MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Monday 14 May 2018 (Afternoon)

In Committee Room 5

PRESENT:

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

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IN ATTENDANCE:

Timothy Mould QC, Lead Counsel, Department for Transport
Alastair Lewis, Parliamentary Agent, National Trust

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WITNESSES:

Andy Chappell, Colton Parish Council
Peter Miller, Head of Environment and Planning, HS2 Ltd

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(At 4.05 p.m.)

1. THE CHAIR: Before we commence with the petitioner, are there any declarations of interest?

2. MR WHITFIELD: I’d like to declare that I am a member of the National Trust.

3. MR MARTIN: I’d like to declare that I’m not a member of the National Trust, but I did actually work for the National Trust part time from 1988 to 1993.

4. THE CHAIR: Sherryl?

5. MRS MURRAY: I’d like to declare that I am a member of the National Trust.

6. THE CHAIR: Thank you very much. Let’s hear from the National Trust, if that’s appropriate. Let’s hear from whoever you want us to hear from, Mr Lewis.

7. MR LEWIS: It’s the same arrangement as last Monday. Mr Mould is going to read a joint statement for you.

8. THE CHAIR: Bless you, Mr Mould.

National Trust

Statement by Mr Mould

9. MR MOULD QC (DfT): Thank you. This is an agreed statement between HS2 Limited and the National Trust. Following the petition submitted by the National Trust, there has been constructive dialogue between the promoter and the trust on the issues raised in its petition. The promoter has taken significant steps towards addressing the trust’s concerns and has offered a package of assurances to the trust to reflect these discussions.

10. Assurances have been given concerning the formal setting up of a group to do three things: firstly, to provide advice and response to the nominated undertaking on the design of the Great Haywood viaduct, the Ingestre Green overbridge, landscaped earthworks and planting design; secondly, to develop design principles that could reasonably be applied to works in the Trent south parklands and the setting of Cannock Chase Area of Outstanding Natural Beauty, which aim to achieve an exemplar
landscape and viaduct design for the project; and thirdly, to work in partnership to harness local knowledge and proactively identify and propose additional environmental enhancement measures that are within the group’s area of remit, but outside of the Bill limits. These measures may be funded by the nominated undertaker in accordance with the terms of the assurances and proposed terms of reference of the group, up to a combined total value of £1.5 million.

11. Membership of the group will consist of the nominated undertaker, the National Trust, Staffordshire County Council, Stafford Borough Council, the Cannock Chase Area of Outstanding Natural Beauty Unit, Sandwell Metropolitan Borough Council, Staffordshire Wildlife Trust, Natural England, Historic England, the Canal & River Trust and the Landmark Trust.

12. Other groups such as the Forestry Commission, the Environment Agency, relevant parish councils and community organisations will be invited to attend meetings of the group where appropriate. The National Trust established an informal group consisting of these members other than the nominated undertaker in 2017 and it has met five times already.

13. Terms of reference for the group will need to be agreed by the group members before it is established. The promoter and the National Trust have agreed these terms and the trust is hopeful that they will soon also be agreed by the remaining members of the group. An assurance has also been given concerning the funding of the administrative costs of the group.

14. The next topic is noise, where commitments have been made regarding the mitigation of the impact of operational noise on heritage assets at Shugborough, namely the Chinese House, the Shepherd’s Monument, Shugborough Hall, and the garden areas within which they are located, or situated rather.

15. Finally, the promoter is shortly to give an assurance to the National Trust concerning regular meetings taking place between the nominated undertaker and the trust to keep it updated about construction works, including enabling works in the Great Haywood area.

16. These assurances are in addition to those already offered to and accepted by
Staffordshire County Council in respect of the Great Haywood viaduct with which members of the Committee are familiar. Given the steps taken by the promoter to address the National Trust’s additional concerns and the assurances that have been offered, the National Trust will be withdrawing its petition and will not be appearing before the Select Committee today other than of course through Mr Lewis sitting next to me whilst I read out the joint statement. That concludes the statement.

17. THE CHAIR: Thank you, Mr Mould. Do you have anything to add, Mr Lewis?

18. MR LEWIS: No, thank you.

19. THE CHAIR: Thank you. Any questions? You don’t have to. Thank you very much. Shall we move on to the next petitioner?

Colton Parish Council

Submissions by Mr Chappell

20. MR CHAPPELL: Thank you. I would like to thank the Select Committee for giving us this chance to air our concerns. It’s very much appreciated. If I may, I can start with the first slide, which is the A67 one, please? Thank you.

21. THE CHAIR: Mr Chappell, would you mind just sitting forward? The microphone might pick you up slightly better. I’m just struggling to hear you.

22. MR CHAPPELL: Okay, thank you. Just to give you a background of our village, it’s just north of the town of Rugeley, East Staffordshire, north of the West Coast Main Line. 320 residences, about 730 parishioners. We’re just south of the Blithfield reservoir, near Abbots Bromley.

23. Next slide, please. This shows you the area of the parish boundary and our concerns are summarised in these points here. The main entrance from the B5013 passing Rugeley is via Bellamour Way on the bottom of the plan there. There’s a second junction, which is quite crucial to us, which does flood as well, and that’s the junction with High Street and Newlands Lane. And there is a third way, which is a construction route as well via Hollow Lane to the south from the 5013.

24. Next slide, please. Now this gives you an idea of why we’re concerned about the
access to the village. That’s the Moreton Brook bridge in Bellamour Way, near the church. The church is just off the left here, behind the camera.

25. Next slide, please. This is the junction lane I indicated on the previous slide, the High Street and Newlands Lane junction, which equally gets flooded as well. Very often, the two are flooded together and we have experienced the third access into the village being flooded simultaneously. So, the environment is very crucial to us and any interference with the lanes in and out is quite crucial.

26. Next slide, please. And this summarises the construction routes for the scheme. Mainly speaking, in Stockwell Heath to the left of the map, HS2 are realigning Moor Lane near Stockwell Heath and doing certain alterations to improve the access to bring in heavy goods vehicles from the 5013 on the left hand side. Equally, when we’re talking about the Newlands Lane auto transformer input station, which is another major part of the project, the heavy goods vehicles are coming in from the right, from the B5014 and also from the B5013 at the railway station, which leaves us with a bit of a problem area.

