MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Thursday 10 May 2018 (Morning)

In Committee Room 5

PRESENT:

James Duddridge (Chair)
Sandy Martin
Mrs Sheryll Murray
Martin Whitfield

-----------

IN ATTENDANCE:

Timothy Mould QC, Lead Counsel, Department for Transport

-----------

WITNESSES:

Charles Cole and John Sadler, Kings Bromley Parish Council
Tim Smart, Chief Engineer, HS2 Ltd

IN PUBLIC SESSION
## INDEX

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kings Bromley Parish Council</td>
<td>3</td>
</tr>
<tr>
<td>Submissions by Mr Cole</td>
<td>3</td>
</tr>
<tr>
<td>Submissions by Mr Sadler</td>
<td>12</td>
</tr>
<tr>
<td>Response by Mr Mould</td>
<td>17</td>
</tr>
<tr>
<td>Final submissions by Mr Cole</td>
<td>33</td>
</tr>
</tbody>
</table>
1. THE CHAIR: Mr Cole, thank you for coming to petition the Committee.

Kings Bromley Parish Council

Submissions by Mr Cole

2. MR COLE: Right, good morning. We’ve attempted to keep up to date with the latest things that have been happening regarding this Bill, the Select Committee, and the last few days have been pretty hectic because not a day seems to have gone past without us receiving yet more information which we’ve tried to assimilate and then amend what we were going to say. So, we’ve had the exhibits forwarded from HS2, we’ve had a letter from Oliver Bayne, the director of hybrid bill delivery addressing some of our concerns which we got on Tuesday and so we tried to look at all of those to make sure that we’re up to date and we’ve tried to take account of this information in what we’re due to present today.

3. Now, I’m Charles Cole. I’m a member of Kings Bromley Parish Council with a specific responsibility for HS2 Phase Two and I’ve brought with me John Sadler who’s chairman of the joint action group who has got expertise in some of the areas that we’re going to talk about and so to some extent it could well be a bit of a joint effort between us because of our areas of expertise.

4. THE CHAIR: I think in that case, sorry to be a pain, in which case you need to be sat in that chair if you’re going to speak. You need to be called as a witness, sorry. It’s exactly the same in reality.

5. MR COLE: Okay.

6. THE CHAIR: So, one person is making the case and that person is Mr Cole. If you want to ask questions of a witness, you can. Just for clarity.

7. MR COLE: Okay, right. I had indicated that John would be with me supporting in one or two of the areas in particular.

8. THE CHAIR: That’s fine. It’s just the way that we do it. We’ll call him a witness. It makes no difference whatsoever.
9. MR COLE: Okay, fine. As I’m sure you’ll know, Kings Bromley is a small parish to the north of Lichfield with a population of about 1,000 people and albeit small, HS2 will have a significant impact on the village, particularly during the construction phase and that’s why perhaps we’ve taken a particular interest in everything that’s been happening with HS2. We’ve also carried out extensive consultation sessions with the residents, the landowners and businesses and these have resulted in the points that we’re making in the petition. So, it’s not just the parish council sitting there thinking what’s best, we’ve actually involved the community in what we’ve been doing and, as I say, the petition that we put in was as a result of those consultations.

10. The first point I want to come to is the closure of Common Lane and the impact of increased traffic on Crawley Lane and I think, if I get my act into gear, there is a map that shows the revised proposal and I think I’m on P112(13).

11. THE CHAIR: We looked at Common Lane yesterday so we’re very familiar with it and have seen pictures of it. Just so you know, it’s not new to us.

12. MR COLE: No, I’m sure it isn’t. I’m also speaking on behalf of Paul Lovern who’s the CEO of the Small Schools Multi Academy Trust, Richard Crosse Church of England Primary School, who put in petition number 0000187 and the reason that I’m doing that is because he used exactly the same arguments that we used and so we thought it would cut down on time and effort, because he’s fully in line with exactly the arguments that we’ve used.

13. THE CHAIR: Very sensible, we appreciate that.

14. MR COLE: So, I am here on his behalf as well. He’s given me a statement on how the closure of Common Lane would affect the safety of the school pupils, parents and staff and also how bad the traffic is now and how much worse it would be if things have now moved on but I think things have moved on a bit and so perhaps if we could come back to it if we need to but I wasn’t intending necessarily to read it out.

15. THE CHAIR: Thank you.

16. MR COLE: The other thing is, we’ve worked very closely with Staffordshire County Council on this matter, as I’m sure you’re aware, and of the possibility of the
introduction of an additional provision to cover this, something we very much welcome. So, we had a very constructive meeting with HS2 and Staffordshire County Council a couple of weeks ago which resulted in the project proposal that you see in front of you and, as I say, overall we were happy with the way that seems to be going, albeit there needs to be more work that has to be done to make it into something that we consider to be satisfactory. As I understand it, there’s further work required between HS2 and Staffordshire County Council to ensure the proposal is totally viable for both parties and our assumption is, if there’s an addition provision comes forward that we are not happy with then we can appeal against that additional provision.

17. THE CHAIR: So, as an additional provision and you’re eligible to petition against this, you can.

18. MR COLE: Yes, so that was our assumption.

19. THE CHAIR: That’s correct.

20. MR COLE: Okay, great. The outstanding issues that we see from the parish council point of view that need to be resolved, there needs to be an agreement for the responsibility of ongoing maintenance. The layout of the junction where it goes on to the 515, also we would like to see the digging up of the old A515 which is the bit in white, not the bit in purple, that’s it, because we want to prevent fly tipping, unauthorised parking and illegal camping on that bit which we’ve noticed before that when roads have been closed, it becomes an issue with the bit of road that’s left. So, from the parish council point of view, we would be keen to make sure that happens.

21. We’d also like the ability for local farmers to use the bridleway underpass and the accommodation road to link up with the A515. That’s the bit under the bridge and then linking up with the access road, accommodation road, to link up with the A515 to prevent a fairly long detour, especially at harvest time etc. and to try and keep some of the heavy farm traffic off using the junction on to the new part of Common Lane.

22. So, there’s also a kink in the road. If you just come under the underpass, there’s a junction then. One goes to the site here, okay, are you with me? And the other one goes down to the old Common Lane bit. There’s a kink there and if that could be removed, that would be helpful because, again, with heavy farm traffic turning, having to make a
sharp turn back on to the old 515, on to the new road.

23. And also, I would mention, although we understand that this is very much an issue for Staffordshire County Council, but I will mention it because it’s an issue that we believe it’s important. There should be a speed limit and a weight limit past Richard Crosse School because that road is congested now, nothing will happen to decrease that congestion by the proposal and so therefore we would hope that we would try and reduce the danger to the children, the pupils, the parents and the staff from outside the school.

