshire or Cheshire but we are sure that the very first communication was a telephone call to the parish clerk in late September 2016 seeking to be invited to the next parish council meeting.

27. That visit turned out to be to inform us that HS2 needed to bring construction traffic through the village. The promised documents in that original phone call did not arrive until 2 November 2016, five days before the public consultation closed. Our first meeting with HS2 was at the WPC meeting on 14 November 2016, a full week after the consultation on the working draft report had closed. If you would like to look at exhibit A18(49) and (50), they are the minutes from the parish council meeting that evening showing who attended from HS2 and the introductory discussion – so 14 November 2016.

28. Since then of course we have spent the last three and a half years fighting against the disenfranchisement of our community with our effective exclusion from the consultation process, pushing us into a position where we have essentially been forced into playing catch-up with the communities who had been involved with HS2 before us, as the can was kicked steadily down the road towards Woore.

29. Exhibit A18(3) will show you a 13.8 mile detour to make a 5.4 mile journey. Since Shropshire Council was notified that they were an interested party they have been spectacular in their failure to engage with the parish, and to be fair, with HS2, a fact which was recognised in our petition to the House of Commons in May 2018. And Shropshire Council have not excelled themselves either since. It was December 2019 before they appointed an officer to take responsibility, to liaise with the parish council and HS2.

30. In this period, we have had a sharp learning curve in dealing with the behemoth

that is HS2. We do not have access to the experts in engineering and science that they have, indeed Mr Strachan referred to earlier. We certainly do not have a dedicated Minister in Parliament to champion our cause and nor do we have access to senior and experienced law officers who are used to doing this kind of work. We do have, however, a keen sense of what our community thinks about the imposition of hundreds of enormous HGV vehicles colonising our village's roads, destroying our normal way of life and potentially inflicting damage on the health and safety of everyone residing in the parish of Woore.

31. HS2 will tell you that they have met with Woore Parish Council to mitigate the physical destruction of our community. We will demonstrate to you today that our interactions with HS2 have lacked meaningful engagement, characterised by obfuscation and lack of veracity. Since our appearance at the House of Commons we have raised our concerns about the tenor of our communications with HS2 directly with Sir Mark Worthington OBE, the independent construction commissioner, who was brought in to bring during 2020.

32. Our constituency MP has been beside us in our deliberations with HS2. He spoke against the HS2 Third Reading debate, highlighting the imposition of the excessive HGV numbers, citing Schedule 17 limits. He then voted against the Bill in the House of Commons. In an interview with a local newspaper, Mr Paterson publicly referred to HS2 as having shown themselves to be completely inflexible. We were also included in correspondence between the Right Honourable Andrew Stephenson to our constituency MP, the Right Honourable Owen Paterson, following his appointment as HS2 Minister, who acknowledged that, 'HS2 Ltd has not always got this right in the past but I expect HS2 Ltd to continue to listen and adapt the ways in which they work until they fulfil their strategic objective of being the good neighbour to all affected communities along the route of the railway'. That letter dates from May in 2020.

33. By way of example to demonstrate the disingenuous way in which HS2 operate when dealing with local communities, HS2 will tell you that they have reduced the number of vehicles originally planned to run through this village from the original 558 per day. The lack of veracity in this statement is illustrated clearly when analysing the figures in the AP2 revised document scheme which shows that this was only achieved by making changes to the resource level schedule, effectively extending the activity

period to seven years against the original five years of planned construction. HS2 continue to make reference to percentage changes in numbers and measurements, a practice that resulted in the House of Commons Select Committee members asking that bold figures be used, as the percentage figures were potentially misleading. For example, saying that HGV movement numbers have reduced 47%, which you'll see on the document Mr Strachan referred to, suggests a great reduction until one realises that 258 HGV movements per day will still occur, which means an HGV movement related to HS2 activity in both directions every two minutes during peak period and every three minutes thereafter.

34. We ask your Lordships to require HS2 to explain their percentage figures in real numbers today. At this point I would like to introduce our first witness, Mr Alan Melvin. Thank you, Mr Melvin.

35. THE CHAIR: You'll have to unmute yourself, I'm afraid; we can't hear what you're saying.

36. MR MELVIN: I am unmuted.

37. THE CHAIR: Thank you, yes. Thank you.

Evidence of Mr Melvin

38. MR MELVIN: Okay, good afternoon, your Lordships. Although the parish is not on the route of the new railway line, HS2 propose that construction traffic should be routed through the parish of Woore when travelling through junction 15 of the M6 to the construction sites around Madeley. If we look at exhibit A18(1), this shows that traffic travels along three sides of the square from junction 15 of the M6 to the construction sites, a total of 13.8 miles. A major objective of this petition is to provide options for HS2 to minimise their traffic coming through the parish of Woore.

39. Ideally, we want all traffic to be moved away from Woore on to suitable routes that will minimise the impact to the local population. We've been disappointed to see this objective has not been shared by HS2 due to their continual inflexibility to change. If that cannot happen for valid reasons, which may be discussed today, we are seeking assurances from your Lordships to manage the amount of HS2 traffic through the parish

during the construction period. We strongly feel that other routes would be more suitable for safety, timesaving and financial reasons. These routes are shorter, operationally more economic and with a reduced impact on the local community. Woore Parish has already submitted suggestions to HS2 for re-routing the HGV traffic away from the parish, almost all of which have been discounted by HS2 as I have previously described.

40. However, following the release of the Oakervee review on 11 February 2020, HS2 are being encouraged to review aspects of the methods of construction to mitigate the impact on communities. Although the report focuses on potential changes to Phase 2B, we feel this is an ideal opportunity for HS2 to be seen to be fulfilling that goal. I refer to exhibits A18(6), paragraph 6.21 and conclusion 9. As yet we have no evidence that this has considered.

41. THE CHAIR: Could you give me the paragraph number again, please?

42. MR MELVIN: Sorry. Paragraph 6.21.

43. THE CHAIR: Yes, thank you.

44. MR MELVIN: If we look at our proposed alternative routes, exhibit A18(3), the alternative re-routes we propose are – at the bottom of the page there is a list, which is route 2, which is along Manor Road, the A53 and the A5182. This route significantly reduces the impact upon the parish of Woore and also reduces the number of properties impacted. HS2 have stated that, ‘Manor Road was not considered a suitable alternative as it’s a C classified road with geometrical constraints and more suitable alternatives are available’. That’s in HS2 exhibit P37(5).

45. THE CHAIR: Could you explain route 3, which I see is making use of a disused railway?

46. MR MELVIN: Yes, I’ll come on to that.

47. THE CHAIR: Where is that marked? That’s a continuous line, is it?

48. MR MELVIN: Route 3 is a continuous line from junction 15, yes, and to the M6 and then it comes off the M6 at Keele services. It’s that little kink you may see at the

top of the page.

49. THE CHAIR: And the disused railway line is the beginning of it going a diagonal up the page, is that right?

50. MR MELVIN: As it comes off the M6 for about 100 yards it then turns off on to the byway to Stoneylow Farm and then there's a left kink and it then comes down the railway line at Stoneylow.

51. THE CHAIR: Yes, thank you.

52. LORD LIDDLE: Lord Chairman, what is the map reference to which you're looking? I've got rather confused.

53. THE CHAIR: Yes, I think Lord Liddle needs a little assistance to be sure what we're looking at. I'm looking at A18(3).

54. LORD BRABAZON: Yes, that's what I'm looking at, A18(3).

55. THE CHAIR: And I don't actually have a grid reference to give me the reference but what I do see is a line pointing as it were in a south-westerly direction, a continuous line after a little kink when it's left the M6. That I understood to be the track of the old railway. Is that right?

56. MR MELVIN: No, the track of the old railway, as I said there's the kink directly as it comes off the M6 for a very short distance and then it turns right or left on the map and comes across almost horizontal to another kink. That horizontal kink is the byway to Stoneylow. It's a single track metalled road. At the kink, we then turn on to the disused railway, come down to the route for the construction sites, which start at the end of the route and then also move back up to Madeley.

57. THE CHAIR: It's a bit difficult to see where Woore is.

58. MR MELVIN: Woore is in the left, as the small dotted red line – where the dotted line turns right, that is Woore.

59. THE CHAIR: It's where there's a curve.

60. MR MELVIN: Yes, where there's a curve. That's right.

61. THE CHAIR: Thank you.
62. MR MELVIN: Then it follows along the A525.
63. THE CHAIR: Oh, yes.
64. LORD HORAM: Do I get the impression that the disused railway line is continuous?
65. MR MELVIN: Yes, it is.
66. LORD HORAM: It is continuous.
67. MR MELVIN: It is continuous and north of that the railway line still exists. It goes over the M6 and there are even railway lines on there. It was put out of action in late 1960s but to all intents and purposes it was still there back in the 1990s.
68. THE CHAIR: Is that the Norton Bridge to Stone railway?
69. MR MELVIN: No, this is the Market Drayton to Stoke-on-Trent railway. It's actually what's classified as the North Staffordshire Railway.
70. THE CHAIR: Thank you.
71. MR MELVIN: Thank you. That was actually my next alternative, which was route 3. This route almost eliminates the impact of the transportation of materials through the parish of Woore and also through Baldwins Gate. This is also the shortest route. We suggest this is the best solution for all concerned, including for HS2, particularly from a financial position.
72. Exhibit A18(4) is a spreadsheet which identifies the impact on all the local communities of the different routes and shows some of the potential cost difference between the three routes. It's believed the operational cost reduction for the movement of HGVs along the shorter route 3 at £1.57 million, as established by Woore Parish Council. This would substantially offset any additional costs, such as works to upgrade Keele slip roads and access haul roads to HS2 sites, estimated by HS2 at £1.98 million. There may be further savings if some of the changes on the current routes are no longer required.

73. In response to this proposed route, HS2 have previously stated, and I quote, ‘There is potential that this could be used; however, it would require significant work and the issue of costs, access through Keele services and providing a link to the railway remain’. As the country is aware, the Government is not afraid of thinking outside the box to overcome obstacles. This may be an occasion for HS2 and the Highways Agency to follow the rule of law and do likewise concerning access from the Keele services. With developments and current focus upon the environmental impacts of HS2 construction on the population, we believe this option has re-emerged as a viable route and is in line with conclusion 5 of the Oakervee review and I quote, ‘The Government’s 2050 target placed a new emphasis on the design, build and operation of the HS2 network. The ability to reduce carbon emissions in the construction of Phase One may be limited so focus should be placed on improving plans for Phase Two in this regard in particular. HS2 Ltd should look to drive innovation in construction and delivery of the project to reduce its forecast greenhouse gas emissions.’