27. If I could have the next slide, please. And that is this very sensitive section of Newlands Lane in the centre. And if I could have the next slide, this gives you some idea of how narrow that carriageway is there. That’s a tractor unit from an HGV articulated truck owned by a timber company, which is in Stockwell Heath and Park Lane, very often uses this route in and out to do its business. There’s no room for pedestrians, certainly no room for other vehicles there, and the hard surface is only about two and a half metres approximately at that point. Any heavy goods vehicles, farm goods vehicles moving up that lane can do considerable damage as I think you’ll see from the next slide, please. That’s another view of the lane to show how narrow it is and how twisting it is as well.

28. Next slide, please. And this is another example of how the bank on the left-hand side is being eroded by the heavy rains, and you can also see, from the deposits in the centre of the carriageway, how much silt is washed down this road. So, this whole environment here is very, very fragile and that’s why we’re very concerned about damage from heavy goods vehicles.

29. If I could have the next slide, please. And that’s just me indicating the damage to
the side of the carriageway done by vehicles drifting to one side on this very narrow roadway. And as I’ve said here, a lot of the tarmac has been completely removed from the base stone underneath, which is very fragile.

30. If I could go on to the next slide, please. This is over the other side of the junction with High Street, pointing towards the junction. It shows how the verge on the left-hand side has been pushed into the ditch by passing traffic and it’s only about two metres of tarmac roadway. So, another example of how critical this piece of road is.

31. If I could have the next slide, please. Now, we’ve been told by HS2 that they’re only going to take one or two vehicles along this roadway, but I’m suggesting to you, over the construction period, a few vehicles might do considerable damage to this extremely fragile piece of road, and I think some reinforcement is necessary to stop this from happening, and that’s the whole of our point here.

32. And I think that really brings me to the end of the first section. I don’t know if anybody would like to ask any questions at this point, any clarification.

33. THE CHAIR: Martin.

34. MR WHITFIELD: If we can just go back to A67(5), which is the Phase Two map, it’s just really for you to point out on there where these junctions are, just so that I can see.

35. MR CHAPPELL: Right, sorry.

36. MR WHITFIELD: I know that the new Moor Lane one is the one just below HS2’s proposed line where the Y shape is.

37. MR CHAPPELL: You see that red line there?

38. MR WHITFIELD: Yes.

39. MR CHAPPELL: That’s High Street.

40. MR WHITFIELD: That’s the High Street.

41. MR CHAPPELL: This is Narrow Lane.
42. MR WHITFIELD: Yes.

43. MR CHAPPELL: And this is the new realigned junction of Moor Lane and Newlands Lane.

44. MR WHITFIELD: Right, thank you.

45. MR CHAPPELL: And this is the limit of the improvement to Newlands Lane, before it joins bridleway 31, which is suitably reinforced again to take heavy goods vehicles from the B5014 on the right-hand side.

46. MR WHITFIELD: Excellent. I’m very grateful, thank you.

47. MR CHAPPELL: Okay, thank you. If we go back to the next topic we’re going to introduce, closely related to the previous point, and that is we think it would be desirable to slightly redesign this junction here so that the new realigned Moor Lane goes into Newlands Lane as a main road and not a side road. We’re virtually calling for HS2 to rotate the junction at that point so that the side road comes in from the underbridge under the scheme track.

48. Now, HS2, at one stage quite recently, suggested to us that it would be impractical to do this because it would take up too much land. We think that if HS2 redesigned the junction in the way that we suggested, it needn’t take up as much room.

49. Now, they have suggested something. I’m sorry that I can’t immediately locate their plan. I don’t know if HS2 would like to come back on this point. That’s it there, P137(5), yes, thank you very much. We don’t think that the carriageway needs to be taken to the left here. The line of the carriageway and the position of the underbridge could be still maintained in its original position, but if we had a slightly smaller radius on the roadway there between Moor Lane and the Newlands Lane as it disappears to the right, we could still get an acceptable design change within the taken area. It’s a pity that HS2 didn’t use the construction map, which shows the taken area, because our design change doesn’t go outside the taken area, so there’s no additional land at all on our design. And that’s what we’d suggest. If you accept our design principle, then there’s no need for a redesigned position of the underbridge, no need for any alterations to Narrow Lane and only a slight change in the design for the junction itself.
50. I’m aware of the fact that you need to maintain a certain radius to take HG vehicles along Moor Lane into Newlands Lane. I think that’s all I would say on that particular point.

51. MR MARTIN: Mr Chappell, sorry, I’m very easily confused. So, could you just reiterate for me what I think you’re saying, which is that on A67(13), that is the design that you are proposing for the junction.

52. MR CHAPPELL: That’s the design we’re proposing, yes.

53. MR MARTIN: And that the other design that you just showed us is a misrepresentation of your suggestion by HS2.

54. MR CHAPPELL: It certainly doesn’t agree with our suggestion, that’s true, yes.

55. MR MARTIN: Thank you.

56. MR CHAPPELL: Okay, if we could go to the next point then, next slide, A67(15). We’re making the point here that there’s a major flooding issue at the point where the underpass starts to go underneath the track and we’re concerned because the original environmental impact assessment didn’t make any mention at all of the need to do any flood mitigation in this place. We think there is because a lot of flood waters originate north of the junction of B5013, with Sherracop Lane, which you can see just above the mid-point of the red box at the top of the screen. I’ve seen flood waters coming out of the fields there, flowing right down the road, past this bit here where the underpass is about to start.

57. Now, since we made this point, HS2 has provided us with a contour map of the underpass as it goes underneath the track and it does show that there is no trap for the water underneath the track itself because the contour is straight from the point where the flooding starts down to the south towards Moor Lane. So we’re happy that flooding wouldn’t start there, but what we’re saying is a considerable amount of work needs to be done to make sure that the culvert underneath the 5013 from right to left, as it floods there, is cleared properly to allow flood waters to flow into the Moreton Brook, which is off to the left of this map.

58. Some attention needs to be paid to the ditches inside of the fields here so that they
can flow properly towards this crossing point where the culvert goes under the 5013. I think there is a culvert underneath Sherracop Lane, but I’m not too sure about that.