24. THE CHAIR: Where is the school on the map?

25. MR COLE: It isn’t.

26. THE CHAIR: Right.

27. MR COLE: Okay, P107.


29. MR COLE: Yes, P94. The school’s there which is at the other end of Crawley Lane, but it’s like a square that you can get to the school from both directions and that was one of the reasons we’re very keen to keep Common Lane open so that we can retain the ability for traffic to go both ways down Crawley Lane rather than all the traffic having to go, turn round and come back again. So, although the parish council and the school look at the revised proposal favourably, we believe all these items need to be resolved before it can be fully accepted and we look forward to viewing any additional provision that HS2 put forward and discuss it fully with all the interested parties to ensure that it meets our needs. And that’s really all I would want to say on the closure of Common Lane which is, I think, one of the most important issues that the community have raised.

30. THE CHAIR: And, as you say, you get a second bite at it through the additional provision. So, let’s move on to what we can look at today.

31. MR COLE: Yes, so from today’s point of view, sorry, the next item on the agenda?
32. THE CHAIR: Yes, I think we’ve moved on from Common Lane.

33. MR COLE: Yes. The next item that I want to look at is the four borrow pits that HS2 wish to establish in the area and the issue for us is the loss of 66 hectares of good grade 2 agricultural land, the impact on the water table, there are aggregates available from other sources not too far away and landscape blight that will give us. We are aware of the assurance the promoters have given to the National Farmers’ Union dated 30 April which we see as a step in the right direction but we still have overall concerns about borrow pits in the village. The other issue that we have with the borrow pits is the restoration of the land to its previous quality. The past performance in this has not been good. The promoters have given us some really good drawings of how the borrow pits will be worked, taking the topsoil off, subsoil, taking the soil out, taking the aggregate out and putting soil back. We have previous experience when something similar was done with the Trent Valley Main Line, when that was increased from two to four track which did involve digging out of aggregate. The restored land is still not in a good state. So, we read what the promoters say about restoring the land but we have our concerns about making sure that that’s adequate for purpose. So, as far as we’re concerned, we’re prepared to wait to see how the assurance will work out and will keep an active interest in what happens with further discussions with the NFU and the landowners on this issue.

34. The third issue is the height of the viaduct and embankment and, again, the promoters have come back with something that we would regard as being positive about reducing the height of the Kings Bromley viaduct by up to three metres which will, we believe, be a significant help in reducing the landscape issues with the embankment and viaduct. But we will keep an active interest in this since the assurance says ‘up to three metres’. Well, half a metre is up to three metres so, again, we want to be satisfied that the maximum is being done to keep the height of the embankment to a minimum because, as I say, up to three metres sounds good but if it’s only half a metre then it doesn’t really answer much of the problem that we have, and the other advantage that we see in keeping the embankment to a minimum, and we understand the issues of maintaining clearance for the roads and whatever underneath, we understand all of that, but the lower the embankment is, we would understand the less sand and aggregate will be needed from the borrow pits because it won’t be so high. Therefore, to reduce the height as far as we can might have a positive impact on the amount of gravel pits,
borrow pits, that HS2 will need, so that will have a positive impact on item 2 that we’ve talked about.

35. The next issue is traffic management and, again, we were pleased to read the assurance given to Staffordshire County Council on the use of local roads in Kings Bromley about not using the A513 through Kings Bromley and limiting the use of the 515 to Kings Bromley and that is a positive way forward. But one of the things we’ll be particularly looking out for, in Oliver Bayne’s letter to us, points 1 to 3 look fine. Point 4 says ‘Where it would prejudice the safe, timely and economic construction and/or operation of the proposed scheme’, then they might not be able to keep to the commitments that they’re giving and, for us, that could be an open cheque book because if the programme’s running late, there could be an economic reason for all the traffic to come through Kings Bromley.

36. And so, thank you for the assurances that you’ve given in points 1 to 3 but to some extent they’re negated by point 4 which says that they could still do it anyway and so we are very mindful of this because Kings Bromley has a traffic problem now, never mind about being compounded by what happens with HS2. So, in addition to the points that have been made, what we would be looking for in this is signs at each entrance to the village which say ‘No HS2 vehicles or contractors beyond this point’ to re-emphasise the point that it is agreed that HS2 traffic will not be coming through the village.

37. THE CHAIR: Sheryll Murray’s got a quick question, and then Sandy.

38. MRS MURRAY: Yes, just very quickly. Obviously, they may need to come through the village in case of an emergency so, if you said no, if they’re registered as vehicles that can use the public highway, you couldn’t stop them.

39. MR COLE: Yes. It’s a very good point because in the points raised it does say that, for example, the A38, you get an accident on the A38, the diversion route will actually come through Kings Bromley. We understand all of that. If it’s a police request or whatever, we understand that but we’ve noticed that on other construction sites they have put ‘No construction/contractors traffic’. We understand that that could be overridden if there was an emergency or accident or whatever. So, fully understand that.
40. MRS MURRAY: Thank you.

41. THE CHAIR: Thank you. Sandy?

42. MR MARTIN: Yes, I’m just wondering whether actually at the entrance to Kings Bromley is necessarily the best place for signs. I would have thought there is a roundabout, isn’t there, on the junction between the 515 and the 513. That would be the place for the signs, would it not?

43. MR COLE: Yes, well that’s an excellent point.

44. MR MARTIN: In order to make sure that the vehicles actually get out of the 513 rather than carry on.

45. MR COLE: That’s an excellent point and also, we could argue that it could be at the junction with the A38, at Alrewas, to stop the traffic totally from coming down the 513.

46. MR MARTIN: I mean, certainly when we were doing our site visit, we actually in that area found it quite difficult because there were several junctions where the signage was not good enough for somebody who hadn’t been down there before to know which way they were meant to go.

47. MR COLE: Okay. One point I would make, if there’s a haul road that goes on to the A513, we would understand that traffic would need to get to that haul road but I think that that’s something that we could look at in more detail when the plans are more final than what they are now. But we’re not trying to be unreasonable, we just want to restrict as much extra traffic coming through the village as we can and we think there are ways of doing it.

48. THE CHAIR: That’s very helpful. It’s the first time signage in particular has been raised so perhaps, Mr Mould, I’ll look to you later to cover off, to educate us a bit more about the general policy around signage. Mr Cole?

49. MR COLE: Okay. The other point to make is adequate disciplinary procedure included in the COCP should be inserted to ensure compliance about the traffic movements and the agreed local traffic management plan should be in place before
construction work commences and we think that would really help the village in feeling protected against additional traffic coming through. We’re whipping through these quite quickly.

50. THE CHAIR: That’s good.

51. MR WHITFIELD: Just on that, I note in the other petition that you were dealing with there was a request for clearly identifying HS2 vehicles. Is that being –

52. MR COLE: Apologies, apologies, I missed that sentence out. Yes, we’d like that all HS2 vehicles, company owned and contractors, should be adequately signed to ensure easy identification. Thank you very much. I had missed that point out of what I was saying so thanks very much.

53. MR WHITFIELD: That is seen as a way of mitigating, associating and highlighting?

54. MR COLE: Exactly, and we extend it to contractors because it’s very easy for HS2 to say none of our traffic will come but since a lot of it will be contractors, we want to be able to control that – not control it, but make sure that they comply with what’s agreed.