74. The benefits to local communities and opportunities for cost savings are so substantial that we believe it is worth investigating and proceeding with and as previously stated by Councillor Allison, we do not believe this needs to be an additional provision for the use of route 3 and could be done through a Transport and Works Act order. This gives far-ranging powers that are effectively equivalent to a hybrid Bill. The latest HS2 corporate plan released in August 2020 says early works are scheduled to commence on Phase 2A at the end of 2021. This provides sufficient time to resolve these route issues and make the changes proposed without affecting the HS2 schedule.

75. The route choice is critical to the parish because we’re also concerned that the traffic figures provided by HS2 in Additional Provision 2 have already been superseded and potentially at least double following the review of the borrow pit usage published in April 2019. This is in relation to HS2 assurance 8 to NFU borrow pit review, April 2019, and in relation to an NFU petition, P2A000107. The HS2 AP2 revised scheme documents highlighted a peak of 258 two-way journeys per day with around 200 for the rest of the seven-year period. That’s in exhibit A19(19). This is only a minor reduction from the figures quoted in the original Bill environmental statement. That’s shown in exhibit A18(16). This shows the original histogram that was used in the Whitmore Heath to Madeley tunnel report used at the House of Commons Select Committee

hearings by HS2. These additional 130,000 traffic movements, more than double the current number of HGV movements through the parish, which can already be likened to the M6 of the agricultural world during a large proportion of the year.

76. The borrow pit review mentioned earlier highlighted an additional 1.05 million cubic metres being excavated from borrow pit 5 near Madeley and some of this material is moved to HS2 construction sites south of Whitmore due to unsuitability of existing material at these sites. For detail, I'll refer to extracts from the borrow pit review and associated calculations. Exhibit A18(24), this identifies the volume of granular material in the original design and AP2 design showing an increase in the extraction of material from borrow pit 5 between the two designs. The increase is from 570,000 cubic metres to 1.06 million cubic metres. Exhibit A18(23), this identifies a total of 84,500 road haul two-way movements to backfill borrow pit 5 as a consequence of the additional extraction.

77. It's not clear if these movements were included in the original design. For simplicity, and I accept this may be wrong, the assumption is that none were, since the concept for the use of the borrow pits means that all backfill material would be obtained from the local construction areas to restrict the movements of backfill and spoil. Exhibit A18(26), which contains two figures, figure 9 identifies the following ground investigation. There is a shortfall of class 6 fill from major cuttings for use in the construction. In figure 10, HS2 propose to make up for this shortfall by further increasing the amount of extraction from borrow pit 5 and borrow pit 2. For borrow pit 5, this is a total of 570,000 cubic metres using up all the stockpile that remained in borrow pit 5 and the material was to be used at various places along HS2: i.e. Swynnerton south, Hatton south and Whitmore south. This would require movements from the borrow pits. Exhibit A18(21), this is the calculation that I've created which identifies the amount of traffic that this would then create. This would be effectively double the 130,000 trucks that are currently forecast to go through Woore.

78. This topic of HGV traffic is being raised independently in petition 23 from the parish councils of Yarnfield and Cold Meece, Chebsey and Stone Council tomorrow. It's expected they'll provide evidence of further increases in the number of movements through the parish of Woore and elsewhere based on their own calculations. It should be noted that even the figures we've discussed now are not finalised, with potential for

further change once ground investigations have been completed and methods for construction agreed with the various contractors.

79. In conclusion, using exhibits A18(5) and A18(6), on paragraph 6.18 of the Oakervee review, this states, and I quote, ‘The review also noted that mitigating some negative impacts has caused a worsening of others. Proposing deep cuttings or tunnels to avoid individual impacts and noise pollution from HS2 trains has, in the case of the deep cuttings, resulted in needing to transport larger amounts of spoil during construction with associated impacts on communities’. It is not clear how well this issue – needing to move large amounts of spoil and its impacts – are understood by HS2 Ltd. We require your Lordships to instruct HS2 to use best endeavours to seek alternative routes for construction traffic such as we have proposed. In addition, we seek a solid assurance that the number of traffic journeys by HS2-related vehicles will be no more than is proposed in the HS2 environment statement for AP2 both in terms of maximum numbers per day and the total journeys over the life of the project. Thank you for listening. I’ll pass you back to Councillor Allison.

80. CLLR ALLISON: Thank you very much, Mr Melvin. I am really grateful to you for all that technical information.

81. THE CHAIR: Since this was evidence, I suppose strictly speaking, Mr Strachan should be entitled to put questions, if you would like to do so. Would you prefer to reserve your points until you make your address?

82. MR STRACHAN QC (DfT): My Lord, I think that’s going to be simplest. I’m going to ask Mr Smart to respond to what you’ve heard.

83. THE CHAIR: Yes. Right, we’ll do it that way. Yes, we can proceed, Councillor Allison.

84. CLLR ALLISON: Thank you very much. So HS2 will tell you several times this afternoon that the imposition of an extra 258 HGVs per day will have no effect on the lives and wellbeing on the residents of Woore. Indeed, the promoter’s response is littered with such claims, for example that there will be no effect on the air quality of residents in Woore by the increase in heavy goods traffic, and point to their own commissioned documents. What HS2 will also point to is a formal report described as

an ‘industry standard’ and to outputs of their own monitoring study conducted in Woore following our petition to the House of Commons. By way of illustration, what HS2 will not tell you is that in their own one-year long monitoring study they have only used a limited base measurements which even fall short of the Department of Environment base measurements for calculating air quality index, which as I’m sure your Lordships know is used as an indicator when advising people who have things like asthma and pulmonary conditions to consider.

85. Neither will they tell you that their described standard of methodology in their own monitoring study, followed during a 12-month data collection period, taking once-monthly samples for analysis of the presence of nitrogen oxide – just one element – will not provide information about air quality during periods of high volume. Indeed weekly, even daily sampling will still provide information that’s averaged over a long period of time – days or weeks – or as in this case a month. It is not able to capture more important hourly variations, for example caused by heavy traffic in certain parts of the day, so during the working day, for example, when HGVs will be active and where there are backlogs of standing traffic, which we will show later, we believe will be many.

86. Two obvious toxicological considerations here are, one, the acute short-term exposure such traffic queuing might produce and medium-to-long exposure. So, over a period of seven years, which is what HS2 are trailing as the period, rather than 10 years, seven years is a very long time, assuming that it’s seven years’ exposure, for people who live in this village.

87. At this point I would like to make way for Councillor Irwin. Councillor Irwin, thank you.

Evidence of Cllr Irwin

88. CLLR IRWIN: Your Lordships, could we see evidence A18(36) please? This is a photograph of the junction in the centre of Woore at which the majority, i.e. 200 to 256 HS2 vehicle movements, will take place every day, a day being a 10-hour period. According to HS2, the volumes, as Councillor Allison has already said, are a nearly 50% reduction on the AP1 plans. However, when added to the actual number of HGVs that currently turn at the junction – can we have A18(46) – which on average, as this

spreadsheet, which was compiled by the Woore Parish Action Group in September 2017, shows, that the actual daily movements on the junction, turning in or coming out of the Newcastle Road, are approximately 90 movements per day – the additional 200 to 256 additional trucks turning would make that four times greater. Could we see A18(39) please?

89. The HS2 junction schematic shows a turning curve of HGVs at the proposed modified junction of the A51 and A525 near Castle Road. As it can be clearly seen that it will be very difficult for two HGVs to enter and exit simultaneously on the junction. Traffic will be continuously stop-start, particularly on the A51 and traffic queues will probably result throughout the village, as can be seen in photographs A18(32) and (33), which on 28 August, temporary traffic lights were set up in the village square so a dead tree could be taken down, which resulted in a traffic queue that virtually in the middle of the morning dragged back to the village boundaries. With the addition of the X-hundred of HS2 HGVs, this will become a constant effect in the parish of queueing traffic.

90. This leads us to the issue of air quality. HS2 have already stated that the nitrogen dioxide levels in Woore are well within acceptable limits, being well below 48 micrograms per million and that their construction traffic is predicted to have no significant effects upon the existing levels. In A18(42) please, this is primarily due to the fact that HS2 have based their calculations on the sole use of Euro 6 compliant HGVs. This assurance was given to the HS2 Phase 2A House of Commons Select Committee on 22 May 2018. However, at an extraordinary meeting of HS2 Phase 2A transport and highways subgroup on 6 June 2019, HS2's Peter Tomlin contradicted this statement by announcing that the fleet would not be 100% Euro 6 compliant as there would not be enough Euro 6s available. In all HS2's transport documentation, the use of Euro 6 vehicle compliance in the north is described as 'where it is reasonably practicable'.

91. As you can see from the emissions standards, the nitrogen dioxide output of Euro 6 vehicles is less than a quarter of the output of Euro 5 and a Euro 4 vehicle has 25 more times more pollution output than a Euro 6. So we would like to ask HS2 as to what is the exact number of Euro 6 vehicles that will be used in the fleets travelling through Woore. A18(45) please.

92. The table shows the actual nitrogen dioxide figures recorded by HS2 at certain points in Woore. This lasted for 12 months. The monitoring stations at the Coopers Arms and the schoolhouse are already halfway above the scale of the Government's legal limit, but the tables do not show, nor HS2 report, hourly fluctuations in air quality. The issue of almost constantly standing traffic at the junction and down the village, with almost quadruple the numbers of HGVs turning at the junction, will cause air pollution to rise, and this will be escalated further by non-Euro 6 trucks, both HS2 and non-HS2 trucks. We also have not included in this the possibility of extra trucks from the borrow pits.

93. We have a number of parishioners who live along the route in Woore who suffer from respiratory and cardiac conditions who will be severely affected by this issue. We therefore request assurances that, one, only Euro 6 vehicles will be used on this route through Woore unless an alternative route of course could be found; two, the number of HS2 HGVs will not exceed the AP2 figures; and, three, that HS2 will be asked to reconsider the creation of a continuous footpath along the A51 through Woore that would stop parishioners having to cross the road and create even more stop-start traffic. Thank you.

94. CLLR ALLISON: Thank you very much, Councillor Irwin. I'm very grateful to you.

95. THE CHAIR: Good. Could I take you back to your very last point please, Councillor Irwin? Do you have a document or a slide that tells us where the continuous footpath that you refer to should be?