59. THE CHAIR: Sheryll Murray, I think, has got a question.

60. MRS MURRAY: Yes, you mentioned the culvert.

61. MR CHAPPELL: Yes.

62. MRS MURRAY: I know periodically culverts and drains in my constituency do get silted up quite a lot.

63. MR CHAPPELL: That’s correct.

64. MRS MURRAY: Are they maintained now by the local authority or the Environment Agency?

65. MR CHAPPELL: They should be. They should be, but they haven’t been done for some time to my knowledge and that’s a bone of contention, I would say.

66. MRS MURRAY: And do you think that results in heavier flooding than would normally occur?

67. MR CHAPPELL: I’m sorry?

68. MRS MURRAY: Do you think that results in heavier flooding during heavy rainfall than would normally occur?

69. MR CHAPPELL: Oh, yes, it does. I can’t guarantee that. That’s my opinion.

70. MRS MURRAY: Okay, thank you.

71. THE CHAIR: Thank you. Carry on.

72. MR CHAPPELL: So that’s a major point there. Attention is needed to the drainage in this particular area, for those points I’ve mentioned.

73. If I can have the next slide please? Now here we’re talking about the effects of the realignment of the 5013. What we’re saying here is that it removes certain hazards existing under the present 5013. There have been a lot of accidents there over the years.
To my knowledge, there have been at least 27 serious accidents in the last 12 years. That’s only my opinion, based on a collection of incidents made my residents provided to me recently. And our difficulty here is we haven’t got a full list of all the accidents that do occur because nobody is collecting that information, but somebody has and provided me with these 27 confirmed incidents, two of which have needed air ambulance, and over the years, there have been two fatalities in this particular section. And what we’re saying is we welcome the fact that the realignment removes those black spots, which is good, but unfortunately, it delivers a higher speed flow of traffic right to some worse bends near a house called Swallows Bridge, just south of this map here. And our whole thrust to our argument here is we need traffic calming measures.

74. Now the responses we’ve got from HS2 do unfortunately completely ignore this objective of ours to get traffic calming. We mentioned improvements to Lount Lane, Moor Lane and Jonghams Lane. They’re purely incidental, as far as we’re concerned. What we need, we think, is this traffic calming measure to make sure we don’t get even more severe accidents in this very narrow stretch of road. Now, I’ve been along this road frequently and I’ve been faced with articulated trucks on my side of the road going past these bends and it’s a most daunting prospect, I can assure you. And they do fill the whole of their carriageway, these trucks. It’s quite frightening to view it. So, that’s a point we’d like to make there, that we’re most concerned with the installation of a traffic calming measure and incorporating this, a road island, with the improvements to the Moor Lane, Lount Lane and Jonghams Lane, which HS2 were going to do anyway. So, we suggest that those proposal improvements will offset the costs of any road island. We are aware of the fact that road islands cost a fair amount of money, but we think it’s a most important thing to do to incorporate safety by design. Thank you.

75. Next slide, please. We now come to the business of the footbridge here. We’re asking for a footbridge to be put here to incorporate two diverted footpaths. We’re keen to see connectivity maintained here between footpath 34 that comes in from the right hand side of your map and footpath 36, which comes down in the centre of the map towards the track. Is everybody clear on that point? What we’re suggesting is we merge these two footpaths together and take them over the track.

76. Now, I’ve had some very fruitful discussions with HS2 a few weeks ago and this afternoon about alternatives to this idea and that is that we could improve on this by
taking footpath 36 over towards, to the right, footpath 34, where it comes onto the map here. Then it would go onto the originally diverted route from HS2 onto the Newlands Lane off to the left-hand side. We’ve got another map here, I think, from HS2. I’m not sure which map it is which shows us more clearly, I think. Could you help?

77. Yes, now it’s a bit difficult to see it on this particular one. Thank you very much. If you can just see here where the blue line goes down from that text box, footpath 36 comes in just there where I’ve got my arrow. Footpath 34 is this footpath here and that’s where footpath 34 is stopped off. If you ignore 36, that is 34 actually. 36 is there, and I’m suggesting that 36 now be diverted along this hedge line to this point here to join footpath 34. Then footpath 34 will go to the right onto Newlands Lane and it will come past and over an overbridge, an existing overbridge, and come down here to where the Newlands Lane has been enhanced, which will give more walking space for the pedestrians. So, that would be an improvement, from our point of view. It would also improve the connectivity. Our point, quite simply, is that it’s not good for pedestrians to come down here or even go up there and have to come and be diverted along the track to go underneath this underbridge here and then onto the original destination of footpath 36, which is there, where my arrow is at the moment.

78. Now if you see, footpath 26, which it would join, and footpath 30, which 34 is going towards – you can’t take it in on this map – but that forms a hub of about five or six footpaths in the centre of the village. So, it’s a very important destination for any footpaths coming down from the north or vice versa, going from the south to the north.

79. THE CHAIR: Can I ask you, do you have any estimation of the number of people currently on that route and whether it’s schools, hikers, or people just simply going about their normal everyday business?

80. MR CHAPPELL: I’m afraid I can’t, Chair. It’s very difficult to collect this information. It depends on which time of the day you go, which day of the year you go.

81. THE CHAIR: Forgive me. If I just stick my deck chair and watch life go by, is it 20 people an hour at peak, or 100, or…?

82. MR CHAPPELL: I would say it’s nowhere near that. It varies so much, whether or not you’ve got an organised group, or whether it’s an individual or just a family
group going along it. Very uncertain, but I would –

83. THE CHAIR: Well maybe HS2 have got some analysis. Thank you. Sherryl Murray.

84. MRS MURRAY: If I may ask, who maintains the footpaths, Mr Chappell? Is it the parish council or is it the local highway authority, the county council?

85. MR CHAPPELL: The local authorities maintain things like gateways and styles. They do that. But it’s up to the landowners to maintain and we have got local ramblers groups in Colton. They go along occasionally, do their own maintenance and clear the brambles.