55. MR WHITFIELD: Yes.

56. MR COLE: Now, the next issue is overhead power lines. The issue, this issue came up frequently in our consultation process because the pylons are very obvious, particularly at the back of some of the houses in Kings Bromley and this affects, could I say, the other end of the village, not where the line goes through but the other side of the village. We say the consultation process brought this up, by quite a lot of residents. The reason that we thought that putting the power lines under the ground would be because on the plans that first came out, HS2 designated the land round the pylons as land potentially required during the construction process, the pink bits. Therefore, we thought that if they’re going to use that land anyway, why not help the village, because the village is going to undergo lots of disruption because of the construction phase, why don’t we try and get something out of it for the rest of the village by taking this blight on the landscape away.
57. The other thing is, some residents had received letters from HS2 informing them that part of their land might be taken during the construction phase because it was the areas outlined in pink. Because of all this work that’s got to be done on these pylons, as I said before, why not take advantage to put them underground? But, being the fair parish council that we are, we have taken independent advice on the issue and, unfortunately, the independent advice backs up what HS2 have said and so –

58. THE CHAIR: Well, you don’t need to make their case, just make yours.

59. MR COLE: Well, no, but we thought, well, okay, we’ve read everything that HS2 have said, being fair minded like we try to be, we thought well we’ll just test this out and, actually, they do agree with the case. So, if you can bear the expense of the four or five times or whatever, we are prepared to re-look at it again if HS2 decide, out of the goodness of their hearts, we’re such a reasonable bunch of people that they would actually help us in this concern.

60. THE CHAIR: The point’s made. Carry on, Mr Cole. Don’t be tempted, Mr Mould.

61. MR COLE: Can I just say, if cost had been the only restriction, we would have carried on, we would have fought for it, but it’s not just cost, it’s the actual difficulty of putting high power lines underground with temperature control and everything so –

62. Now, the next issue where I actually do need John’s help on is the Pyford Brook satellite compound and, again, this is an area that affects a few individuals, some of whom will be wanting to appear before you.

63. THE CHAIR: Could we find that on the screen, please?

64. MR MARTIN: This is the one that affects the cattery. We’ve already had somebody in on this.

65. MR COLE: Yes, I know, because I’ve watched it.

66. THE CHAIR: That’s very helpful, Mr Mould, but I think – so can we have it up on screen so we have absolute clarity as to which one we’re talking about?
67. MR MOULD QC (DfT): P112(71).

68. THE CHAIR: Thank you very much.

69. MR COLE: I know that you had two and a bit hours on the cattery yesterday because I watched it. So, this is the Pyford Brook satellite compound, the proposed scheme which we were keen to suggest it was in the wrong location. I don’t know, John, if you wanted to come in here with the arguments for it to be moved?

**Submissions by Mr Sadler**

70. MR SADLER: Yes, over the course of all the consultation and deliberation, I have personally spent numerous hours with various landowners and residents who are affected by HS2 and one in particular, or the people we’re talking of here from Woodend Farm, Mrs Joy Fielding and Mr Barry Stoney who were affected under Phase One, that was moved off their land as a result of agreements with HS2. They were aware that they were going to be affected by Phase Two but as it’s progressed then they weren’t aware of the big impact that was coming on them. They live, as you can see on P112(71), Woodend Farm is highlighted down in the bottom of the map and the Pyford Brook satellite site is then indicated in orange further up. They will be requesting when they come before you for the site to be moved over to the far side of the north side of the works by the end of that roadhead track where the cursor is at the moment, just around there. It’s shown more clearly on our map which is A66(4). That would be a position that they are looking at.

71. We have had a response from HS2 saying it was not possible because the utility works that would be required would take extra land take which was indicated alongside the three ponds that you can see on the right hand side but Monday night, when I was asked to go and visit them again on a last minute request, they did point out to me that under a previous draft environmental impact assessment, that section of land was indicated under land take and it was highlighted in pink and that was back in September 2016. They weren’t aware that that had been taken out of land take and assumed that it was still within the land take that HS2 required, albeit that they may be mistaken in that.

72. They are farmers in themselves. They have done a hell of a lot in relation to environmental – they have built these ponds etc. and their big concern is the impact that
the works will have on these and obviously the impact that the satellite site will have on them as well. So, they would be looking, and I’m confident that they will be requesting the same as I’m indicating to you now, the relocation of the satellite site to the north side of the track because in the draft environmental impact assessment report back in 2016, the track that you can see going down and then it goes up to Crawley Lane, had been indicated as travelling the whole length of the track down on to Common Lane and linking into Common Lane. Unfortunately, we haven’t been able to produce an exhibit for you on this because of the short notice that it was addressed to me but I have brought a book I could pass round and you could see if you require to do so. So, their request would be that because HS2 have agreed to put in this new link road to Common Lane that would link up with the A515, that would it be possible for that previous consideration to be used and use the haul road on the north side of the track. I am aware also that the occupants of Barn Farm who are very close to where Common Lane is going to be stopped up on –

73. THE CHAIR: Can we see Common Lane here?

74. MR SADLER: No, you’d have to move to – I haven’t got the references.

75. THE CHAIR: Well it would be good to see this site and the site that we were looking at on the same map because in your petition, it refers to the cattery which I think we were considering yesterday so there was some confusion initially as to whether this was the same site. I think it’s a different one.

76. MR MARTIN: No, this is the Pyford Brook and the other one’s called the Pyford North.

77. THE CHAIR: Right.

78. MR MOULD QC (DfT): I’m just putting up a plan which will allow you to see.

79. THE CHAIR: Thank you, Mr Mould.

80. MR MOULD QC (DfT): If I can just come in and just, clearly to point out, the site that Mr Sadler has just been talking about is this compound here and the site that you were being asked to look at yesterday is this compound here and Common Lane is currently running along this alignment here.
81. MR SADLER: Yes, and obviously the new proposal for the Common Lane link is to link up to the old A515 and then come round the north side and link up into Common Lane north of Barn Farm but there is an indication that a haul link will be kept in as part of the works for HS2, again on the north side, but I have seen this morning, very quickly, that part of it will be taken out, but a request would be that if the haul road could be linked on the north side, all the way down to the roadhead and satellite site down at Pyford Brook and the site being relocated.

82. THE CHAIR: Sandy?

83. MR MARTIN: Sorry, Mr Sadler, can I just check with you that I have understood what you’re saying? What you’re saying is that because Common Lane was initially going to be stopped up altogether, it would not have been possible to access Crawley Lane effectively without massive disruption to other local residents. However, now that HS2 has agreed to put in an additional link to Common Lane, it will be possible to access Crawley Lane from Common Lane without disrupting local residents and so therefore you would like the Pyford Brook compound to be on the north side, accessed from Crawley Lane because Common Lane will now be open?

84. MR SADLER: Or, to run the length parallel with the railway works, down the side, by the side of Barn Farm and then link in to the section that joins on to Crawley Lane.

85. MR MARTIN: Right.

86. MR SADLER: Because that does – that Crawley Lane only goes so far presently into the fields and then it stops. I understand that HS2 will be extending that for their works and eventually when work is completed, a balancing pond would be put down on that left roadhead at the bottom. I understand a balancing pond will be put there and that could be linked in to the haul road or service road that would run alongside the railway.

