MINUTES OF ORAL EVIDENCE
taken before the
HIGH SPEED RAIL BILL COMMITTEE
on the
HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Wednesday 23 May 2018 (Morning)

In Committee Room 5

PRESENT:

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

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IN ATTENDANCE

James Strachan QC, Counsel, Department for Transport

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WITNESSES:

Michael Washburn
Roy James and Kay Ong (Swynnerton Parish Council)
Peter Miller, Head of Environment and Planning, HS2 Ltd

IN PUBLIC SESSION
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1. THE CHAIR: Just a reminder to the Committee and petitioners, we’ve requested that people try to make most of their main points within the first 10 minutes so we’ve got a grip on the overall argument rather than leaving things to the end and also particularly ask petitioners to focus on what they want from us rather than just giving the background, so we can really focus on what the petitioners want and come as close to giving them what they need. Thank you very much for petitioning. Over to you, Mr Washburn.

**Michael Washburn and Lesley Washburn**

**Submissions by Mr Washburn**

2. MR WASHBURN: Thank you, Chairman. Good morning ladies and gentlemen. Just listening to the guidance there, I will try and jump into the first 10 minutes of why I’m here. I have, as you will see, got a fair number of exhibit slides, most of which I suspect I will be able to flip through very, very quickly.

3. THE CHAIR: Great.

4. MR WASHBURN: In terms of my petition, if I might, before I jump straight into it, the objective of me for being here is not to try and argue as to whether the scheme should go ahead, it shouldn’t, whether we should change the route or mitigate. It’s none of that. The objective of me coming to the Committee today is to say I would like to share my concerns. I have an objective which is I would like HS2 to actually purchase our property at its full, unblighted value and the reason for bringing the exhibits and the petition is to share some evidence with the Committee as to why I believe that is a fair request of the Select Committee.

5. MR WIGGIN: Is it the case that they’ve refused to do that so far?

6. MR WASHBURN: It is not the case. It is the case that we have at the moment – we submitted a blight notice on 30 April. That blight notice is currently in the process of being heard but thus far there has been no refusal to purchase the property at its full unblighted value by HS2. So, this is a matter of timing if you like in that I’ve come to the Committee today before we’d actually submitted the blight notice which is why in
the promoter’s response, he did in fact state that we have not applied for any need to sell or blight. The reason for that is that we started our real marketing journey in earnest when safeguarding instructions were issued last September and we have deliberately ensured that we’ve given it a good opportunity to try and sell the property before we actually applied for any of the measures. So, it’s a matter of timing that we have a blight notice in, we’ve not had a reply to the blight notice yet and I come here today just to share with the Committee, as I would have done in any event, kind of our predicament really.

7. MR WIGGIN: Mr Chairman, with your permission, Mr Strachan, is that still the case?

8. MR STRACHAN QC (DfT): That is the case. The blight notice I think was submitted on 30 April.

9. MR WIGGIN: And you haven’t resolved it?

10. MR STRACHAN QC (DfT): Well, there’s a – no, it needs to be processed, considered and there’s a two-month deadline in which to respond and that process is underway. Unsurprisingly, I will be saying in due course, we should let that process run its course.

11. THE CHAIR: For the future, that is absolutely right but given people who have petitioned, it would be useful to expedite anything so when we come to the Committee we’re not intervening in a process that’s already underway or predicting an outcome.

12. MR STRACHAN QC (DfT): I totally understand that and I can see the sense in that. This one was relatively recently submitted. There’s one later on which is even more recently submitted.

13. THE CHAIR: Well, I suppose our message goes to petitioners as well to engage with HS2 early so this is not the whole process. This is very much a small part of the process near the end when everything else has gone wrong.

14. MR STRACHAN QC (DfT): Absolutely, and it would make obviously sense for petitioners to be coming to the Committee, only if the process has resulted in some problem and then the reasons for that can be aired in front of the Committee if
necessary.

15. MR WIGGIN: A point of order, Mr Chairman. This is really unacceptable. There are 180 petitioners. Why has Mr Washburn been dragged to London to hear a petition today when we could be hearing it in weeks’ time when he’s had a chance to have his application go through the process? This is really inefficient. Can we not sort this out, guys? I mean it’s really rubbish, isn’t it?

16. MR STRACHAN QC (DfT): Well, yes, I can understand the force of the point. The problem that we have is that we can’t control petitioners who want to come before the Committee before their determination process is finished and I think, as I understand from Mr Washburn, he wants to come and put, as he put it, his situation before the Committee even though he knows that he submitted a blight notice. I can’t control that process.