86. MRS MURRAY: But it’s not something that is the responsibility of your parish council?

87. MR CHAPPELL: No, it isn’t.

88. MRS MURRAY: For any of the footpaths? Thank you.

89. MR CHAPPELL: No, no. The other point I’d like to make is we’re very concerned about the segregation of pedestrians and traffic in the underbridge and also on the overbridge at the other part of Newlands Lane. I asked for clarification from HS2 on this. There’s a cardinal point. You must eliminate the risk to pedestrians at these choke points. Typically, we’ve got two existing railway bridges in the parish which, 108 years ago, did this admirably by having elevated walkways with handrails to stop people falling off them under these bridges, and it’s on a four-track piece of national network rail. So, the principles are already in the village. We’d like to see HS2 following the same principles and it applies also to the underbridge on the 5013 as well. It’s a most important principle about health and safety. It’s absolutely crucial to have good segregation between vehicles and pedestrians. I think, Chair, that reaches the end of the point I’d like to make. Thank you very much for the time.

90. THE CHAIR: Thank you very much. Before we come to Mr Mould, any remaining questions? Martin.

91. MR WHITFIELD: We’ve been shown a letter to Ms Alison James of the parish
council.

92. MR CHAPPELL: Yes.

93. MR WHITFIELD: And there seems to be much agreement. I don’t know whether you’ve had a chance to see this letter or whether indeed Mr Mould –

94. MR CHAPPELL: Yes, I have and I’ve got extracts with me at the moment, if you’d like me to refer to any of them.

95. MR WHITFIELD: Well, I don’t know what’s easier. Certainly with regard to the footpaths, the proposal seems to be what you’ve said is agreeable or am I misreading this?

96. MR CHAPPELL: Yes, I’ve discussed it with HS2 this afternoon. We didn’t understand what they were saying immediately because there are so many pieces of woodland to consider. Now we’ve corrected that, I’ve still suggested this alteration and I think they’re considering it.

**Evidence of Mr Miller**

97. MR MOULD QC (DfT): I’m going to ask Mr Miller to come in and just assist on these points.

98. The first point raised relates to this section of Newlands Lane between the reformed junction with Moor Lane. If we just move the arrow, that’s just were you were, just that point there, and this point here, just at the B5014. That’s right. Now, the point that’s raised there, if you remember, is that section of Newlands Lane, which is the one section for which the Bill takes powers to widen the existing road, that section of road is narrow and we saw it’s relatively sunken and the surface is relatively churned up. Can you help the Committee with the reasons why the Bill doesn’t presently take powers to carry out the widening of the works on that section, Mr Miller?

99. MR MILLER: Yes. That section of the road is going to be used on a very limited basis. So, we don’t have as much traffic going down that part of Newlands Lane compared to the other sides, near Stockwell Heath and where the autotransformer station’s indicated. The reason for that is because it’s only really needed for utilities
works in that location. So, I think its occasional HGVs every third day, I think, we’re predicting. There’ll be one vehicle going down there and I think the road itself is experiencing, from our surveys, something like three HGVs or a handful of HGVs each day at the present time. So, it’s really minimal works. It’s utilities works that you would come across from time to time.

100. THE CHAIR: Sheryll’s got a question.

101. MRS MURRAY: Can you remind me, is this the stretch of road that the local HGV operator uses? I know we’ve got a photograph, haven’t we?

102. MR MILLER: I don’t know whether it’s a local farmer or whatever or local business that actually uses it, but judging by the width of the road, which Mr Chappell has indicated, it’s probably for local use. It’s not something that’s being used particularly for haulage by any means.

103. MRS MURRAY: Yes, and you’re talking about one every couple of days, did you say?

104. MR MILLER: Yes, for our works, it’s one every three days. It’s in that sort of order. It’s not, by any stretch of the imagination, a major activity unlike some of the other things that we are doing along the line of the route. So, it’s there for utility purposes. It’s the sort of thing that you see from time to time. We all experience it when a new cable goes in along the road. It requires a lorry to come along every now and then.

105. THE CHAIR: Sandy?

106. MR MARTIN: Mr Miller, can you explain? You’re proposing to build a new road to avoid having to go through the centre of Stockwell Heath. That’s quite a significant expenditure. That seems a bit odd for something where you’re only going to be using one HGV every three days on it. Can you explain why you’re going to that level of expenditure for one HGV every three days?

107. MR MILLER: No, they are the roads that are going to be used for accessing the railway trace. Stockwell Heath, we’ll come onto it in a minute, there is a bridge structure in there. That’s the sort of thing that’s going on. We don’t need to use the
long stretch of Newlands Lane, which has just been indicated by the cursor there, for those sorts of purposes. Those movements are routed in a different direction.

108. **MR MARTIN:** I see. So most of the traffic coming up that section of road – I can’t remember the names for all the roads – but that little lane, from the B road, most of that will be going onto the alignment of the railway rather than –

109. **MR MILLER:** Yes, for those sorts of railway works, yes.

110. **MR MOULD QC (DfT):** And then Mr Miller, just to complete the picture, traffic coming from the south will come along, either come up from the railway station or along from the B5014.

111. **MR MILLER:** That’s right.

112. **MR MOULD QC (DfT):** But it will come to this junction – if I can ask for the cursor at this point here – and then I’ll turn right.

113. **MR MILLER:** Yes, and you can see with the big red box, it says Newlands Lane autotransformer station. That’s a fairly big electrical facility that’s required to power up the railway and that will require a fair amount of construction. I know it looks a bit odd. Oddly, we’re not doing very much along that stretch of Newlands Lane.

114. **MR MOULD QC (DfT):** Right.

115. **MR WHITFIELD:** Sorry, can I just say, one vehicle every three days, but over how long a period of time every three days?

116. **MR MILLER:** I don’t think it’s over a long period. I don’t know if we’ve got a histogram for that.

117. **MR MOULD QC (DfT):** We don’t have a histogram because the use is so minimal. I’m told that it depends to a degree on the utilities that are in the road, but it will be limited in number and I’m told possibly two months.

118. **MR WHITFIELD:** Is this junction that we’re talking about within the Bill limits or is it literally just outside of the Bill limits? Talking about, if you come to the right of Colton village, the junction, if you go to the left.
119. MR MOULD QC (DfT): This junction?

120. MR WHITFIELD: The other way, there. I’m trying to look at it on the Bill limits map, and it seems to be that the road we’re discussing is the road that’s bordering the edge of the buildings of P13(3)?