87. MR MARTIN: But either way, whether that service road was extended along the entire length of the – I’m sorry, I’m getting my norths and souths muddled up here because north isn’t straight up, is it?
88. MR SADLER: No.

89. MR MARTIN: But if it’s sort of on the north east side, even if that is not extended the entire length of the rail line on the north east side, it would still be more convenient for everybody if the compound were on the north side of the new line rather than the south side.

90. MR SADLER: Yes, yes.

91. MR COLE: If I could interject, if you look at the proposals P112(13), it’s where the haul road is still crossed out.

92. MR SADLER: Yes.

93. MR COLE: Yes, that’s the bit that we would consider –

94. MR SADLER: Yes, but like Mr Martin was saying, if Common Lane was used like that and then they used up into Crawley Lane, that would be the access, yes.

95. MR COLE: Yes.

96. THE CHAIR: Can I just check this compound is only for construction or will it exist after?

97. MR MOULD QC (DfT): Construction only.

98. THE CHAIR: Thank you. Mr Cole?

99. MR COLE: That’s what we need to say on the viaduct, satellite compound. And then the Pyford North embankment satellite compound, which again we believe, this is more in line with what Wayne and Julia from the cattery were saying yesterday about it being relocated because of the detrimental effect that it would have on the cattery which you heard about yesterday, and this we believe would be compounded by the additional traffic that we believe was indicated in HS2 additional provisions (1) which, as I said, showed that there could well be an increase in traffic which would have an increased impact on the cattery. Also, the use of this section of Common Lane by HS2 contractors would also have a large impact on the residents and landowners of Woodend Farm whose access is also off Common Lane so we believe that it would be better if the
satellite site was moved with the material stockpile relocated to the original compound location. John, I don’t know if you wanted to add any more to that?

100. MR SADLER: I am aware, speaking very quickly with Wayne and Julia last night, that there has been an agreement to relocate the Pyford North satellite site but she couldn’t be clear as to where it’s being moved to and I just wondered if HS2 could –

101. THE CHAIR: I’m sure Mr Mould will provide some clarity and remind us what he said yesterday on that, when he comes to conclude. I think, are you near the end Mr Cole? Shall we hand over to Mr Mould to respond?

102. MR COLE: Yes, the only other point I’d raise is, as a result of the HS2 AP1, if you go to our, one of our exhibits, A66(16). Okay, now you can see that there’s a lay down area that goes virtually right to the front door of Woodend Farm and we believe that’s unreasonable in terms of all the pollution, dust, whatever that will come from that lay down area. Also, I think the residents have thermal heating and we believe that that will go over their thermal heating activity and, again, I’m sure they’ll be coming to raise their points as individuals but, as a parish council, we said that we would support their case to actually not have that lay down area where it is.

103. THE CHAIR: Thank you. Yes?

104. MR SADLER: With the lay down area, again on Monday night Mrs Joy Fielding has indicated that she would be happy if it was moved nearer to the borrow pit to the left which would take obviously the dust and the worry of going over their ground source heating system away. But, again, she’s also concerned that there’s a very small triangle that you can see within the borrow pit which she questions, really, is there any need to have that, because the grey line the cursor is pointing to now is a hedge and she has pointed out to me that there are seven ancient oak trees and an ash tree that are well over 150 years old and they are, I mean, Barry Stoney is a forester so he is very much into his trees and, if possible, they would like that to be retained.

105. THE CHAIR: Well, we’ve got plenty of time for HS2 to reflect on that before the petitioners either come to give evidence or HS2 speak directly so that’s a very good point.
106. MR COLE: If I could just make one, I think, final point and that is that the landowners have, I know we’ve raised this with HS2 before, made numerous requests for engineers who’ve got the right sort of background to discuss these key issues with them and particularly about the works that have to be done, additional land take and whatever but the people that have normally come have been property people, property acquisition people or whatever, and so some of the landowners have complained that they’ve not had access to the right sort of people to actually discuss key issues with them and they were adamant that we make this point this morning.

107. THE CHAIR: Well it’s very helpful because I’m sure HS2 will be listening. It’s in nobody’s interest to have those petitioners come back and discuss things that are best discussed on their land with the appropriate experts and come to the best arrangement. So, it’s quite possible that given all the work that you’ve done and structural evidence that we don’t end up even hearing these petitioners because suitable arrangements are found but I don’t want to predict HS2’s strategies. Just questions for Mr Cole and then we’ll come to Mr Mould. Martin?

108. MR WHITFIELD: Just about the utility works element of your petition, that stands notwithstanding any decision to move the Pyford Brook area, doesn’t it?

109. MR SADLER: Yes.

110. MR WHITFIELD: They’re two separate and distinct because of the –

111. MR SADLER: Again, the owners of Woodend Farm question the position of the oil and gas pipeline that is indicated on this particular map. Their understanding, and they do have drawings in their possession that show it in different places.

112. MR WHITFIELD: Different places, yes, thank you.

113. MR COLE: Thank you.

114. THE CHAIR: Thank you. Mr Mould?

Response by Mr Mould

115. MR MOULD QC (DfT): Thank you very much. I’ll go through the points raised in the order that they were raised. So, if we go back to P112(13), as you recall, this is
the diversion of Common Lane that has now been the subject of an assurance offered to and accepted by Staffordshire County Council and I can say straight away that the points of detail about design and future maintenance responsibility that were raised by Mr Cole in relation to that proposal, those are now on record and I will ask that in preparing the additional provision, that those matters are taken into account by the project. Whilst we’re on this slide, this has a connection, as you know, to the argument put forward in relation to the southerly of the two compounds, the Pyford Brook compound, the suggestion being that this would facilitate running a site haul road down on the eastern side, or the northern side, depending on your orientation, to a relocated compound. This is not, this is showing the position following completion of construction and this diversion of Common Lane would go in after main construction had been carried out because, as you see here, as things stand at the present time under the Bill, one of the borrow pits, in this case it’s the Kings Bromley North borrow pit, will be worked in this location and so running a haul route along this side presents potential problems.

116. It’s for that reason that, as I explained to you yesterday, the proposal is to run a site haul route on the southern side, or the western side of the construction trace with a dedicated construction access on to the existing A515, you will recall from yesterday, at the point that’s being marked out to you now. The intention is that that site haul route will give direct access to and from the A515 which is part of the strategic road network, the main road network, and it will then provide a route on site to serve both the construction compound that we discussed yesterday, which will be located at this location, also the southerly of the two compounds to which you’ve had your attention drawn today and other activities, civil engineering activities and so forth, that are going on round about.

117. So, it means that all the traffic that is associated with that part of the construction of HS2, all the main construction traffic, the heavy traffic, is able to pass from the point at which the construction work is going on, directly to and from the A515 and avoid going on the more local roads. If we shift the compound from the western side of the track, or the southern side of the track, to the north, we’ll come to this in a bit more detail in a moment, then that obviously affects the efficiency of that arrangement because if you have a haul road running on this side, on the west or southern side, but
then you have one of the compounds that it’s serving on the other side of the trace, you can see that it creates logistical inefficiencies. I’ll come back to that because there are other reasons why that is not, in our view, a preferred location for that compound but I wanted to make that point, that overarching point, straight away.