96. CLLR IRWIN: I'm not sure, your Honour. Hold on a moment.

97. CLLR ALLISON: I think it's A18(38).

98. THE CHAIR: Thank you.

99. CLLR IRWIN: The footpath, your Honour, would go from the centre of Woore, the square, all the way through Ireland's Cross and to Pipe Gate. At the moment, currently, anybody who lives in Pipe Gate will have to cross the main road three times to get to the village shop in the middle of Woore and anybody in Ireland's Cross will

have to cross the road at least twice. And that's the A51.

100. THE CHAIR: Yes. Thank you very much.

101. CLLR ALLISON: Thank you. So to continue, HS2 will tell you that there is no impact on our neighbourhood quality from running 258 HGVs through the community every two minutes, a claim which actually denies logic. Your Lordships, Woore Parish is a rural district which covers an area of approximately 4,000 acres, most of which is farmland. There's a very large and active farming community. The impact of this increased volume of traffic will increase the health and safety dangers of walking through the village and crossing roads, given that there is no continuous footpath – just alluded to – leading to the square, which will also likely result in people stopping walking or cycling to use the village amenities and rather will get in a car and go to neighbouring market towns, which will add to the volume of traffic and affect our local businesses really badly.

102. Exhibit A18(47), and we've just seen A38 at the footpath, but A18(47) really is relevant to that discussion as well. The length of that road from Pipe Gate, which comes off the paper actually on A37, and having to cross twice will be taking your life in your hands. It's already a difficult road. Driving to the square will be virtually impossible as HS2 changes at the junction will reduce existing parking facilities, which are already poor, and in addition the number of HGV vehicles crowding the junction will make the negotiating the junction safely more risky.

103. It should be noted that the changes to be implemented by HS2 – so that's A18(40) – so you will see from there that there are currently – where the reduction in the paths are going to be, which is on the cross of F6 and 7, which will be reduced, were part of a number of safety packages that were installed by Shropshire Council in 1998, actually to protect pedestrians negotiating the junction at the square. So they will be removed. They were initially introduced to us as 'removal of street furniture'. It's a good deal more than the removal of street furniture. The proposed plan changes the safety at the junction and will require further safety measures down the road, which has inspired HS2 to suggest a zebra crossing a few hundred yards back from the square, which will be then a few yards away from the pelican crossing outside the school, which will stop the traffic even more readily and make it quite dangerous to pass there.

104. So I'd like to take you through some of the square photographs very quickly. They start at exhibit A18(29). Bear with me. I'm turning these pages myself. Right. 28 – if we could look at 28 first? That road is on the A525 and it shows you the width of some of the agricultural vehicles that pass through our roads. In their active periods, we have bigger vehicles than this. When the combine harvesters are out, they absolutely lean over the white line and everybody has to clear a part of the pavement for them. Farming doesn't happen on a regular timetable of course and in the summer it's much more busy.

105. On A29, you can see – that's the continuation of the A51 where it turns on a very short left bend down, where that truck coming up has overlaid what is now actually a proper pathway. That sort of layby there on the right-hand side was in front of the Swan car park and that has been built on now and it is now a proper footpath in the last few months actually. So the grace that the HGV had to move over isn't there, and there are also limits on the far side where pedestrian protections have been put in.

106. A18(30) also shows you just a car coming up that way and how near the two are together. You cannot widen that road at all. A31 is an example of the A51 lower down before the school and in between Victory Hall and shows you that that blue and white van was there doing business that day. It was there for two days, and that was the kind of hold-ups we were seeing. People couldn't get past. You have seen the next two photographs and I'll leave that open now because I'm coming to that.

107. In terms of continuing physical safety risks that we'd like to raise with your Lordships, the physical safety risk for pedestrians in all age groups inevitably rises exponentially with increased traffic numbers. By way of example, HS2 and Shropshire county together cannot find a solution to the safety of our primary school at the entrance to the school from the main road, as they were directed to do in the House of Commons, because there is just insufficient room to put safety barriers in place. Their solution, which we anticipate they will use in their evidence today, is to erect support railings on the opposite side of the road and south of the pedestrian crossing where there is a much wider footpath already in place, thus endangering our primary school children and their parents as they take their children to school.

108. If I could refer you please to exhibit A18(35) first, that shows you the narrow

footpath that leads up to the Falcon Inn. The reason I'm showing you the Falcon Inn is there is a grace and favour arrangement where parents taking their children to school by vehicles can use the car park for drop off and pick up and they have to walk down this path in the morning to get to school. This is the offending hedge that was mentioned in mitigations later. This is it cut back. So that's absolutely the most width that is going to get. This is mums with buggies and babies and children who are running at the side of them.

109. If I ask you now to look at page A18(34), this is the corner, the offending corner. You can see it's exactly the entrance to our school, with the banner there. I draw your attention, your Lordships, to the shape of that curve. You will not see the shape of that curve very easily on HS2's slides or picture. But this actually cuts away in an arc so that you are stepping on the road before you step into the entrance to the school entrance. It is just too narrow; we have been told to put a barrier on that side of the road. I believe it takes 18 inches minimum to put in a barrier like you would see on the edge of a busy road, the big, bulbous ones, and to put a railing in, for whatever reason, it still takes 12 inches, and it has to be placed within the pavement obviously, not on the very edge next to the road. They cannot find a solution for that except to put railings on the opposite side of the road and south of the pelican crossing.

110. THE CHAIR: Wait a moment. I beg your pardon. Lord Liddle has a point he'd like to raise.

111. LORD LIDDLE: These problems for children getting access to the school sound very serious. The county council hasn't provided a warden at school times in order to help deal with that, have they?

112. CLLR IRWIN: Your Lordships? Excuse me.

113. THE CHAIR: Yes, this is a witness, Councillor Allison. Do you want to put a question in answer to that to Councillor Irwin?

114. CLLR ALLISON: I'm guessing she was going to say the same as me. But, yes, would you like to answer]?

115. CLLR IRWIN: Your Lordships, Woore Parish Council have been having

discussions with Shropshire Council and Shropshire Council were not disposed to give us a traffic warden when we asked.

116. CLLR ALLISON: It was also suggested by the House of Commons that a traffic warden might be supplied by Shropshire county and they have really not wanted to supply. I think they're afraid that other schools will want them reintroduced because as a saving measure Shropshire county appear to have withdrawn school crossing wardens.

117. THE CHAIR: Did they actually give a reason in writing for not being prepared to give that facility of a warden?

118. CLLR ALLISON: That it's not usual in Shropshire county. I think that's the expression: 'It's not usual in Shropshire county for wardens to be employed.'

119. THE CHAIR: Not usual?

120. CLLR IRWIN: Yes, your Honour, I think there are only two traffic wardens in Shropshire itself.

121. LORD LIDDLE: All I can say, Lord Chairman, as a Cumbria County Councillor, we provide a lot of traffic wardens at schools. There are school crossing patrols.

122. THE CHAIR: Yes, the evidence we've been hearing so far, this is not a usual situation, is it, Councillor Allison? Your point would be: it's an extraordinary situation which requires extraordinary measures.

123. CLLR ALLISON: Yes.

124. LORD LIDDLE: Yes, quite.

125. CLLR ALLISON: And it does endanger our children. There's no doubt about it. If you've ever gone with small children anywhere, keeping them fixed in one place – they move about very swiftly and drop your hand very, very swiftly. But I'm aware of time and if I can press on with other concerns.

126. THE CHAIR: I'm so sorry to interrupt again; Lord Liddle would like to put another question.

127. LORD LIDDLE: It seems to me that you've described – forget that HS2 was ever

invented, as it were – that you’ve described quite a bad situation in terms of traffic in the centre of the village and the need for better footpaths and more protection for the children and all that. Has the county council not responded in any positive way to that until this question of HS2 came up?

128. CLLR ALLISON: Well, I guess the last mitigations are the ones that I mentioned to you in 1996, which widened and made the crossings at the square, at the junction at the square more safe. That’s when they added the lowered footpaths which are crenelated so that people with sight problems can feel them through their feet. So they were added as well, the widening of the pathway. You can stand to cross. Then further down, the pavements were brought out – it’s very, very wide there actually – so that the reduction in speeds and also safety for people crossing. And of course the pelican crossing is in situ on the other side of the picture I’ve just shown you.

129. THE CHAIR: Has any question been put about the provision of traffic light controlled crossings? I don’t think, from what we’ve seen so far, I haven’t been able to spot any traffic lights along these sections of roads.

130. CLLR ALLISON: They are mentioned in the HS2 submission I believe.

131. THE CHAIR: But they don’t exist at the moment.

132. CLLR ALLISON: No, we don’t have traffic lights. I don’t want to say this without looking at the document but they were considered and I can’t remember why they were not taken forward with the mitigation but it was certainly part of a discussion. I don’t know whether Councillor Irwin can add anything to that.

133. THE CHAIR: Well it may be that Mr Strachan can take us to that in his response.

134. CLLR ALLISON: Hopefully. Is it alright to continue now?

135. THE CHAIR: Yes, please.

136. CLLR ALLISON: Okay. In terms of effects on the liberty and safety of our residents, the consequences of reduced walking opportunities in the village and to enjoy one’s own environment have been highlighted in importance during the lockdowns associated with the Covid-19 pandemic and clearly noted as being crucial to good

mental health. We have likened the impact on the mental health of our community to be comparable with the effects of communities ‘living under siege’ over an extended period of many, many years. If one takes the comparison to the number of months during lockdown having had such serious impact on mental health, recognised and acted on by the Government, and the years of disruption during HS2 construction, the consequences for our parishioners speak for itself. HS2 will tell you that they’ve commissioned documents to explore mental health impacts rather late in the day and we believe was after we raised this with them. But our recent history with Covid-19 supersedes HS2’s afterthought of a report and it removes all doubt that not being able to move about freely and safely in your own environment has an effect on people’s mental health and this is for an extended period of time.

137. HS2 will also tell you, and it is in their reply, that increased noise, dirt and vibration will just have no impact on our residents and I suggest to your Lordships anyone that’s ever driven behind an HGV in rain, even at 30 miles an hour, will testify to being grateful for being in a car safely protected from the dirt and wet thrown up from these vehicles. And because of the narrower pavements in our rural environment, pedestrians in the village, if they’re brave enough, will be wet through and covered in filthy water and further impacting their freedom of movement.