121. MR MILLER: It’s in Bill limits and I think the limits are very narrowly drawn along. I think you saw a photograph of the steep sides.

122. MR WHITFIELD: Yes, yes.

123. MR MILLER: It’s almost like a sunken lane, really. The limits are drawn along those edges, essentially.

124. MR WHITFIELD: So your challenge is not because this road is outside the Bill limits?

125. MR MILLER: Oh no, no.

126. MR MOULD QC (DfT): Is it acceptable just to hold this up?

127. THE CHAIR: Yes, yes,

128. MR MOULD QC (DfT): There you are. You can see that stretch there is within.

129. MR WHITFIELD: It’s within it, thank you.

130. MR MOULD QC (DfT): And for the record, if anybody wants a summary of our position, it’s on slide P137(3). So Mr Miller, let’s move on to the next point, which is A67(13) and the proposal that the junction that is within the Bill plans, that is to say the new junction that is between Moor Lane and Newlands Lane, at the point that is shown on the left hand side of this slide, that that should be realigned so as to change the priorities as was described by Mr Chappell in his presentation?

131. MR MILLER: Yes. Our proposal, which is on the left-hand side, maintains the priorities and the parish council’s proposal shift those around a little bit and shifts the priority to Moor Lane. You’ve seen the diagram that we’ve looked at where we’ve done a very rough engineering assessment of what that might actually look like. What’s happening here is our consideration of safe curvature of the road’s alignment. Now, our
arrangement is designed to work with HGVs during construction and that’s the arrangement that’s shown underneath the red line drawing here. You can see that there’s quite a bit of earthworks that are required. Those are the yellow patches with the little black lines on them in there. Our consideration is to make sure that the line of Newlands is safe, where it comes down from Stockwell Heath as it’s passing underneath the road structure. The aim of that is to make sure that, for motorists, there aren’t any surprises when they’re driving along.

132. If we can just flip back to the parish council’s alignment, you can see that introduces what you might call tight curvature. I think the comparison is we have a curve of the road around about 44 metres to meet its safety standards and the curvature that we see on this diagram here is something like 25 metres. With the shifting priority, we consider that that junction isn’t safe to public standards. So, that’s broadly why we consider that were you to change the priorities on the junction here, you would have to go to the red line diagram that we’ve shown rather than the perhaps more rural outlook that Mr Chappell’s talked through this afternoon, which we consider to be an unsafe arrangement. So, people coming down to Stockwell Heath could well get onto that road. They literally drive onto that other road arrangement rather than being taken around and our arrangements with Moor Lane – there is a definite junction arrangement so there’s a turn onto and off of the main road.

133. THE CHAIR:  Sheryll Murray?

134. MRS MURRAY:  If there were heavy traffic use coming under the track, could you envisage build-up backing up into the underpass?

135. MR MILLER:  Well, we’re not very keen on this parish council arrangement because of the way it comes underneath the railway bridge itself, because you can appreciate that there are concrete pieces of structure and whatever. There’s a lot going on in the visual sense from a motorist’s sitting point in his car, so I think that there could be backing up, but the worst thing would be for a car to get across that junction as it’s passing across, and that creates a greater hazard than taking the car around safely and having a most definite junction on the other side for the traffic to turn in and out of. So, that’s our consideration.

136. MR MOULD QC (DfT):  That B1376 again, just for the record. This relates to
our treatment of this proposal that you showed the Committee a moment ago, but this is a summary, I think, of the key points that –

137. MR MILLER: It is and that’s what we’re going to be talking to you about on various road changes that we'll make on this stretch of railway and realignment, I suppose, of all these roads is making sure the visibility works well for those using roads and that those that are getting onto the more busy roads have got good visibility up and down to get on to the road network in the safest fashion possible. And I’m going to talk a little bit more about that on one of the next road alignments.

138. MR MOULD QC (DfT): So if we move on to the next point, this is related to flood mitigation. If we just put up P137(7), just to remind everybody that they're now dealing with the proposed underbridge, which will take the existing A513 Uttoxeter beneath the railway line, just to the north of the location we were looking at a moment ago. This an area where the parish council is very familiar with the localised flooding that takes place across the road and the concern is that the scheme may not have made adequate provision to address that issue as part of the design. Can you just help the Committee with that point, Mr Miller?

139. MR MILLER: Yes. I have another drawing which shows the long section of the road, how the road changes vertically.

140. MR MOULD QC (DfT): 137(8)

141. MR MILLER: So, if you see, there’s a green dotted line. That’s the existing ground level of the road, and then you see the red line just beneath it. That’s how we’re changing the road alignment as it’s cutting into the ground. On the right-hand side, you’ll see that it says, at the box at the point where it’s saying it’s flooding, there’s a culvert there. If we flip back to the plan, so to the top of the page is roughly where that water course is said to be flooded. If you see, there’s an existing water course; there’s a very thin dark blue line, and it comes down to a point just where the blue balancing point is, and it cuts across to where the arrowhead is of that other textbox. And you can just see that blue line coming down the old road alignment – and there’s a drain there as well. It cuts alongside the railway to the point where it says Hamley south culvert. Okay?
142. MRS MURRAY: Yes.

143. MR MILLER: So, that’s an existing watercourse. So, we know already that there’s a bit of water around in the area and you can see that we’ve got a balancing pond arrangement just up there where this cursor is, and that takes account of the balancing of the water as it’s flowing and that we’ve predicted will occur when we put this new design into effect. So, essentially, what’s happening here is that the road’s realignment is taking on the flood issue that the parish have identified and, through that better design of the road as a consequence of the railway, we will be dealing with the drainage issue in this instance. It’s in our interest to do that, get that right, because we don’t want the road to flood and cause future problems because we’re dropping down in the grounds and there’s a lower point on the road, but that’s all accounted for. But also, we want to redirect underwater flow so that it passes beneath the railway, effectively. It doesn’t get dammed up with the railway, or is doesn’t change the new railway into a canal. So, we think about these things very carefully, and that’s our consideration in this location, and I think, overall, it might not overcome all of the issues of flooding in the area, but it will certainly overcome this one in this instance.

144. MR MOULD QC (DfT): And again, if we put up P137(9), really just for the record, a summary of the points you’ve been making, with the final point that the detailed design of the arrangement you’ve just described will involve engagement with local authorities in order to deliberate compliant design.