118. Anyway, moving on then –

119. MR WHITFIELD: Just before we leave this slide, the tunnel that’s going to go under the rail track is not really intended for public use at any time, is it? You indicated yesterday that it was really for agricultural use and pedestrians, or?

120. MR MOULD QC (DfT): Yes, in terms of vehicular traffic, it’s intended to be for agricultural vehicles and the reason for that is very simple: in order to achieve the greatest degree of blurring of that viaduct that we can, consistent with the assurance that was touched on a moment ago given to Staffordshire, and also to avoid the need for a permanent pumping arrangement, because this is the Bourne Brook as you can see, just alongside, in order to see that we keep within each of those two parameters, we’re not able to achieve the requisite clearance for a public vehicular carriageway. We can achieve the requisite clearance for agricultural vehicles. So, that dictates why that underpass is proposed to be limited to agricultural vehicular use. But, it is intended to be available for public use as a footpath and also as a bridleway. So, it will provide a link through for those who have, either for recreational or other purposes, wish to walk along Common Lane and then to walk under the railway line or to ride their horses that way or no doubt also to ride their bicycles that way and to get to destinations or come from origins which are on the western side of the line. The only thing that they can’t do is drive.

121. THE CHAIR: Will there be a gate that farmers will have a key to? What’s to stop someone driving from Common Lane in a normal vehicle, by a normal vehicle I mean a car, which is obviously smaller than a tractor?

122. MR MOULD QC (DfT): It may well be that there will be a need for gates. One has to be careful, of course, with gates that one doesn’t impede people going on foot and people using horses but that is a matter of detailed design.

123. THE CHAIR: And why if we are allowed tractors are we not allowed cars? I
124. MR MOULD QC (DfT): Because, well the risk of having a restricted public carriageway which is limited only to cars, is that there is then a very real risk of abuse and you can see that if you had a high sided vehicle seeking to use that route, either because it was unconcerned about the risk of hitting the bridge parapet or because it simply didn’t know, and we’ve all seen pictures in the newspapers of buses or lorries or vans stuck underneath railway bridges, that risk is a huge risk to a £5 billion railway line. If you have a vehicle crashing into that viaduct, you are likely to disrupt the operation of HS2 whilst that is investigated and put right. So, whilst one can envisage that, as you say, through perhaps gating, putting a gate up to control its use, limit its use to agricultural vehicles, if one has to contemplate cars being able to use it then obviously gating is not a serious proposition. One invites the risk of abuse or misuse. So, that’s the position there but, in answer to your question, certainly appropriate gating, indeed the farmer or farmers who use it may well seek to have their private vehicular right of way protected through some form of gate or barrier and that is something which is perfectly within the scope of the detailed design of the scheme, yes.

125. MR WHITFIELD: But it would be right to say, I’m just looking at the petition from the multi academy, about the concerns that at the minute Common Lane is used to deliver children to school. With this amendment, that would still be available, albeit with perhaps a half a minute additional drive and then turn right, rather than using that underpass.

126. MR MOULD QC (DfT): Exactly, exactly. That’s the intention, that it would reinstate the ability to make that journey.

127. MR WHITFIELD: Common Lane’s access.

128. MR MOULD QC (DfT): Yes, yes, on a diversion, yes, yes.

129. MR SADLER: Can I just clarify if I may?

130. THE CHAIR: Carry on.

131. MR SADLER: When Mr Cole and myself had the meeting with HS2 and the Staffordshire County Council in relation to this latest proposal for Common Lane, it was
discussed that the service road would be gated and locked and that the local farmers would have keyed access to it.

132. MR MOULD QC (DfT): Well, there you are.

133. MR SADLER: The main one, Mrs June Baskerville, who owns Common Lane Farm, which is the big dairy farm and she will be coming to see you at some stage, was perfectly happy with that.

134. THE CHAIR: Thank you, very useful.

135. MR MOULD QC (DfT): Right, thank you very much. So, that’s that one. Now turning then to the borrow pits, again Mr Cole was essentially content to adopt a watching brief in relation to that in the light of the assurance for a review that you are aware we have given to the National Farmers’ Union and I’ll just remind you, P114, we’ve committed to publishing a review of the extent of land likely to be required in advance of the termination of your proceedings and to consult with the NFU and landowners whose land is proposed to be site of borrow pits in preparing that review. Mr Cole said he was prepared to wait and see how that assurance works out and, that being his position, unless there’s any other point that I can help you with, I don’t propose to say any more about that at this stage. I know that you will be hearing from at least one of those landowners, who I think is the owner and farmer of Woodend Farm, during the course of your petition hearings. So, you may well be asked to think in a little more detail about that particular location in due course.

136. Turning to the question of the height of viaducts, of the Kings Bromley viaduct and consequential lowering of the Bourne embankment and the River Trent viaduct, again, Mr Cole was content to adopt a watching brief in light of the assurances that had been given to Staffordshire County Council on that. Can I just put up those assurances, P115(2), because there is a point which I hope may give Mr Cole a little more reassurance. He made the point quite fairly that – these are the assurances, if you just look at (1) you’ll see that in essence the assurance was to seek to reduce the height of the Kings Bromley viaduct by up to three metres at the highest horizontal level shown on parliamentary plans and then to secure any consequential or associated reduction in the height of both the Bourne embankment to the north and the River Trent viaduct to the north of that, and you can see that the Secretary of State will require the nominated
undertaker to act in good faith in seeking to achieve as great a decrease in height as far as reasonably practicable under this paragraph and to engage with Staffordshire in relation to that.

137. So, the assurance is in quite strong terms in terms of seeking to do the best that we can. It may be, and this is the position, this is the reason for the qualification in paragraph (c)(i), it may be that in order to achieve that, it proves necessary to promote an additional provision to secure additional land take or for other reasons. In the event that that is required, obviously that additional provision will provide Mr Cole and his parish council with a further opportunity to petition if they see fit. If the position is that there is no requirement for any additional provisions, so there’s no need to change the powers of the Bill, then the matter becomes one of detailed design and, in that respect,

138. I’ll just put up information paper D1. Again, forgive me, you’ve seen this before but it’s just helpful to remind you. This deals with certain commitments we give about local community engagement during the process of designing key design elements. So, if we go to the final page of this information paper, you’ll see that amongst those key design elements of this scheme which have been identified as such, are firstly the Kings Bromley viaduct and, secondly, the River Trent viaduct and so if we then go back to the third page I think it is, section 6, that’s the one, just to remind you the promoter recognises the importance of public engagement in the design and development process and at 6.2 you’ll see that for key design elements, the first bullet, the approach that the promoter plans to adopt for public engagement is that the nominated undertaker should engage with the public on the design elements of such structures and focus on engaging the public in the locality where the structure is located.