138. Your Lordships, we do not consider it an exaggeration to refer to the area around the square as the heart of the parish. All the essential amenities which supply everyday life needs and support the wellbeing of residents in this rural setting are located in and around the approaches to the crossroads. These include the village store, which houses the post office and provides the only banking services for six miles; the village school; two churches; two public houses; and other commercial services, including the bakery, the hairdresser, the antique shop, the art shop; recreational facilities, including the cricket club, the bowls club, the tennis club and at the furthest reaches of this road, the family-run garden centre, the coal merchant and the sole trader garage providing mechanical services. The fruit farm and restaurant to the east and a third public house to the south are all on the line of this route. All these businesses will be adversely affected by the increase in HGVs and we believe will not be able to apply to HS2 compensation scheme because we’re not directly on the line.

139. During the lockdown for Covid-19, the shop, together with Woore volunteers

group of residents, provided a home delivery service to serve isolating residents. In common with many other rural environments, we have a very high proportion of elderly residents, many of whom are infirm and fell into this at-risk group during the lockdown. So the volunteers group and the shop managed to set up a phone-in order arrangement and delivery through the volunteers to provide sustenance, if you will, to our at-risk residents. In recent days, there were four-way traffic lights at the junction for four days.

140. Mr Morris, the shop owner and sub-postmaster, wrote to me after that – and it came too late to add to our exhibit – if I just offer you this, that, ‘In that four days footfall was markedly down. Some customers have since been in and told me that they were either unable to park or they could not gain access to our car park and so they just drove on. I will confirm with you in due course but at the moment I estimate that takings were down about 30%. I am most alarmed at the impact these four-way lights have had but it throws into light the adverse impacts HS2 construction traffic will have on the financial viability of my business.’ This gentleman has run his shop with his wife and family for 18 years and he sees the prospects of being run out of business. From the parish’s point of view, if we were to lose that shop with its access to post office etc, it would be dire and we would not have been able to support our own community during the lockdown.

141. HS2 will tell you that they’ve met with Woore Parish Council to discuss mitigations and that the WPC have been unable to agree to meet since just before the Covid-19 lockdown. That’s true. None of us were going to break the law. We are reporting that Woore Parish Council really have no confidence in the HS2-led mitigations process, firstly because HS2 refuse to see any further impacts than on the square itself for their vehicles and secondly, because Shropshire Council continue to sit on their hands and abdicate responsibility for the results of their lack of engagement earlier in the process, which is now resulting in a continued lack of voice and support for parishioners.

142. Shropshire county could still make a huge difference by enforcing schedule 17 of the Town and Country Planning Act, which limits HGV movements to 17 per day – movements, your Lordships, not return journeys. Shropshire county is the highway authority responsible for giving permission to HS2 to use the highway through our village and could protect our residents from HS2 flooding our roads with hundreds of

excess vehicles. Shropshire county could also request HS2 to provide an alternative route, which they have not done.

143. HS2 need 13 passing places along the A525. Now that's the road that runs to the east, once you turn off the A51, and it would carry all these vehicles as well. In order to pass along the A525 to where they need to be in Madeley, 13 passing places are needed along the A525. Now in order to give you a flavour of what this means, nine of those passing places – nine – will be from the edge of Woore village to the border with Onneley, which is a distance of just under 1.5 miles: just under 1.5 miles, nine of these passing places.

144. HS2 will tell you that they have undertaken to use A roads because they are part of the highways preferred route where haul routes can't be supplied. The A525 is one such road. A roads are not all precursors to motorways. The A525 is not the A1. The required changes to the existing road will mean taking enough space to allow ingress for an HGV, standing space for an HGV, and exit space so that they can access safely and slow down, stand still if they need to because of congestion, and then get up the speed to move off.

145. That requires huge changes to the curling and undulating rural road which can never be reinstated fully. It will remove heritage hedging, wildflower verges, all relevant to the rural and farming environment, and will urbanise great swathes of the countryside in Shropshire and then Staffordshire. Arguably, it will increase speed and we are still in the dark about what and where these alterations will look like and the extent of change to those areas.

146. And I refer your Lordships, if you wish to look later, to A18(48), a letter from the people who own the fruit farm on the A525 who will be seriously affected. Theirs is a seasonal business; they rely on people driving to and from the premises in order to pick your own fruit. And the letter is self-explanatory and is very clear that they will suffer greatly and be affected by all of those passing places.

147. I would like to pass now to summarise; Lord Hope, I'm sure you'll be grateful for that. So if we can now turn to summarise our request for assurances and actions. What we seek from your Lordships today is formal recognition and recording of our disadvantaged position directly due to being disenfranchised from formal consultation

processes at the outset, the injustice resulting to our community from that omission, and the continuing lack of active engagement by Shropshire County compounding our disenfranchisement. We ask that you recognise and record that the imposition of an overall increase in existing daily traffic flows of 258 vehicles at peak and 200 either side for a period of seven years, minimum, and likely 10, is an inhuman and unreasonable expectation on the residents of Woore.

148. We ask that you instruct HS2 to revisit the option offered to ensure the traffic flows are rerouted away from the parish by the Keele services exit of the M6 motorway, by improving the existing services exit and connecting to the haul route along the old railway line. We are not asking for anything novel. Indeed, only last Monday in relation to provision for HS2 works commencing in Hertfordshire, when Hertfordshire Council were interviewed about what concerns they had in relation to protecting Hertfordshire residents from excess traffic, Hertfordshire Council announced they were not expecting any impact or disruption on local traffic routes because of the special exits created on the M25 and the haul route provisions in place for HGVs to leave the M25 directly to the construction site.

149. Your Lordships will be happy with some of that. If it's good enough for Hertfordshire, it's absolutely good enough for us. We are clear that our requests are not in breach of the several reminders we've had in relation to asking for additional APs. The provision we seek can be approved by the Minister of Transport using legislation already in existence under the TWA0, and if HS2 can remove the listing of a historic building at a stroke, then providing a better access road on to Three Mile Lane is not a gargantuan act. This exit is already unofficially used on a daily basis.

150. If we have failed to convince your Lordships to direct the use of an alternative routes, we respectfully ask your Lordships for written assurances related to the following: we ask you to instruct HS2 to provide binding assurances that any excess numbers of HGVs to those already known and declared will not be routed through Woore under any circumstances. This outcome especially needs to be considered given the exposition of uncertainty related to final numbers of HGVs in relation to the borrow pits activity.

151. The need-to-sell scheme: HS2 have previously said that Woore residents would be

entitled to apply to the need-to-sell scheme. We have witnessed in other areas unreasonable waiting times and pitiful numbers of approvals under this scheme, also highlighted in the House of Commons hearing, I might add.

152. We ask your Lordships to bind HS2 to a guarantee that residents whose homes are lining the A51 and the A525 through our parish are guaranteed approval in a timely manner. We suggest a maximum of three months to allow them to escape the unreasonable and inhuman imposition of hundreds of HGVs running past their front doors for up to a decade and accepting this reason as providing grounds for immediate, unequivocal approval for need to sell.

153. In addition to those mitigations already agreed on the working draft spreadsheet, which are greenlighted, we raise the outstanding mitigations remaining to be included. Firstly, HS2 are required to consider the whole parish, not just the square and the immediate precincts in relation to required mitigations, especially in relation to resident safety, in particular, the safety measures outside our school: full completion of the safety measures outside our school, as directed by the House of Commons, including the school crossing warden during school terms and prioritising a solution to making the entrance to the exit from the school viable. And we contend that if these provisions should – sorry, also to include the safety railings at the entrance to our school that were promised in discussions. If HS2 and Shropshire County cannot provide that level of protection then HS2 should abandon the route for themselves. We ask your Lordships: how can HS2 argue that the children in Madeley are more worthy of protecting than the schoolchildren in Woore?

154. We ask that HS2 will work with Shropshire County on enforcements of reduced speed limits to 30 miles an hour and 20 miles an hour outside the school. I know HS2 will say, ‘Oh we told them this; it’s all down to the Highways Authority’, but we need them to work together: to install a puffin crossing outside the school entrance, provision of signage for the ‘20 is plenty’ outside our school, and instructing contractors that part of the conditions of contract is to follow speed regulations on all public roads with fines and/or penalties attached if they are seen to break them.

155. In the absence of providing a continuous footpath with the appropriate width to walk a child, a pram or a wheelchair through the whole parish as a minimum, a formal

road crossing in Pipe Gate should be provided. Whether that might be a zebra crossing or a puffin crossing, we will be advised, but residents must be able to cross the road with safety.

156. The lower crossing at Ireland's Cross, which is highlighted in HS2 documents, the one at the end of Ireland's Cross close to the garden centre, requires a highway code information sign to indicate pedestrians crossing.

157. HS2 will tell you that there isn't time now to consider introducing an alternative route to make further provisions. But given we now know that the HS2 corporate plan shows that Royal Assent to the Phase 2A hybrid Bill will not be completed in Parliament until 'sometime in January 21', pushing back these planned early works further still, we believe, to around 2023 at the earliest, so there is more than enough time to make these preparations.

158. We thank your Lordships for your patience this afternoon and for listening and we are very happy to try and answer any of your questions.

159. THE CHAIR: Do any members of the Committee have any questions?

160. LORD BRABAZON OF TARA: Not at this stage, no.

161. THE CHAIR: I think you've been very thorough in your presentation. I think that explains why, beyond Lord Liddle's questions and one or two others, we have no questions for the time being. We've had rather a long session so far. I'm going to break for five minutes to give everybody a moment to stretch their legs and rest, and we'll come back at quarter past four for Mr Strachan's reply: 4.15 please.

Sitting suspended.

On resuming –

162. THE CHAIR: Mr Strachan, I think now is the opportunity for you to reply to what we have just been hearing from Councillor Allison.

Response by Mr Strachan

163. MR STRACHAN QC (DfT): Thank you very much, my Lord. I'm going to call

Mr Smart to help you with the construction effects on Woore in a moment. Just before I do that, can I just make a couple of preliminary points?

164. The first is in relation to the question of additional provisions and alternative construction traffic routes. We have referred in our correspondence to this Committee's approach to that as expressed on 29 July regarding additional provisions. That statement that your Lordship's Committee gave identified the reasons and the difficulties associated with introduction of changes to the Bill at this stage that would require additional provisions in terms of the prejudice, amongst other things, caused to others by the knock-on effect of a proposal for an alternative, different land take and different powers.

165. But as part of that statement at paragraph 8, your Lordship's Committee indicated that you were aware that petitioners have suggested that changes similar to those that might be made by additional provision might instead be effected through an order under the Transport and Works Act 1992 and the Committee said that would involve a process which is separate from the parliamentary process on this Bill and it's highly unlikely that we could be persuaded that there was any recommendation we should, or could, make in respect of such an order. That's the statement of the Committee.