145. MR MILLER: Yes, absolutely. We will need to set that out with the local planning authority, make sure it’s right and get all the necessary consents, outfalls and that sort of thing sorted out. We don’t do that at this moment in time, but we will do through the detailed design.

146. THE CHAIR: Are you saying the new road won’t flood or it will just flood less? And if it’s the latter, is there an incidence, like 1 in 50, 1 in 100 years?

147. MR MILLER: I think we’re looking at 1 in 100 years flood responses on roads. The arrangement we have in the design, the balancing point, will capture the water and that will retain it to a degree. In a way, it’s actually taking on the flooding which is happening there at the moment, so from time to time, there will be water build up, but it will be held and that will gradually drain away and then the culverting arrangements and
the drainage arrangements around the road and around the railway are designed to take that water away from that infrastructure. So, what I think will happen here is that you’ll get a better drainage arrangement overall for the road.

148. THE CHAIR: Perfect. Sherryl, then, I think, Martin.

149. MRS MURRAY: Who will be responsible for ensuring that those culverts don’t silt up into the future? Is that something that will be written into any agreement?

150. MR MILLER: Well, ultimately the –

151. MRS MURRAY: Ongoing maintenance?

152. MR MILLER: Yes, the roads will have to be handed back to the highway authority and that will be in their interest, to make sure that the details that we come up with are appropriate because they want to minimise their liability in all of this. And then there’s drainage for the railway itself and that’s what we will be responsible for. And then, of course, the water doesn’t really get where it goes to. It will all come together at a point. How it actually then is dealt with through the flood regime, that will be down to the consent arrangements, which will be dealt with through the local flood authorities and the various consent arrangements that we’ll enter into with those authorities.

153. THE CHAIR: Martin.

154. MR WHITFIELD: And just to follow on, so it’s right that your proposal will have to pass the local authorities before – your flood proposal will have to get the consent of the local authorities before you can proceed with it.

155. MR MILLER: Yes.

156. MR WHITFIELD: They will be involved in the creation of it.

157. MR MILLER: Yes. That’s right. And the local highway authority in this instance will be very interested in that as well.

158. MR WHITFIELD: Yes. And if we just go back to 137(8), it is right to say, on my reading of this, that the existing road is effectively much higher and that we seem to
have a very attractive downhill slope on a road for the culvert and catchment pond, which is at the highest point.

159. MR MILLER: Yes.

160. MR WHITFIELD: The catchment point would be on the right-hand side as we’re looking at it by the culvert.

161. MR MILLER: It would be. I think what’s happening here with the existing situation is that you get these sort of flat points in the landscape and you get these hollows and it just – in storm water events, they just get filled up and then they overfill and then you get these floodings.

162. MR WHITFIELD: And then they flow down naturally.

163. MR MILLER: Yes. The water finds the path of least resistance and that happens to be the road. And what I’m suggesting to you is that the design of this is actually taking on that path of least resistance, but we’re managing it in the most effective way possible.

164. MRS MURRAY: So we’d go into the balance pond?

165. MR MILLER: And in the drainage arrangements that we’ve designed, yes.

166. MR WHITFIELD: But I imagine the petitioners possibly don’t have your confidence, knowing the area, that the flooding will be retained in this pond.

167. MR MILLER: Yes, we had a good conversation before this meeting and I do accept that parish councils know their area better than I do. But I think it’s safe to say that the consent regime will be taken up locally and those people who know the area well from a flood perspective will ultimately take this on and give the final consent for those drainage arrangements.

168. MR WHITFIELD: Because this is in essence one of those points where your responsibility of the railway affecting the water course potentially affects the railway, as well as affecting the roads, as well as affecting the land around it. So there’s quite a complex interplay in the relationship between HS2’s responsibility with regard to flooding –
169. MR MILLER: There is.

170. MR WHITFIELD: – local authorities and those that live there.

171. MR MILLER: That’s right. And you heard me previously talk about land drainage.

172. MR WHITFIELD: Yes.

173. MR MILLER: This will be a major activity all the way along the line of the route because we’ll be cutting across the land either by laying down a railway or altering the existing roads. We’ll alter the existing water courses as well from time to time. So all of that will have to be taken into account. And what we’re trying to do here is overcome the liabilities, so that we selfishly look at it from a railway perspective, we look it from a road user’s perspective and then we look it from local people’s perspective, whether they’re landowners, whether there are properties in flood plains and that sort of thing. So, it’s a very serious business. If you look at the draft legislation, there are arrangements in there for us talking to the environment agency as well as the lead local flood authority and in all cases we have a good relationship. We continue with that and it goes to that consent at the end of the process.

174. MR WHITFIELD: But you’re confident your evidence is that it’s going to be once in a hundred years.

175. MR MILLER: Well it’s one of those things. That event could happen tomorrow and we’ll never know. What has been happening by way of a trend is that in this country we’ve been tightening up on this type of regime. We’ve been thinking much more clearly about big flood events and I think we’ve all experienced this in one way or another over the last 10 years. We’ve experienced some periods of extreme drought then followed by extreme rainfall and that makes a huge difference locally. And there is something which has changed that we’re having to think about more carefully going forward. Clearly we’ve got to get resilience in the infrastructure that we’re designing, but we also have to have that resilience in there for people who are living – our neighbours, essentially, and the infrastructure which exists across the country.

176. MR WHITFIELD: Grateful.
177. MRS MURRAY: Just very quickly, you said the local –

178. MR MILLER: Flood authority.

179. MRS MURRAY: – flood authority. Presumably, they will consult with local parishes, as they do with other planning consents.

180. MR MILLER: I believe they do. They – as I say, the local people and local authorities know that area a lot better than we do as a railway infrastructure provider, so all of that expertise and our design will be brought to bear, so they know where their existing problem areas that when we come along, as a consequence of our action, actually, we’re going to make things a little bit better. So in a way, there’s a bit of enhancement which is inherent within the design which occurs as a result of the railway.