139. So, that naturally then leads one in the case of both the Kings Bromley viaduct and the River Trent viaduct to engagement with the local representatives of the local community, namely Kings Bromley Parish Council, and that process will take place, as we’ve shown you on the flowchart that you’re familiar with, that will take place in advance of the finalisation of the design for submission to the local planning authority for approval under schedule 17 to the Bill, so that local people are given an effective opportunity to comment on and to seek to influence the design before it is finalised for submission. So, whether an AP is necessary, or whether an AP proves not to be necessary, there will be a further opportunity for Kings Bromley Parish Council to have
their say, either before your Committee or as part of that private community engagement process before that assurance actually is realised in designs for those structures.

140. MR WHITFIELD: Can I just pursue an element of that with an additional provision? The distance that it’s been lowered would be subject to the additional provision if it comes on. Would that be the case with the input for the design? Or would it be rather the discussion we had about the type of facing and the look rather than the actual heights?

141. MR MOULD QC (DfT): No, no. It wouldn’t be limited to that all. No. I mean if the emerging detail design that was provided to the local community for discussion, for example through a series of display boards at a public meeting or something of that kind, if the parish council, having looked at that, felt that the options that were being considered didn’t appear to have fulfilled the assurance and they were not showing the level of reduction that the parish council considered to be achievable then, obviously, they would be able to raise that point either through Staffordshire County Council or directly with the nominated undertaker as part of that process. So it’s not limited. It covers any aspect of detailed design, which, of course, necessarily includes the height of the structure and its appearance in the landscape.

142. THE CHAIR: Mr Cole?

143. MR COLE: Can I just ask you to remind me of the reference that you used on that?

144. MR MOULD QC (DfT): It’s information paper D1 and it’s section 6 in the annexe to that information paper.

145. MR COLE: Thanks.

146. MR MOULD QC (DfT): So that’s that point. Turning, then, to the question of traffic, if I put up P138(3) the top of the page is the assurance that has been offered to and accepted by the county council’s highway authority in relation to restricting HS2 large goods vehicles from entering the village of Kings Bromley and using the A513 Alrewas Road within the village as a through route. Now there are, as Mr Cole pointed out, certain qualifications to that assurance.
147. The first is one that we, of necessity, have to include in any assurances in relation to the routing of our traffic because it recognises the statutory role of the local highway authority in approving HS2 main construction routes.

148. The second is perhaps self-evident that there may be a need to run some residual traffic on those roads in order to get to the utility works, some of which you’ve had described to you already this morning.

149. The third is obviously self-evident that emergencies have to be accommodated.

150. And the fourth, which is the source of some concern to Mr Cole, I would certainly submit that Mr Cole shouldn’t be over anxious about that qualification. Essentially, any proposal that might come forward by HS2 to run main construction traffic through this route, as it were in the face of this assurance, would require the most convincing justification to the local highway authority and it would need to provide that justification precisely in the context that an application under schedule 17 for approval of that route. And you can see from the fact that this assurance has been sought and obtained by the local authority Staffordshire County Council. They would require a very, very strong case in order to shift from that position. And, to add to that, just so that nobody is in any doubt, it is not HS2’s intention to run its main construction traffic through the village and it never has been in the context of this Bill. So this is for, if you like, this is in order to reinforce our intention, which is apparent from the Bill and from the Bill plans.

151. THE CHAIR: Sheryll?

152. MRS MURRAY: Mr Mould, I fully appreciate what you’re saying there and I can see that. However, if you are using contractors they may very well follow their satellite navigation equipment and stray on to that road without being aware. How would you propose to ensure that all of your contractors and their drivers know exactly what the terms of this is, please?

153. MR MOULD QC (DfT): That is a very good question, if I may say so, and, indeed, another point that was raised by Mr Cole. If we put up P95(17) I’ve got an extract from the code of construction practice and you can see that it sets out some, but by no means all, of the traffic-management measures that the nominated undertaker will put in place and require its main contractors and subcontractors to comply with as part
of the rules for constructing this railway. I won’t read them out. One that you will see that is absent from that list but is to be found on page 65 of the code of construction practice itself, which I think we can put up, if you just go to the next page, you’ll see that one of the matters that would be part of the route-wide traffic management regime is lorry route-signing strategy.

154. MRS MURRAY: Yes.

155. MR MOULD QC (DfT): So appropriate signage will be in place along the route in order to direct HS2 construction traffic on to the approved construction routes and away from routes that are not –

156. MRS MURRAY: And those are like the yellow signs –

157. MR MOULD QC (DfT): Indeed so.

158. MRS MURRAY: – we see saying ‘construction traffic this way’ and it’s not just as it enters a place but along the whole route.

159. MR MOULD QC (DfT): No. They will be located so that they are effectively directing lorries to keep to the approved routes rather than after they’ve deviated off those routes and into –

160. MRS MURRAY: Thank you very much.

161. MR MOULD QC (DfT): To be fair, there will be some suppliers who do not form part of the main contractor’s lorry fleet and who are not part of a significant subcontracting arrangement and lorries in relation to that kind of supplier; someone who the nominated undertaker or his contractors requires to supply something almost on a one-off, some specific. Now, obviously, those lorries will not be signed themselves as part of the HS2 lorry fleet whereas main contractors’ and subcontractors’ lorries will be. But those occasional suppliers will themselves be made aware of the traffic-management arrangements and will be required to route their vehicles along the HS2-dedicated routes and where there are commitments in place restricting the use of certain lengths of road or passage through certain settlements, such as Kings Bromley, they will be made aware of those arrangements too. And, as you can see, one of the provisions of the route-wide plan is to monitor the deviation from authorised routes.
162. We can’t guarantee that there will be no deviation throughout the three- or four-year period. There is bound to be somebody who doesn’t follow the route that’s required but vehicles will be monitored and, as you know, in this modern age the opportunities for monitoring vehicle routing are much better than they were 30 years ago. And monitoring is a key means of ensuring that where, unfortunately, from time to time possibly, something doesn’t go right steps are then taken to make sure that that deviation doesn’t happen again. I can’t put it any higher than that but if you want to see in full detail the arrangements that the code sets out for the management of traffic both route-wide and locally you’ll find it set out on pages 64 to 66 of the draft code of construction practice.

163. MRS MURRAY: Thank you.

164. MR WHITFIELD: It would be right to say that if a resident was concerned about a vehicle that wasn’t displaying HS2 they could phone up through the line and the person who they spoke to would be able to identify whether or not a vehicle was part of, in a wider sense, the HS2 fleet.

165. MR MOULD QC (DfT): They would either be able to do that or they would be able to speak to someone who would be able to do it.

166. MR WHITFIELD: To know who would be able to do it, yes.

167. MR MOULD QC (DfT): And that’s part of the duration of service that the helpline is designed to facilitate. That’s absolutely right, yes.