166. In my submission, we strongly support that principle for some basic practical reasons. Outside the process of this Bill, resort to, for example, a Transport and Works Act order involves a different process which is dependent upon the exercise of rights by others in a different process which is necessarily uncertain.

167. For example, if one were to seek to acquire land pursuant to a Transport and Works Act order of the type necessary to provide an alternative haul route across private interests' land, that would potentially almost certainly be subject to objection by those affected. If one proposes different construction routing or connections with other routes where other residents are present, again, one faces objection potentially to such proposals and indeed forceful objections. That means that this Committee would be embarking upon a process – you're inviting a process, the outcome of which is entirely uncertain and where there are many other affected interests.

168. That is, in my submission, why the Committee made the observations it did, and of course I'd like to link that with the comments that the parish council have made about

the claims of being disenfranchised, because you heard that on a number of occasions. In my submission, that is not a proper analysis of what has happened. The parish council, as indicated, were aware of construction traffic routing through Woore through the working draft of the environmental impact assessment before this Bill was launched, as indicated in 2016.

169. Since that time, the parish council have had the ability, and indeed have exercised that ability, to bring objections to what was proposed in the hybrid Bill and to present alternatives to the Select Committee in the other place, which is exactly what they did. There is no process of disenfranchisement by that process; to the very opposite, in my submission, they are exercising their right to be heard about their alternative proposals.

170. The reality is that, having heard those proposals in the other place and the promoter's response to them, the Select Committee in the other place were not persuaded by the parish council's requests for alternative construction traffic routes in light of the merits of the respective parties' position. And the fact that the Select Committee did not agree with the parish council does not mean the parish council's disenfranchised. They have had their opportunity to make their points about that and they just simply weren't accepted.

171. By introducing, in the way the parish council are seeking to do, the prospect of resort to a Transport and Works Act order, that is, in effect, seeking to achieve an additional provision by another means, which has all of the unsatisfactory consequences I have identified.

172. So we do maintain in principle as a point of order the objection to the consideration of alternative construction routes which would necessarily involve additional land and additional powers to be taken. But I am going to move beyond that, having made that, I hope, crystal clear.

173. Just to explain in brief so the Committee can see what the evidence was as to why those alternatives were not acceptable, I am going to do that with the help of Mr Smart, who is just going to explain briefly to your Lordship's Committee what would be entailed.

174. So I'm not going to completely ignore what's said; I'm going to at least do it as

briefly as I can so your Lordships can see.

175. THE CHAIR: Lord Snape is asking a question.

176. LORD SNAPE: Thank you, Chairman. I'm sorry, Mr Strachan, for interrupting you so early, but just go back to this question of the Transport and Works Act. Can I refer you to P37(4)?

177. MR STRACHAN QC (DfT): Yes.

178. LORD SNAPE: Construction traffic routes through Woore and the first sentence reads, 'The proposed scheme seeks to make best use of haul routes and the strategic road network wherever reasonably possible'. Well, doesn't that indicate that the promoters are not going to look at alternatives such as the one proposed, so far as the use of the closed railway line is concerned?

179. And let me phrase it in another way too. If the Committee decided – I'm not saying they will, but if the Committee decided to seek a Transport and Works Act order so far as the alternative use of route of using the closed railway is concerned, in your opinion, would that be an additional provision as you've just indicated, or isn't your approach, or the promoter's approach to these construction traffic routes rather obvious that, of course, you prefer to use the existing road network rather than look at a reasonable, or what might be considered to be, a reasonable alternative.

180. MR STRACHAN QC (DfT): Can I answer that in two ways? First of all, in relation to consideration of alternatives, I wouldn't like the Committee to think that the promoter has failed to consider alternatives already. To the contrary, in this particular case, very detailed consideration has been given to the alternatives, including those suggested by Woore Parish Council. Mr Smart will explain in a moment for your Lordship why those aren't practical, and indeed the problems with them, and there's some fairly fundamental problems. So it's not a question of having failed to consider alternatives. It is a question of having considered them; they're not realistic in this particular case.

181. But so far as a Transport and Works Act order and additional provisions are concerned, obviously, an additional provision is an additional provision being promoted

to this Bill to take the powers within this Bill and there are basic procedural problems at this stage, in this House, of suggesting an additional provision, which are well expressed already in the Select Committee's ruling.

182. A Transport and Works Act order isn't an additional provision but, of course, the difficulty with a Transport and Works Act order is that this House, and indeed Parliament, has no control over the outcome of that process. Indeed, suggesting that one pursues a Transport and Works Act order is suggesting embarking upon a process about which the outcome is necessarily uncertain because one could not prejudge the merits of the objections by others who might object to what's being proposed in the Transport and Works Act order.

183. So going down that route is, as I said, a surrogate for seeking an additional provisions but without any of the requisite requirements of certainty for the Bill and its delivery, because one couldn't prejudge the outcome of such an order. So it has all of the associated difficulties with it. So that's the legal problem, as I have put it that way.

184. I do want to come back to provide some reassurance to the Committee about the first point, which is: have we in fact looked at some of these alternatives and are there problems with them? And I am going to do that, if your Lordship is content, Lord Chair is content, I will do that through Mr Smart.

185. THE CHAIR: Before you do that, I just want to be quite sure whether Lord Snape has got the answer, at least a sufficient answer to his question.

186. LORD SNAPE: Yes. I'm intrigued by Mr Strachan's view that, once you embark on a Transport and Works Order, the outcome is terribly uncertain. I was around in the other place when the private Bill procedure for railway matters was replaced by the Transport and Works Order, I think, if my memory has got it right, about 1992. Could you tell the Committee of any TPW order that you know of, once introduced by the Minister of Transport, because the Minister of Transport was responsible, of course, for introducing these orders, has been amended or overturned.

187. MR STRACHAN QC (DfT): I don't have that information to my fingertips. I suspect there is data about it. The nature of the order process itself which, under the statutory scheme, permits objections and indeed entitles objectors to object to orders on

the basis of, for example, unnecessary land take, disproportionate environmental effects, certainly as a matter of principle, require the Secretary of State to approach that matter with an open mind and if, in light of the evidence, for example, an objector raises the prospect of an alternative which is less intrusive and more desirable, that would be a reason not to permit the compulsory purchase of someone's land, for example.

188. In this case, of course, one of the alternatives would be the use of existing A roads to carry construction traffic rather than take someone else's land. So there is necessarily going to be issues which the Secretary of State couldn't, in my submission, properly prejudge outside that process.

189. How many Transport and Works Act orders have been refused, I don't have that information. I'm not going to hazard a guess. I hope my Lordship won't mind if I don't, but certainly I am aware of amendments being made to Transport and Works Act orders through those processes and certainly conditions being imposed, and there may well be cases where they've been refused outright. I don't know. I could try –

190. THE CHAIR: I don't think we should pursue this very much further. We have already made our position very clear in July that, for the various reasons you have been explaining, it would not really be wise for us to make a recommendation that a Transport and Works Act order should be sought, because of the fact that Parliament itself has no control over this, and this is a parliamentary procedure we are engaged in. Lord Brabazon has a point which he'd like to raise.

191. LORD BRABAZON OF TARA: Lord Chairman more or less made the point I was going to make it. In fact, what it would result in, would it not, is that we would have to suspend proceedings on this Bill while the Transport and Works Act order went through, with no doubt a public inquiry, for goodness knows how long. We would have to suspend our proceedings.

192. MR STRACHAN QC (DfT): My Lord, it indeed would depend on the terms of the way in which the Select Committee expressed itself, but yes, in principle, if the question of how the construction activity was to take place depended upon the outcome of the Transport and Works Act order, there is indeed that prospect that that's the only way Parliament would retain control of it; it would have to suspend proceedings whilst that process took place in order to know the outcome of the order before deciding on

whether to insist on a particular mechanism.

193. THE CHAIR: Well, should we proceed to look at the evidence that you were going to take us to? And I don't want to take too much time on that because there are many other issues which are raised by Councillor Allison, but could you proceed to just go through the points, fairly quickly, about the alternative route?

Evidence of Mr Smart

194. MR STRACHAN QC (DfT): Yes, so I will try and do it as quickly as possible. Mr Smart, I hope you can assist in this and I would just ask you a number of questions. First of all, if I could draw the Committee's attention to the plan that we had earlier; P37(13). Mr Smart, again if we can try and be brief for the Committee in this respect, but could you just explain in outline what is going on in terms of construction activity in this location that requires use of construction traffic on the A roads proposed, which will help us address the alternatives in a moment?

195. MR SMART: Yes, I can. Good afternoon, my Lords. As Mr Strachan has said, on P37(13), you've got the layout of our construction arrangements. As you can see in the pink, it's quite an intensive amount of activity along the trace. Now, as my Lords are aware, we always try to minimise impact on the roads by maximising the use of the trace as far as we possibly can for construction movements.

196. However, there are limitations with what we can do and unfortunately we cannot construct the railway just from the trace. We do need to go onto the national road network and, in doing that, we look at the class of roads that we are going to use and we always use the best available class of road which, of course, is motorways if you can do it and we'll hear tomorrow, my Lords, about how we are doing that. But we can't always do that so we then use the best class, which is A roads.

197. So what you can see here is that construction traffic coming off the M6, which is over on the right hand side of this exhibit, comes down the A53 where there is A and B, goes through the Whitmore Heath tunnelling facility on the road, down the A53 Newcastle Road, and then turns north along the A51 London Road up to Woore. At Woore, we also have construction traffic coming down from the north through what you can see there is the MN shown on the plan. But then access is our trace along the A525

Newcastle Road, ultimately through what is shown as I and J on these alphabet maps, and then up to the Madeley tunnel compound for the tunnel, and also what is known as the Madeley tunnel south transfer node, which is where we transfer material onto the road from the trace.

198. MR STRACHAN QC (DfT): Thank you very much, Ms Smart. If I could ask the Committee to bear in mind the identification of those transfer nodes in the area around I and J where traffic is going to, because we will come back to that point, Mr Smart, when we look at the petitioner's slides on where they assume the traffic is going to.

199. But if we could then just turn up the petitioner's slide A18(3), the Committee should have in front of it the map which shows three routes. Route 1 is the red dotted line which the petitioner is saying is the construction traffic route through Woore. The blue line is route 3, which is via the M6 Keele services, and the green line route 2 is via Manor Road. Mr Smart, is that correct?

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

201. MR STRACHAN QC (DfT): Is it right that our construction traffic is all headed towards the intersection of the blue, green and red that the petitioner is assuming for the purposes of their journey mile calculation?