181. MRS MURRAY: Thank you very much.

182. MR MOULD QC (DfT): I’m just going to, if I may, just show you information paper E26 because it just sets out the design standard in relation to flood risk and resilience to climate change. If we look at – if we can find paragraph E – paragraph 3.1. I’m so sorry, it’s paragraph 7.1. I’ve got the wrong one. You can see this is dealing with climate change resilience and at 7.3, bullet 1, talking about mitigation measures embedded into the design, Mr Miller, what’s this telling us about the design objective for the proposed scheme in relation to flood risk and resilience to climate change?

183. MR MILLER: Well, essentially we’re thinking about those perhaps larger and more hazardous events which could actually stop the infrastructure from working and also have an effect on our neighbours and the sort of prediction – I’ve indicated already that the prediction methodology is being tightened up. The environment agency requires us to think about these bigger events through our design now, but essentially, what we’re trying to do is predict what those are, get those built into the design so that they don’t cause problems locally or for us, running around.

184. MR MOULD QC (DfT): And if we turn just to the next page, we see a reference there to drainage design at the top of the page, which I think is one you referred to earlier.

185. MR MILLER: Yes. And quite a lot of what we do – I mentioned the balancing
ponds holding water and then letting it drain away on a more regulated basis. There’s a big push for sustainable drainage systems to be thought about through design so that they work much more naturally and with the landscape and that’s why you see this big arrangement of drainage retention, drains themselves, culverts and that sort of thing to make it all work.

186. MR MOULD QC (DfT): The Committee may find it helpful before we move to the next point just to – for me to put this on this record. In so far as the maintenance of altered highways is concerned, schedule 4 to the Bill provides for the essential maintenance requirements in paragraph 16 and what it – and what that paragraph essentially says is that where the nominated undertaker alters a highway, as is proposed in this location, the altered highway must be maintained at the expense of the nominated undertaker for a period of 12 months from the later of the date of practical completion or the date on which the road is first opened to public use, and thereafter, maintenance reverts to the local highway authority. So, if you like, there’s a snagging period built into the Act which deals with that.

187. There’s also protected provisions in schedule 32 and amongst those whose – who are – enjoy protection in their existing statutory functions under those protected provisions are land drainage, flood defence, water resources and fisheries authorities, which – and there are a range of detailed provisions in part 4 of schedule 32. I won’t trouble you with them now, but that directs you to where those matters are also provided for under the Bill.

188. MRS MURRAY: Thank you.

189. MR MOULD QC (DfT): So, Mr Miller, we’ll deal with – we’ll turn then to the next – I think the penultimate topic, which was A67(15). And we’re onto the A – we’re onto the B5013 again, but we’re now to the west or the south-west of the railway line and we see Jonghams Lane coming in from the north and Moor Lane coming in from the south and we know that along this stretch, the Bill provides for altered junctions at both locations. And Mr Chappell said that those changes would improve site lines and safety along the road, but he was asking for one further step, I think, which was to provide a traffic island as part of this junction design in order to slow down traffic, I think, because the design of the altered road would improve its performance, if you see
what I mean. What’s our position on that?

190. MR MILLER: Yes. Well what we’ve considered here is how traffic goes onto the Uttoxeter Road. It’s a similar point to the one I made just a little earlier. Our improvements are to provide greater visibility for those people who are in cars turning into and out of each of these roads onto the Uttoxeter Road. And the idea of that is to give a greater length of site down the Uttoxeter Road to make those turning arrangements as safe as are practically possible. Mr Chappell indicated the speed of the road here and, yes, people will travel on this part of the road quite quickly, but our consideration is not to encumber that in any way. So putting any blockage within the road is to be avoided and so our consideration is give people the best opportunity to look down the road and see the traffic that’s oncoming and then enter that road safely once traffic was passed and there’s a suitable gap between vehicles.

191. So that’s the simple point about it and we’re adjusting hedgerows and that sort of thing, having to replace those hedgerows to a degree along the line of the road here, but essentially that is to provide greater visibility over a greater length of road, a greater distance, to make it safer.

192. MR WHITFIELD: Can I just clarify the removal of the hedgerows is just during the construction period?

193. MR MILLER: Yes, but as you know, once we take a hedgerow out, we’ve got to find a way of putting them back and that’ll either be a new hedgerow or I think there was a suggestion previously about whether we could preserve some of the hedgerow material and get that back into being planted and that may be a possibility, but there will be a replacement hedgerow in due course.

194. MR MOULD QC (DfT): The slide on the screen I think is an extract from the operational series, so you see the replacement hedgerow share on this plan.

195. MR MILLER: Yes, the hedgerows are the sort of green circles. That’s our notation on here. So we kind of widen the road – widen the splay so that people, as they come up to the junction, can see over a greater distance, and then the hedgerow will be set back a bit further on the road.
196. MR WHITFIELD: So you won’t lose the enhanced visibility on the reinstatement?

197. MR MILLER: No, we won’t be putting the hedgerows back in, just to get the opposite effect, no. No.

198. MR WHITFIELD: Yes.

199. MR MOULD QC (DfT): Again, just to put this in the context of the powers that the nominated undertaker will have to abide by under the Bill, under part 3 of schedule 4 where the Act empowers the nominated undertaker to alter an existing highway, as it does in this case, paragraph 13 requires the nominated undertaker to submit the plans and specifications and sections for the proposed alteration to the local highway authority for approval and so there is a role for Staffordshire County Council in this case. They’re not entitled to withhold their approval unreasonably, but if they have reasonable points to make about modifying the design, then obviously they can be brought into account at that particular stage in the process.

200. And then finally, Mr Miller, we come to the point about the footpath issue and if we just put up these P137 (15). We remember that the concern here is with regard to footpaths which come from the village to the south-west and as a result of the need to accommodate the passage of the railway, the proposal is to divert one set of those footpaths along Newlands Lane beneath the underbridge. I think at this point it is intended that they should be a segregated –

201. MR MILLER: Yes, that’s right. Yes.

202. MR MOULD QC (DfT): – pedestrian way, isn’t it?. And then users of the footpath will then come out – emerge at the eastern side of the railway and then be – rejoin the existing alignment by passing to the south-east on the route that’s being shown. Yes, there are a number of alternatives which have been put forward. One was the alternative put forward by the parish council in their petition that there should be an overbridge, a pedestrian overbridge, so that one could link up the footpaths more directly across the railway. Have we got any sense of what the cost of that might be?