168. MR WHITFIELD: Thank you.

169. MR MOULD QC (DfT): Okay. So that’s that point.

170. Now undergrounding the pylons, if I just put up P112 (13), again Mr Cole very fairly had said that they’d taken their own advice and you can see the power line in question, which is this line running along here, and the Bill does provide for two things. Firstly, the relocation of a pylon that is located just around here. That needs to be relocated locally in order to enable us to gain the height that we need to restring the existing power lines sufficiently high above the railway line so that there’s sufficient clearance between them. But that’s the most significant physical change. Other than
that, the works that are required there are limited to restringing. So the Bill itself doesn’t propose any works to dismantle or relocate any other pylons other than that one pylon which is closest to the line. And if we were then to go - if, to use Mr Cole’s language, the opportunity were to be taken, as it were, to remove this existing power supply and to underground it that would involve a very significant amount of engineering in order to run that undergrounded line, both on the page here but also either side, and also would come, as you can imagine, at a very significant cost.

171. THE CHAIR: Sheryll?

172. MRS MURRAY: Yes. Mr Mould, I recently, believe it or not, as an MP, visited a pylon when they were actually renewing the conductors through my constituency. Now, you’ve said ‘restringing’. Are you going to have to restring the whole length? Or will it just be a small amount?

173. MR MOULD QC (DfT): I think it’s a small amount, isn’t it? It’s localised restringing.

174. MRS MURRAY: A small amount.

175. MR MOULD QC (DfT): Yes.

176. MRS MURRAY: So we’re not going to see disruption around every single pylon along that route.

177. MR MOULD QC (DfT): Not as I understand it, no.

178. MRS MURRAY: Okay.

179. MR MOULD QC (DfT): No. But I mean it will be - this is obviously, as you’ll hear more commentary about utilities works I’m sure as we go forward, but, clearly, when we encounter an existing overground or underground utility we have to divert it, accommodate it and the works are limited strictly in their extent to those that are needed in order to get the railway through over the top or, in this case, underneath the existing line. It’s not in our interests, for obvious reasons of costs and limiting disruption, to be more ambitious than that.

180. MRS MURRAY: Thank you very much.
181. MR MOULD QC (DfT): What you do find is that the land take that is shown on the plans, the pink area, often looks quite extensive for these works and the reason for that is that the detail of precisely how those works will be carried out is not yet fully known because we rely on the utilities companies themselves to work out the detailed arrangements for those works. So we have to allow for some degree of uncertainty and flexibility. But where that causes concern to landowners, particularly farmers, we are able to offer assurances which give them reassurance that, in fact, in the actuality, those works will be both much more limited in duration and much more limited in physical extent than the parliamentary plans might otherwise indicate.

182. MRS MURRAY: Thank you.

183. MR MOULD QC (DfT): So that’s pylons.

184. Coming then to the satellite compounds, firstly the southerly compound. If we can put up P112(71) this plan shows you that site haul road to this side of the trace that I mentioned earlier. And, as you can see, if you imagine the plan extending into the left-hand side that would be running all the way up to the A515. And you can see, then, that this compound is well located in order to be served by that road. We do not propose to run any construction traffic to this site, whether to set it up or during its operation, other than via this haul road. So that will be the sole means of gaining access for construction traffic to that site.

185. If it were to be shifted to the north side or the east side of the line, if we go to the next page I can show you the constraints that would apply. (72), there we are. There are essentially two matters that would give rise to concern. The first it would bring it closer to the floodplain of the Pyford Brook and you can see the floodplain, which is shown with the dotted line, here. You can see the proposed – the current location is much - there’s a much greater degree of distance between the extent of the floodplain at this point than there is if we were to shift the satellite compounds in the way the petitioners have asked for.

186. And the second is that it would clash with a fuel pipeline, which would require diversion, which, obviously, is a constraint which we would prefer to avoid if we can.

187. So there are those reasons, in addition to the efficiency of traffic management that
I mentioned earlier, that, in our view, would tell against taking that course –

188. THE CHAIR: Is there a reason why it’s not moved to just north of the yellow line, so sandwiched - so taking the site with a cross in, that goes north - sorry, to the top of the yellow line sandwiched in that space between the HS2 line exactly?

189. MR MOULD QC (DfT): I expect the reason for that is, again, to have a degree of distance from the extent of the floodplain. Is that right? They’re nodding behind me affirmatively so yes.

190. MR WHITFIELD: Can I just ask? The fuel pipeline, the diversion would be only required if the alternate haul road was that side of the line.

191. MR MOULD QC (DfT): Is that right? Right. Mr Smart tells me - can you just say again?

192. MR SMART: We have to divert the fuel line to bring the railway through.

193. MR WHITFIELD: So the fuel line’s being diverted anyway.

194. MR SMART: Yes.

195. MR MOULD QC (DfT): But the clash is it’s because it’s necessary to make that diversion that it would be preferable not to have a construction compound located in the same place. I think that’s the point, isn’t it?

196. MR SMART: Yes.

197. MR MOULD QC (DfT): Yes. Sorry –

198. THE CHAIR: No, I’m ignoring it for now. It works.

199. MR MOULD QC (DfT): Yes.

200. MR WHITFIELD: So if the haul road stayed where it’s intended but curved around the HS2 line, which it does further down - sorry, I’m not explaining this. If the haul road, if we take north and south as the way this plan is, I know it’s not that.

201. MR MOULD QC (DfT): Yes.
202. MR WHITFIELD: If the haul road runs along the south side of the track –

203. MR MOULD QC (DfT): Yes.

204. MR WHITFIELD: – but then U-turns around the end of the embankment, so it could go to the proposed new site –

205. MR MOULD QC (DfT): Yes.

206. MR WHITFIELD: – and it does that anyway just off the map, doesn’t it?

207. MR MOULD QC (DfT): No. That would be the alternative route if one was to relocate the satellite compound in the way that’s being sought. At the moment the haul road is running - the proposal is to run the haul road along the south side –

208. MR WHITFIELD: The south side.

209. MR MOULD QC (DfT): Yes. Sorry, the plan is slightly confusing because if I just run the cursor along the alternative route, that route has been shown to give an indication of how one would route the haul road in the event that one relocated the compound from the south to the north side –

210. MRS MURRAY: And that’s –

211. THE CHAIR: It’s probably worth flipping back to (71) to go back to the original just –

212. MR MOULD QC (DfT): Yes.

213. THE CHAIR: – to see the comparison.

214. MR MOULD QC (DfT): Yes.

215. MR WHITFIELD: Yes. Well, I was proposing, see further down the haul road Us across the HS2 line –

216. MR MOULD QC (DfT): Oh yes.

217. MR WHITFIELD: Why couldn’t the haul road U just at the end of the embankment there to the new proposed site? Or would that be a floodplain problem?
218. MR MOULD QC (DfT): Well, you would clearly need to - it would involve the need to negotiate not only the brook, which we have to do anyway, but also it would bring you quite close to those existing ponds and woodland, which one can see marked here.