202. MR SMART: No, it's not. The intersection of those three routes that are shown is actually the access to the river viaduct site. So some of our construction traffic needs to access there, but a large and a significant amount goes off onto the trace at the top of that red dotted line before it turns south and that is the transfer node that I talked about earlier. So it doesn't all come down there.

203. And, of course, there is an issue with the route 3 shown on here because obviously that would deliver – if that could be used, and there are various reasons which we'll come onto why it can't be, but of course, that will then deliver us not in the right place either. It would deal with some of our requirements but we'd still have some other issues.

204. So the full 13 miles, of course, for a lot of our traffic isn't that long. It would probably be three miles or so shorter than the 13.8 that the petitioners show. But I must

emphasise that, when we look at our routes, we don't look at the mileage or how long; it's the most suitable route we can use for our construction vehicles.

205. MR STRACHAN QC (DfT): Thank you. On that note, can we go back to the P set of slides? There are two pairs of slides which deal with both of the alternatives being suggested by the parish council. P37(23) is the Keele services and for your note, my Lord, that's route 3 that we are looking at, the one in the dark blue line. Mr Smart, I think the petitioners were describing that, if you look on the plan on the left, the suggestion is one would access this construction traffic route from the existing M6 Keele services off the M6.

206. MR SMART: Yes, that's right.

207. MR STRACHAN QC (DfT): Then one travels right to left across the page on what would be a new haul route and then one turns diagonally down towards the left, along what was formerly the Stoke –

208. MR SMART: Market Drayton line.

209. MR STRACHAN QC (DfT): Market Drayton-Stoke line, yes. Is that correct?

210. MR SMART: That's correct.

211. MR STRACHAN QC (DfT): And if one goes to P37(24) there is a list of five bullet points of the reasons why that proposal was considered but not considered viable. Can you just highlight the points, please?

212. MR SMART: Yes, I can. Well, apart from the issue of an AP, the most significant issue here is the safety problem. Highways England has a real problem with how we would safely use Keele services and they're just not permitted anywhere else, and Highways England, we don't believe, would approve it. We seriously looked at it. We do not think it is a route that could be approved.

213. Even if Highways England were minded to approve such a scheme, we would still have to upgrade the slips on Keele services to a significant extent, which we estimate it was just short of £2 million to do that, and it does not completely remove the need of using some of the traffic anyway.

214. I should also add that if we were to upgrade the disused railway – we looked at how we would do that and we wouldn't upgrade that, of course, to the same standard as an A road, so there'd be even more cost in how we would do that. So this is not something that would be economical, or indeed, from safety grounds, viable.

215. MR STRACHAN QC (DfT): Thank you. I'm going to move on to the Manor Road proposal, which is route 2, unless the Committee had any particular questions on that.

216. THE CHAIR: No, I think you can proceed.

217. MR STRACHAN QC (DfT): Manor Road was the alternative route 2, Mr Smart; that's is shown on P37(25) and that involves upgrading Manor Road, which is a C road, and then demolishing and constructing a new bridge to accommodate the HGV construction traffic over the Stoke to Market Drayton railway in order to get to the same location.

218. In a similar vein on P37(26) the consideration of that and the obstacles with it are summarised, and again, could I ask you, Mr Smart, just to summarise why that's not considered viable?

219. MR SMART: Yes, I can. Well, of course, when one moves to minor roads, one moves to a less suitable road and therefore environmental effects and other things need to be looked at, and obviously, because they are a more minor road from an A road, then they tend to be worse. So key things here if we were to look at this: first of all, in order to make this route suitable for a construction route, it would require extensive widening and hedgerow removal, which is on the slide. We've got a cost estimate of about £2.5 million for that and that doesn't include any land and property costs. We would also need to replace the existing road bridge over the old Stoke to Market Drayton railway and that comes at a cost of about £2.3 million to £2.8 million, which is shown on the slide.

220. There are other disadvantages in terms of the environment which I won't go into, but those are the two key points. And if we perhaps move to slide 37(27), there are already concerns from Whitmore Parish Council about the use of that Manor Road, a southern section, because that is, of all the least suitable, the most less suitable, if I can

use that term, and there is an assurance with Whitmore Parish Council that we will not use that route, as you can see set out on slide P37(27).

221. MR STRACHAN QC (DfT): Thank you. My Lord, again, unless there are any there are any questions about the Manor Road proposal, I was then going to move away from the alternative construction traffic routes that Mr Smart's addressed. I see a hand being raised.

222. THE CHAIR: Councillor Allison, you'll have a right of reply, and I think it's beset if we allow Mr Strachan to proceed and do come back in your reply, if you would.

223. CLLR ALLISON: It's really just an observation, Lord Hope; it wasn't introducing a new point. We have not mentioned Manor Road today. We didn't put it forward in our presentation today at all.

224. THE CHAIR: Let's just move on. Thank you very much.

225. MR STRACHAN QC (DfT): Could I then, Mr Smart, ask you to come to the question of what HS2 is doing, or has done, as a result of the concerns about Woore Parish Council and the use of Woore? Could we go to P37(7) and could you just explain what the promoter has done to reduce traffic through Woore during the passage of the build, from when it was first deposited to when additional provision 2 was introduced.

226. MR SMART: Yes, so if we go to 37(6), Mr Strachan, you said, you can see some of the activities that we've been doing to improve the amount of traffic we would need to put through Woore. I should mention at this time that Mr Melvin, I think, mentioned in his evidence that we need to mitigate the effects on residents and stakeholders, and of course, that's always at the forefront of our minds.

227. As we take our plans forward and we get more detail, we always seek to improve, and that is an ongoing process right the way through the project lifecycle of HS2. So you can see that by introducing some refinements of the things we have set out on slide P37(6), we have managed to reduce the flow that we will be seeing in terms of the numbers of HGVs and, if you'd like, the time in which they come through Woore. On exhibit P37(7), you will see how we've been able to reduce some of those effects.

228. Those reductions do relate to – if the Committee will recall on the previous slide and we’ll come onto it, we showed some of the alphabet points of KL, MN and IJ – and those reductions relate to those points and therefore the amount of construction traffic that Woore will experience.

229. THE CHAIR: How firm are these reductions, Mr Smart? I mean, are these speculations or are they actual guarantees that reduction will take place as demonstrated here?

230. MR SMART: My Lord, our guarantees will be what is effectively set in our environmental minimum requirements which is set within the ES but this is now our revised assessment of what we will actually be able to achieve to reduce the effects.

231. MR STRACHAN QC (DfT): My Lord, if it assists, on the environmental minimum requirements – you heard a bit about that on a previous occasion – but the environmental statement sets out an assessment of the realistic worst case scenario of environmental effects, the likely significant environmental effects of the project, and as a result of the environmental minimum requirements, if there’s any change that introduces new significant likely effects, for example increases in traffic that results in significant likely effects, that would be outside what’s assessed in the environmental statement and beyond what’s been produced and would require its own authorisation.

232. THE CHAIR: Lord Liddle has a question.

233. LORD LIDDLE: Going back to table P37(7), this is about what the peaks would be. Has this reduction been achieved in part by extending the time over which there would be lorry traffic through the village?

234. MR STRACHAN QC (DfT): I can answer that by showing your Lordship the spread of the traffic on P37(9) and the answer to that question depends on which arm you’re looking at, or which point one’s looking at. So, Mr Smart, are you able to help us? P37(9) is what we call the histogram, but for points I and J, which is shown in the inset map, that’s on the Newcastle Road, and AP1 was the Bill as originally proposed, and AP2, of course, is what results in the changes. In that particular case, you can see that traffic is starting in April 2020, whereas in the other one it started in October 2020, and it finishes in December 2024 and it extends through to July 2026. But the amounts

or the peaks of traffic have been reduced.

235. So in that case, there is an increase of the duration, but, we would submit, a dramatic decrease in the peaks. There's a different picture for each arm, but you could see, for example – and this is important when you look at those photographs – if one turns to P37(11), which is the point M and N, which is A51 north of that crossroads within Woore, and a lot of those photographs showing the narrower place on the A51 were taken there, you can see there's a dramatic change – well, we would characterise as a dramatic change in what is predicted in the M and N location from AP1 to AP2. We're down to a very considerable reduction and it's only occurring in a very limited period of time. Mr Smart, have I misstated any of that?

236. MR SMART: No, Mr Strachan, that is right. I would just say, though, in answer to Lord Liddle's first question, yes, we have achieved a reduction in peaks but we have also achieved a reduction in total number. So, for example, on the histogram which is shown on P37(11), by way of example, which is the A51 London Road north and the A525 Newcastle Road, there is an 11% reduction in total HGVs. Of course, the extension in time is because we're resource smoothing to try and take out the peaks. So it isn't just taking out peaks; there is a reduction in HGVs as well, and we've achieved that by, for example, how we're able to use our haul roads to take more of the construction traffic on haul roads where it is possible to do so.

237. MR STRACHAN QC (DfT): Your Lordships will recall there was criticism of the use of percentages by the parish council. I hope in fairness one can see we've provided both the raw data, the numbers, and also percentages. Some people find percentages useful, some not, but you have both available to see the real information there.

238. LORD LIDDLE: Picture on P37(11) is dramatic in terms of the change. So dramatic, one wonders how on earth as this has been managed, but this is due to more of the stuff being taken up and down the trace, is it?

239. MR SMART: That's one of the effects, yes, and of course, the resource smoothing as well, but the reduction in actual numbers – and, as I said, on this particular section we reduced by about 11% the number – that's by use of the trace, my Lord, yes.

240. THE CHAIR: Lord Horam has a question.

241. LORD HORAM: If you're looking at slide 37(6) on the reduction in HGV traffic through Woore, the first bullet point is improvements to the site haul routes, and you've just referred to that, I think, Mr Smart, the haul route. What are these improvements? Could you give me an example of the sort of improvement to the haul route, the site haul route that can yield this sort of betterment?

242. MR SMART: Yes. We have along the route some site operations which act as blockers. In other words, they are construction activities which we can't get beyond with a haul route. So by putting in things such as a temporary bridge, for example, over the West Coast Main Line, we are able to keep some construction traffic that would have got on the roads on the trace.

243. There are limitations, because clearly the more traffic you put along the trace, the more congested it becomes, and there are then very, very real health and safety reasons why we can't just take everything along the trace because of almost the congested state of the haul road where you've got very heavy 40-tonne articulated dump trucks mixing with vehicles that might be taking operatives, etc. But by looking at how we can manage the flow of the traffic and putting in some passing points and gradually upgrading the haul road, we are able to improve the amount of traffic that we can take along it and therefore minimise the effect on the construction routes.