203. MR MILLER: Yes. A footbridge – we haven’t costed this – we haven’t designed
something and costed it for this location, but an order of between £850,000 and just under a million could be thought of for a footbridge in this location. It would be –

204. THE CHAIR: How much does that save and how many people would be likely to use it?

205. MR MOULD QC (DfT): Well let’s put up the next slide just –

206. MR MILLER: Yes, we got some data.

207. MR MOULD QC (DfT): It’s 137 (16). Perhaps you can speak to that, Mr Miller.

208. MR MILLER: Yes, so footpath 34, what we aim to do through the environmental assessment is gain a better understanding of how all of these footpaths are working. And here, it’s very limited – on our surveys. So they’ve got – two years is recorded on the survey days that we were out there for. And there were a number of others using Newlands Lane, oddly enough. In fact more people seemed to be using Newlands Lane than using the footpath network. Presumably there is a connection between Stockwell Heath and Colton that people use down the road.

209. MR MOULD QC (DfT): Yes, yes, yes. Yes.

210. MR MILLER: Yes. So, it is quite popular. So, one of the thoughts that we had, if we could flip back to the plan, was – you can see where the footpath is closed off under that blue arrow at the top there and the footpath passes around towards Newlands Lane on the Stockwell Heath kind of side of things. Then it cuts down – then the people would come underneath the structure and the road at Newlands Lane itself that we’ve been talking about. They will be on a pathway underneath the structure and then they would get on the verge, which apparently they seem to be using anyway in this sort of area here. Now you can see we’ve got a triangle of planting, that sort of yellow background with some – you can just about see some notation of trees in there. Now what we thought was instead of having people on the road or on the verge, is that we might put the footpath in here, taking them up to the corner of that mitigation area, in the mitigation area itself.

211. THE CHAIR: Sandy wants to come in in a second, but can I – so, just going back to the time, without that mitigation, how long’s the detour, and with the mitigation, how
long’s the detour – on the order of?

212. MR MILLER: I can imagine that it’s probably about five –

213. THE CHAIR: Is it more helpful to ask Mr Chappell?

214. MR MILLER: Five to 10 minutes tops, I would have thought. It looks like another 400 or 500 metres you’d have to do.

215. THE CHAIR: Sandy.

216. MR MILLER: Yes, I was – given the balance of people using Newlands Lane as opposed to footpath 36 and also given that some at least of your construction vehicles would be using Newlands Lane, would you consider the possibility and would it be feasible to have a footway along the length of Newlands Lane as far as the High Street and connecting up with footpath 26 there, because it seems to me that those people who are currently using footpath 26 and then footpath 36, albeit not a very large number of them, can currently do so – that and walk along the road? If they had to walk along the road, then they would be subject to a certain amount of personal danger which providing an alternative path would alleviate. But if you say that you can actually put a path through the mitigation area, that might even be better.

217. MR MILLER: Yes, we were thinking that if you took them through the mitigation area, setback by sort of three or four metres and then they were to walk along that edge, it’d be a more attractive edge than Newlands Lane itself. You’d get to that corner and they’d be able to cross over the road, and if they were going further south, they could get onto the High Street or they could get onto footpath 26 and then join – there are a number of footpaths which come together. You can see footpath 26 and footpath 30 over there. There are a couple of others just off this plan that all come together at a point and then they sort of fan out again. So it is quite well-connected, the footpaths in this area.

218. The alternative – what Mr Chappell and I talked about just before we came into this session, because I think what we had in words in the letter may have proved to be a little bit confusing on Friday, was there’s a possibility of putting the footpaths – see where the blue arrowhead is there? – alongside the railway, which actually shows in Mr
Chappell’s drawing, and get that footpath back onto the – what we’ve said is the stop’s up footpath 36 and then join up the footpath network over there. And that indeed may well be a simpler solution there overall, because what’s off the map here and what you don’t get on this plan is that there is another connection onto the footpath’s network overall just a little bit further down. And we had a look at that, didn’t we, Mr Chappell? And that may prove to be a slightly different and perhaps a more attractive route overall.

219. So, overall, I think there’s some scope for us to think about a reasonable change for a footpath in this location, but we’ve got to do a little bit more thinking about it.

220. MR MARTIN: Right.

221. MR MOULD QC (DfT): I can give you the reported extra distance; it is from the environmental statement, paragraph 14.5.12. ‘Colton footpath 34, an increase in distance of up to 350 metres.’ And on footpath 36, it’s a little longer. It’s 500 metres with a diversion under the underbridge, so that’s the order of change. I’m just going to put up the environmental statement sheet, so – because you can get a better context – sense of the context there of the point that Mr Miller’s been making. But Mr Miller, just following up on the point you’ve made, are you – is it your evidence that HS2 should have another look at this and to see whether there is a way of accommodating the –

222. MR MILLER: Yes.

223. MR MOULD QC (DfT): – suggested alternative that the petitioner’s put forward.

224. THE CHAIR: Maybe we can let you go away and do that and –

225. MR MILLER: Yes.

226. THE CHAIR: But I don’t think it – the Committee don’t know the detail.

227. MR MOULD QC (DfT): Okay.

228. THE CHAIR: Let’s thrash that out locally, I think. It’s clear, I think, to this Committee, looking around, that HS2 have been pragmatic, but there is a significant cost to the original proposal, given the volume of traffic, that perhaps there’s something between the two positions that can be charted. So with your position, shall we draw a line there?
229. MR MOULD QC (DfT): In that case, Mr Miller, is that –

230. MR MILLER: Yes, that’s –

231. THE CHAIR: Mr Chappell, you don’t need to, I wouldn’t encourage you to do so, but if you want to, you’ve got the final word.

232. MR CHAPPELL: We’ve made the point about the road, the principal objective of our having a traffic calming measure along that road. It is very, very important, very, very critical indeed. And as far as the other points are concerned about the traffic along the midsection of Newlands Lane, we have to accept what HS2 is saying about the frequency of travel. We’ve no argument there, really. We’re in their hands on that point. But thank you very much for your time this afternoon. Much appreciated.

233. THE CHAIR: Thank you very much. No, I’m not catching anyone’s eyes, so meeting closed.