219. I mean the reality is there are, as I am told, there are those good reasons to maintain the satellite compound where it is. As I say, it doesn’t involve taking construction traffic along the access road to Woodend Farm itself. So that would otherwise be a principal concern. And whilst, obviously, its location as proposed is closer to Woodend Farm than its location on the other side, there is still a degree of distance between the two. I explained to you yesterday that compounds are subject to statutory licensing for noise attenuation, hoarding, dust and so forth and it would carry those potential problems in relation to flood risk and clash with other works, which, frankly, from the perspective of efficient engineering of the project, are best avoided.

220. You will, obviously, be hearing more about this when you hear from, as you’ve been told from Mr Cole, from the owner of the farm so you may have to revisit it but perhaps if I can leave it that that’s a shot across the bows from us as to our reasons why we would not support this particular –

221. CHAIR: Very helpful. Martin?

222. MR WHITFIELD: Sorry, just one last thing. And what’s HS2’s comment on whether or not the proposed site falls in or outside the existing Bill? Are you happy that…?

223. MR MOULD QC (DfT): The proposed site - the site –

224. MR WHITFIELD: The alternative site.

225. MR MOULD QC (DfT): The alternative site does not fall within the –

226. MR WHITFIELD: It would fall outside of the current Bill.

227. MR MOULD QC (DfT): It would. And I take the point that in an earlier stage there was a different proposal but, plainly, the reason why we shifted from that original proposal to the current is because, on reflection, this seemed like the more –
228. MR WHITFIELD: Right.

229. MR MOULD QC (DfT): – the more sensible proposition. But, again, if we need to explore that in more detail before you then it sounds, from what was said by Mr Sadler, that we may hear more about that from the owner of the land which is the proposed location. So that is that.

230. There was a question about a change made under the additional provision for a laydown area and that’s on page 66 (16). That laydown area has been included at the request of the utility provider whose utility requires some works to divert in this area. And so the reason for its inclusion in the Bill is limited to that purpose. There were some very pertinent points made to you in relation to that by Mr Cole about it clashing with existing farming facilities. I will ask that those matters be taken on board in our discussions with the farmer because I understand that she herself suggested if that were to be relocated somewhat to a slightly more northerly position on her land that she would be able to accommodate that and so there is obviously room there for further discussion and negotiation. And she, as we know, has a petition before you in which she can raise any concerns on that when she appears.

231. THE CHAIR: Fantastic. Sheryll?

232. MRS MURRAY: How long is the laydown area to be used for, Mr Mould?

233. MR MOULD QC (DfT): How long?

234. MRS MURRAY: How long.

235. MR MOULD QC (DfT): How long. My understanding is that it’s for a relatively short period. As I understand it, it’s measured in months rather than years. But if I have underestimated that, based on my discussions, then I will make sure that we correct that when we hear from the farmer. But, as I say, it has been included in order to provide a working area for those utility works.

236. THE CHAIR: Can I just suggest perhaps clarifying earlier than that, just because it might speed things up in terms of the petition?

237. MR MOULD QC (DfT): Certainly. I’ll –
238. THE CHAIR: It’s just one less thing for us to consider –

239. MR MOULD QC (DfT): Of course.

240. THE CHAIR: – at that point because, obviously, there’s a big difference between two months and eight months and –

241. MR MOULD QC (DfT): Absolutely.

242. THE CHAIR: It would be lovely to clarify.

243. MR MOULD QC (DfT): Well, we’ll do that, sir.

244. THE CHAIR: Thank you, Mr Mould. I don’t think there are any remaining questions so the last word goes to you, Mr Cole.

Final submissions by Mr Cole

245. MR COLE: Okay. Thanks very much. It was interesting listening to what Mr Mould has been saying. If I just pick up one or two points that have come out of what we’ve been told. If I look at the Common Lane/Crawley Lane issue, one of the things that we need to think through, this came up this morning, is the closure or the new road will not be built before the construction work is complete I think is what I understood Mr Mould said. Therefore, during the construction phase we are going to face significant traffic problems because with heavy traffic or heavy construction traffic using the same road as what the normal local traffic would be using. So we’ll have a period of however long the construction period is, four, five years or whatever it might be, that people will be affected adversely by that proposal. And I’m not sure how you get round that but that was an observation that I want to make and put on record so that we all understand what’s likely to happen during the construction phase. And during more detailed discussions I would assume that that would be part of that debate.

246. I take on board the comments on the borrow pits and the additional assurances that you - well, not necessarily assurances but the comments you made about the height of the viaduct and there are still opportunities to debate and get agreement on making sure they are optimised.

247. Traffic management. I can assure everybody here that the Kings Bromley
population are so observant and will take on board and any HS2 traffic that goes through there, have no doubt, somebody somewhere will know about it because traffic is a big issue in Kings Bromley. People see HS2 as yet another issue and they’ll certainly be taking that to heart. So whether it’s with satnavs or whatever, then people will be out and they will be very much looking at it.

248. The overhead power lines. To some extent I don’t think HS2 have helped their own cause because I mean you’ve explained why on the maps the pink area which says that it’s land potentially required in the construction phase. So the individuals thought, residents, ‘Oh, well if they’re going to do something with them now’s our chance’, and I think, to some extent, that hasn’t helped. Also the fact that some individuals, some residents, received letters to say that part of their land may be required and that too hasn’t helped to take the steam out of the argument, ‘Why can’t we do a bit more than what they suggested?’

249. That’s the comments I’d make on what Mr Mould has had to say.

250. THE CHAIR: Thank you very much.

251. MR COLE: And, John, I’m not sure if there’s anything else that you want to pick up on.

252. THE CHAIR: I don’t think it’s an opportunity to cross-examine –

253. MR COLE: Okay.

254. THE CHAIR: The witness has –

255. MR COLE: Okay. No –

256. THE CHAIR: – moved away from that period of time.

257. MR COLE: I think, well, okay, we’ve taken on board what Mr Mould has said and we’ll take it back to the individuals concerned so that they’re well prepared for when they come before this Committee.

258. THE CHAIR: Very helpful, Mr Cole.

259. MRS MURRAY: Just one very quick question. The diversion of the road, Mr
Mould. How long will it not be open in Common Lane? How long will it not be open for ordinary traffic? It’s not going to be for the full term of the scheme, is it? You said the new diversion wouldn’t go in until you didn’t need to use the borrow pit.

260. MR MOULD QC (DfT): Yes. Well, there will be quite a long period when effectively Common Lane is closed. I think at the moment the existing Common Lane is programmed to be closed in the first quarter of 2022 and the earliest date I have where we can say with confidence that the diversion will come into public use is the fourth quarter of 2025. So there’s a period of three and three-quarter years, yes, during which it will be closed to through traffic. During that period, I mean Mr Cole, I think, had this in mind when he just addressed you, during that period, of course, management measures will be in place to seek to alleviate the consequences of that closure. But, of course, during that period that won’t in any way affect the nominated undertaker and his contractors’ and subcontractors’ obligation to comply with the restriction on the routing of HS2 construction traffic through Kings Bromley.

261. THE CHAIR: I’m conscious we’ll have time to come back to this with other petitioners or at least some of them.

262. MRS MURRAY: Thank you.

263. THE CHAIR: Thank you very much, Mr Mould. Thank you, Mr Cole. Meeting closed.