244. There's a limit to how far one can go on this, both on health and safety reasons, and obviously not all vehicles – even though the haul road is of some sort of reasonable quality, not all vehicles can use that. And you also need things such as site knowledge and lots of health and safety procedures that come in place. As I say, there are limitations, but we've really pushed the maximisation of the use of the trace as far as we can.

245. THE CHAIR: Can you say something about the contribution that local placement introduced by AP2 is making to this calculation?

246. MR SMART: Yes, my Lord. I think Mr Strachan might have to cover borrow pit 5 and I think that might be where I can probably give hopefully some comfort to the petitioners on that point.

247. MR STRACHAN QC (DfT): Yes. I don't think we've got specific information

on local placement along this specific section, but no doubt we can find out more in answer to your question as to the contribution that made to the reduction in the use of the roads.

248. THE CHAIR: I think it would be helpful to know. I'm not quite sure whether AP2 was directed to this section of the line or it was that directed to somewhere else, but this slide rather suggests it is making a contribution here.

249. MR STRACHAN QC (DfT): Yes, that's my understanding. Ms Smart, unless you know the answer now, we may be able to find out more information about that.

250. MR SMART: We do have that information and we can easily make that available.

251. THE CHAIR: Thank you.

252. MR STRACHAN QC (DfT): I was going to come on to borrow pit 5 because the petitioners referred to that. There's a concern, Mr Smart, that borrow pit 5, and your Lordships can see that on P37(13), borrow pit 5 is a borrow pit close to the letter H on the line of route. It's in a grey area; BP5 it's marked. And that is a borrow pit which provides material for the construction of the railway.

253. The petitioners have expressed a concern that, as a result of further work being done on materials available from the borrow pit as part of what is known as the borrow pit review, that the levels of traffic being shown in these figures will increase. I think it was said it's going to double the amount of traffic through Woore as a result of increased use of the borrow pit and increase backfill of the borrow pit. Mr Smart, can you just comment on whether that's the case or not?

254. MR SMART: No, it's not the case. I don't know, Mr Strachan, whether you want me to go to the petitioner's analysis but I must admit, I'm struggling to understand what the petitioners have done, I have to say.

255. MR STRACHAN QC (DfT): The of the analysis was in the petitioner's slides at A18, just for your Lordships' note, A18(20) and (21), and then some reference is made to the borrow pit review. Mr Smart, as you have indicated, you're not able to reconcile their calculations with your own, but could you just deal with a broader principle? Are we predicting increase of traffic through Woore as a result of greater use of borrow pit

5?

256. MR SMART: No. So on the petitioner's slide 18(20) they seem to have extracted material from our borrow pit review and I'm not quite sure how some of this extraction has been – in their calculation, but certainly the stockpile at borrow pit 5 referred to on that slide, which is the volume of 570,000, that's held at the borrow pit. That that does not go onto the roads.

257. So, we obviously, my Lord will recall that the use of the borrow pits is to actually mitigate construction traffic on the roads, and therefore if we can win more material from the borrow pit and therefore not have to import, there's a benefit for doing that. So we look at whether we might be able to maximise use from our borrow pits. But from borrow pit 5, apart from that I don't recognise these figures, the backfill from borrow pit 5 goes via a transfer node onto the A53 at Whitmore, and also another transfer node on the A500 at Crewe and not via the A525 at Woore.

258. So the simple answer is that, if we increase the extraction that we do at borrow pit 5, both in terms of the material that comes out, and more importantly from what the petitioners have shown here, the backfill that would go into it would not necessarily have to go through Woore.

259. MR STRACHAN QC (DfT): Thank you, Ms Smart. Could I then, if the Committee is content, your Lordships are content, for me to move on to traffic management measures within Woore?

260. THE CHAIR: Yes, please.

261. MR STRACHAN QC (DfT): That obviously has been the subject of further research, Mr Smart. I'd referred the Committee to two reports, one at R92 and one at R91, but there's a slide, P37(17) which summarises the output of the research that's gone into the measures that could be implemented within Woore to improve both the existing situation, but also with the construction traffic present.

262. Mr Smart, if we could just look at those in turn, they are listed in six items, as I understood it, and there are a range of measures. Their locations are shown on the right hand side of the page with yellow boxes indicating what measures are proposed in

Woore.

263. THE CHAIR: Can you say again which side you're looking at? I'm sorry.

264. MR STRACHAN QC (DfT): I'm so sorry, P37(17).

265. THE CHAIR: Thank you.

266. MR STRACHAN QC (DfT): There are a number of measures identified, vehicle activated signs, road markings, coloured surfacing and speed gateway upgrades, number one; road markings, signage measures at the school and uncontrolled crossing points; modifications for the A51 and A525 junction, which is the one that the petitioners spoke about; a new zebra crossing, an upgrade to the existing signalised crossing outside the school replacing the pelican crossing with a new puffin crossing; then changes to the hedge arrangements on Falcon Inn. Mr Smart, those are the package of measures that have been suggested as I've understood it; is that correct?

267. MR SMART: That's correct, yes. These are the package of measures which we believe are appropriate. We are aligned on our view on this, I think, with Shropshire County Council. I am not actively involved in the discussions with Woore Parish Council, but as far as I'm concerned, I'm not aware we've had feedback on some of these measures and obviously, this is something we would be keen to discuss with Woore to look at what we can do along this section of the route.

268. MR STRACHAN QC (DfT): Mr Smart, perhaps I'll just address the Committee on some of the points that were raised by the petitioner on the package of measures. I hope I will get the key ones that were raised; there were a number of points raised. First of all, there was a question about whether there are existing signalised crossings within Woore itself, and if one is able to access R92, which is the report on the measures, I think it may assist your Lordships to know that there is an existing signalised crossing adjacent to the school entrance which you can see from page 35.

269. There's a photograph of it and it's a pelican crossing. The report recommends upgrading it to a puffin crossing.

270. LORD BRABAZON OF TARA: What's the difference?

271. MR STRACHAN QC (DfT): I knew that question was going to be asked. Mr Smart may know the answer.

272. MR SMART: Let me try: a pelican crossing works pretty much on set timing and is not therefore a smart crossing, if you excuse the pun. But an upgrade to a puffin crossing senses pedestrian activity and therefore they maintain the red signal to make sure that pedestrians are safely across because they actually sense actual activity. And I think also, as well, a puffin crossing is a better for people that have accessibility problems as well.

273. MR STRACHAN QC (DfT): My Lord, I have just been told that the feed to the Parliamentary TV is not working. I don't know if that's a –

274. THE CHAIR: Just pause while we find out. I think we'll have to break. Councillor Allison, I'm very sorry, you're being tested very hard today by our technology, but we need a bit of time just to sort out what's going on. Five-minute break.

Sitting suspended.

On resuming –

275. THE CHAIR: Yes, Mr Strachan?

276. MR STRACHAN QC (DfT): Thank you, my Lord. I was just taking your Lordship's Committee to the question of a pedestrian crossing, the puffin crossing upgrade, Mr Smart's explained. There was a reference made to Shropshire County Council's view on providing a crossing officer and that is dealt with in the report, R92.

277. THE CHAIR: Yes. In view of the time we've been taking, that these two reports are very carefully set out. They set out the advantages and disadvantages of each step that's been considered with a recommendation. I've read these. I'm sure that members of the Committee have read them too. Do we need to go over them in detail?

278. MR STRACHAN QC (DfT): Not at all, my Lord. I was going to simply say that rather than me going through each of the comments that have been made by the petitioner, I would refer the Committee to those reports and just the general principle,

the promoter has sought to examine what measures can be delivered at Woore in a viable and realistic way and made sensible recommendations to the local highway authority and we will respond once Woore Parish Council respond and the highway authority to take forward those measures that can be agreed. But certain measures such as footways throughout Woore are not ones that can be realistically delivered because of the land take that would be required from other frontages, for example. All those sorts of matters are set out in the report, which I won't take your Lordship through in any detail now.

279. THE CHAIR: If the recommendations are accepted, what then? We don't need to take any steps, do we? We don't need to give any directions because you will give effect to them. Is that right?

280. MR STRACHAN QC (DfT): That's right. There's already an assurance that's been provided to Woore Parish Council that we will continue to engage with Woore Parish Council about their views on the recommended measures and if no views come forward we will implement what is called the design package 2 in the report. But those measures that we've recommended already in the report which your Lordship has seen.

281. THE CHAIR: Yes.

282. MR STRACHAN QC (DfT): We remain open for discussion with Woore Parish Council and the highway authority on those matters.

283. THE CHAIR: Yes. Lord Liddle?

284. LORD LIDDLE: I wanted to clarify: will HS2 contribute to the highway authority's costs in doing these improvements?

285. MR STRACHAN QC (DfT): My Lord, yes, in short. There is an issue which is touched on in the report as to whether some of these measures are temporary, which is what we understand Woore Parish Council would like them to be, or left in place, which is maybe what the highway authority might seek to require. We will respond accordingly. If we're required to remove them, if that's the consensus view, and it's agreed by everyone, then we remove it. If not, some of these could remain as benefits for the community. I would, on that point, point out that these are existing A roads

through Woore, which have a considerable body of traffic on them. Some of these measures, although I appreciate we're adding construction traffic, some of these measures will actually improve safety and flow of traffic and speed in terms of existing traffic as well.

286. THE CHAIR: Yes. Lord Haselhurst has a question.

287. LORD HASELHURST: Thank you, Chairman. It did occur to me that there was a thread running through Councillor Allison's evidence before us that Shropshire County Council have been not as helpful or sympathetic as they might have been. That's been countered now to some extent by what Mr Strachan said, but would he feel that there is scope for a closer and warmer relationship between the county council and the town council?

288. MR STRACHAN QC (DfT): My Lord, I would always encourage close working between the respective organisations, the county council and the parish council, because the local highway authority, namely the county council's consent to some of these measures is essential. For example, it's entirely a matter for them if they were to change the speeds in Woore. They obviously have other considerations they have to bear in mind. But we have sought to encourage and we will continue to encourage a close working relationship between the parish council and the country council and ourselves to achieve these packages of measures for Woore Parish Council to deal with the construction impacts. I can't really say more than that, but yes, I would certainly encourage continued close cooperation.

289. LORD HASELHURST: Thank you.

290. MR STRACHAN QC (DfT): My Lord, those are the traffic package measures. There was an issue raised about air quality and can I deal with that, I hope briefly? Mr Miller's here to answer any questions you may have about the air quality monitoring. But within the pack of slides, you will see that at P37(21) the promoter's assessment of air quality in Woore based on construction traffic and existing baselines is compliant with the environmental approach set out in the environmental statement which was developed. The method of assessments is based on the guidance produced by the Institute of Air Quality Management. There's been extensive consultation about how to go about that air quality assessment.

291. So for example, when one looks at annual concentrations, we are following best practice guidance when we assess the baseline and we assess the impacts. Within Woore, as a result of the proceedings in the other place, we undertook to carry out further baseline air quality monitoring, which is what we did. That's received at P37(22). And your Lordship's Committee has the results, have all the results of that air quality monitoring in the air quality monitoring report at R90. I don't take the Committee to it now, but you will see from that that the baseline assumptions in the environmental statement and now the further monitoring that's taken place demonstrates what HS2 was predicting. There will not be any significant adverse effect to air quality as a result of the levels of construction traffic we're proposing through Woore.

292. THE CHAIR: Sorry to interrupt you. But does this take account of the point that was made about standing traffic due to traffic jams and so on, because if you understand a line of lorries got stuck there and they are all engines running and diesel fumes and so on and so forth coming out, is that kind of problem analysed in this report?

293. MR STRACHAN QC (DfT): My Lord, I will check but my understanding is it is in terms of the method of assessment. It takes into account speed of vehicles on roads and the types of vehicles on the roads in predicting in the model what level of air quality effects or impacts there will be. But I've taken that at speed. If I'm wrong about that, I will let the Committee know.

294. THE CHAIR: That's assuming they will all be Euro 6 style vehicles or does it acknowledge the fact they may be Euro 4?

295. MR STRACHAN QC (DfT): The assumption is as set out in information paper E14 on air quality. There is the target to use 100% Euro 6 compliant vehicles from 2020 by way of construction traffic for HS2. The exceptions which are referred to in the document are for example special vehicles – there may be some sorts of special construction vehicles of a type which for some reason can't be compliant with Euro 6 standards – or unforeseen circumstances, where a vehicle needs to be used, or the other exceptions specified in the appendix. None of those exceptions are anticipated to have any material impact on the overall assessment. One is talking about a very limited number of limited exceptions when one might not have every single vehicle as Euro 6. None of that would affect, as I understand it, the overall assessments of the anticipated

construction traffic.

296. THE CHAIR: Has the promoter – I’m sorry, I keep interrupting because I want to be quite sure I don’t lose the point – has the promoter given an assurance that only Euro 6 standard vehicles will be used for the haulage of materials through Woore village?

297. MR STRACHAN QC (DfT): My Lord, it has, subject to the exceptions I’ve identified. That is set out in appendix A and appendix B of information paper E14. As a result of assurances given, I think in relation to Phase One, about construction vehicles and their compliance with Euro 6, there was an assurance given at that stage to the London Borough of Camden which has since been extended to local authorities generally. But from 2020, there is that 100% expectation of Euro 6 construction vehicles – of HGVs, I should say.

Evidence of Mr Miller

298. MR STRACHAN QC (DfT): I’m to just going to ask Mr Miller because I know he’s the witness dealing with air quality, not to necessarily take much more time but other than to confirm what I’ve said is correct and if it’s not, to correct me.

299. MR MILLER: Yes, that is correct. Appendix A is the information paper, is the piece of information to rely upon. The comment from Mrs Irwin earlier on about a comment I made in a meeting, traffic subgroup meeting I believe, is not borne out actually by the Phase One results where we’re very close to meeting 100% HGV Euro 6 vehicles on HS2. Indeed when you go to Appendix A that I’m looking at at the moment, of the information paper, you’ll see that just below the HGV category, it also talks about beyond 2020, making improvements on Euro 6 vehicles and for the rest of the route, there’s a category where it says, ‘rest of the route’, the target is to improve upon Euro 6 by 10%.

300. I’m sorry; this is evidence in chief, but we have an innovation programme on HS2 and we’re currently looking at hydrogen technologies to be retrofitted on HGV vehicles. I’m not pretending that’s going to be available with immediate effect but in the midterm in the next three to five years I would expect more hydrogen technologies to come in with these heavy vehicles. So we are pushing at this to try and make improvements to air quality on the routes that we are using and the activities that we undertake to build

HS2.

301. MR STRACHAN QC (DfT): My Lord, just for your note, in the air quality report, R90(10) – your Lordships don't necessarily need to turn it up now – but you've got an assessment of the change of micrograms per cubic metre of nitrogen dioxide arising at the most sensitive receptors in Woore. For example, at the square the increase is predicted to be 0.2 micrograms per cubic metre on an existing level of 10.9, where the threshold of concern is 40. So what we're talking about – whilst I appreciate people are concerned about air quality and the effects of traffic, the actual impacts of construction traffic we're predicting, in terms of increase to traffic through Woore on the existing baseline, are of that order, which is why our predictions are negligible impacts arising on air quality.

302. My Lords, I wasn't going to say any more about air quality. I'm very conscious of the time. I wanted to point out in relation to compensation requests made about compensation or assurances, the position is that those in Woore have an ability to apply under the need-to-sell scheme in accordance with that non-statutory discretionary package of measures, if they consider they wish to sell and they have a need to sell as set out in that scheme and they meet the relevant criteria. There is no need, we would submit, for further assurances and indeed you're not being presented with cases of people who have applied and somehow feel aggrieved by the results of the scheme in Woore.

303. My Lord, I have taken I hope most of the key points that have been made. Many of the other points are addressed in the petition response document. We don't see the need for additional assurances of the type being requested and I refer you to the consideration we've already given to the alternatives and the reasons why they've been rejected. We look forward to taking forward a package of measures to improve things at Woore based on the reports that we've carried out. If your Lordships have any further questions for me or my witnesses?

304. THE CHAIR: I'm just looking at members of the Committee to see if they have any questions? I don't think so. Thank you very much, Mr Strachan. Well Councillor Allison, I think it's over to you for a final response, if you have any points you would like to make. I don't ask you to go over the ground all over again. It's just final

comments just before we finish.

Closing submissions by Ms Allison

305. CLLR ALLISON: Well, I can tell you I've been making notes all the way through that and I won't go through them line by line. It's really disappointing once again to hear HS2 repeat the same old information that we've heard before. At this stage, what Mr Strachan described at the beginning about what happened to Woore and dismissing it as we knew in 2016, it is incorrect to say that. What happened was: we came late to the table, because we were left out of the process because HS2 did not realise that we were in Shropshire.

306. THE CHAIR: That's all, if I may say so, a bit of history really but as far as today is concerned, what has been offered to you is a willingness to engage with you to discuss the recommendations in the papers we've been looking at. Are you still open to discussion or is your mind closed?

307. CLLR ALLISON: Well, that's one of the points I was going to raise. The Woore Parish Council have been open to discussion all the time. Indeed our Woore Parish Council chairman is the one who has driven meetings with HS2 and Shropshire County. Woore Parish Council have booked the venues, paid the bills for the venue and offered the refreshments. So I don't think we can be presented here today as being reluctant collaborators. We have tried to work all the way through but we keep coming up against these brick walls.

308. THE CHAIR: Sorry to interrupt you. I'm just trying to see if there's any solution at all in sight. You've got these two papers in particular, papers 91 and 92, with recommendations. Have you actually responded to these so that HS2 know whether or not you're willing to accept them because if you have points for not accepting them, no doubt they'd like to know and no doubt would discuss whether there's a way round them?

309. CLLR ALLISON: Well, up until lockdown, there were meetings going on – minuted meetings, although, no, HS2 stopped minutes. They wanted just notes. And since lockdown, we haven't met and yes, I guess, it's time to revisit those. But we wanted desperately to come here today to speak to the House of Lords because we feel

so disadvantaged by coming late to the table, whatever – if it's couched as history, it's couched as history – but it is absolutely connected to why we find ourselves here today.

310. Constantly, the can gets kicked down the road to us. Exactly what Mr Strachan was mentioning earlier about what might happen if the Traffic Act is invoked, talking about making problems for other people down the way, that's exactly what happened to us under HS2's tutelage. So really I am dispirited if you think that the only outcome for today, the Committee think the only outcome for today, is to return to that list of mitigations, which is minimal and does not address our real concerns as a community.

311. THE CHAIR: Well I think it's already been pointed out to you that we can't engage in an additional provision and the other matter that was dealt with, the traffic order and so on, are outwith our scope really so we're left with the position that we have to take these routes. We can't go into re-routing the traffic and the question is how best to deal with the routes that have been chosen. I think that's where we're likely to be. We've yet to discuss it amongst ourselves but that seems to me to be the likeliest solution when we discuss it. So we are very interested in these recommendations and some of them look as though they might be worth pursuing. My concern is that at the moment it looks as though things are a bit stuck.

312. CLLR ALLISON: It is very stuck, Lord Hope.

313. THE CHAIR: It would be of great advantage if they could be unstuck and progress could be made.

314. CLLR ALLISON: Well, one of the examples Mr Strachan used is the establishment of the puffin crossing. I have to inform the Committee that the agreement to have a puffin crossing was agreed with Shropshire County some years ago. They are just dragging their feet to see who will pay for it. So we are caught up in this bureaucratic nonsense as well as trying to do the best for our residents. The criticisms we have of their methodologies etc, they come always back to the same kind of evidence. If we have not made an impact on your Lordships today, we did outline what we feel should be the minimum and even that is being cast to one side by Mr Strachan.

315. It's easy to say everybody can apply to need to sell, for example. There are 170 homes that line the A51 and the A525 that will be affected every single day for six days

a week minimum over the next seven to 10 years. And they will face the same as other people applying to need to sell; less than a third of people are successful on that route. We were looking for you today please to make the statement about the unreasonable expectations placed on this community and therefore ensure that the grounds that we have are grounds that HS2 cannot kick back and say, 'We're not convinced'. I believe that the mitigations in the village – we didn't expect agreement in many ways to an unbroken pavement all the way through the village. That has been discussed before. But at the very least, please, your Lordships, look again at what we ask for in terms of a crossing in Pipe Gate and the alerting to pedestrians crossing in Ireland's Cross. Our residents must safely be able to cross these roads in the face of all this increased traffic. That's the least I think they can do. We are a parish of seven communities. Woore is not just the square.

316. THE CHAIR: Yes, well, thank you very much. I think you've made your case very effectively if I may say so and I must apologise on behalf of the House and the technology people for the way you've been treated with interruption after interruption. You've been extremely patient with us and we're extremely grateful for that as well. I'm going to close the proceedings now. The Committee will adjourn and we'll sit again tomorrow for a further hearing at 10.30 a.m.