17. MRS MURRAY: Mr Strachan, Mr Washburn seemed to give us the impression that he hadn’t heard anything from HS2. Do you not acknowledge receipt of –

18. MR STRACHAN QC (DfT): I think he probably would have heard. He would have received a letter.

19. MRS MURRAY: You said it was submitted in April?

20. MR STRACHAN QC (DfT): 30 April, about three or four weeks.

21. MR WASHBURN: If I could explain that as well from my situation if I might.

22. THE CHAIR: Yes, yes.

23. MR WASHBURN: I did receive a telephone call and an email from your community engagement lady, I think Rachna, who offered to come and meet me on 4 May. I did in fact telephone this lady saying what was the purpose of the meeting. I was told the purpose of the meeting was to discuss noise mitigation. I advised her that I wasn’t in the process of talking about – I was in the process of having a blight notice in place and I actually did say, on the record, that because she did say, if we come and explain to you about the blight, sorry the mitigation, if we explain to you, there won’t be any need for you to attend the Committee. I was very explicit. I said I’m attending the
Committee because I don’t have a determination on my blight notice. This has been going on for a while and I actually did say that if my blight notice had been responded to, or indeed had got a result of the blight notice, there would be no need for me to attend the Committee.

24. THE CHAIR: All right.

25. MR STRACHAN QC (DfT): Well, let’s just be frank about this. The blight notice was submitted on 30 April 2018. The safeguarding directions had been in place for some –

26. THE CHAIR: 2018?

27. MR STRACHAN QC (DfT): 2018, yes. The safeguarding directions under which Mr Washburn knows his property is required, have been in place I think since certainly last year, 2016 and he –

28. MR WASHBURN: Safeguarding in terms of Phase 2A was September 2017, wasn’t it? 6 September 2017.

29. MR STRACHAN QC (DfT): I will check but let’s say September 2017, I’m happy to take it as then.

30. THE CHAIR: Yes.

31. MR STRACHAN QC (DfT): We can’t obviously require people to submit blight notices but Mr Washburn has been in a position to submit a blight notice from that date. It’s a matter for him as to when he chooses to do it but he chose to do it on 30 April. We then need to process it. We obviously will try and do it as quickly as possible but it is an important process that needs to be looked at rigorously and he couldn’t –

32. THE CHAIR: Is there anything to think that he’s not going to get what he wants?

33. MR STRACHAN QC (DfT): Well, I don’t know the answer to that.

34. THE CHAIR: So, I don’t want you to say he is going to get what he wants but I was hoping for a definitive answer. Do you know anything that you’ve seen so far and can –
35. MR MARTIN: I mean before we have that question answered, Chair, I think we need to ask ourselves whether anything that we say here today may or may not prejudice the decision on the blight notice because if it would, then it would be wrong for us to ask any questions or go into any discussion at all.

36. MR STRACHAN QC (DfT): The answer – and I can help you a little bit, if you just – I don’t want to obviously cut across Mr Washburn – this is just as a factual point. If I put up his property, you’ll just see the extent to which he falls within safeguarding.

37. MR WASHBURN: Could I just clarify one point as well, Chair?

38. THE CHAIR: We’re getting a bit loose at the moment. I’m going to allow Mr Strachan to finish and then I’m going to assert a little bit more discipline and come to you as the petitioner. Really, we shouldn’t have all leapt in. However, I think it’s been quite useful but we will come back to you in a second.

39. MR WASHBURN: Thank you.

40. MR WHITFIELD: Sorry, Chair, just a point of order before we listen to this evidence and see what is or is not within the order. I am concerned that there’s a public hearing today with an outstanding procedure being undergone, namely the blight notice, that what we say, what we see, or indeed what we indicate, will influence that and I’m concerned that we may contaminate both procedures and I don’t know what the answer is.

41. THE CHAIR: Would it be acceptable to the Committee to have a short break, sit in private and request the petitioner and HS2 also have discussion and we’ll then have a brief informal discussion with HS2? We will then come back at an appropriate point and that will be no earlier than 10.00 a.m.

42. MR WASHBURN: Chairman, can I just make one final comment please?

43. THE CHAIR: Yes.

44. MR WASHBURN: In terms of what Mr Strachan said, in that we were in a position to be able to submit a blight notice at any point from September 2017 when the safeguarding was issued. There was a very specific reason that we didn’t and that was
that under the terms of the blight notice, as everyone in here I suspect knows, you have to show that you have, for a reasonable period of time, really tried very hard to genuinely sell your property. The reason that the notice was submitted in March, was drawn up in March, submitted in April, was so that once the safeguarding was issued, we then spent a period of time actually demonstrating that we did attempt to sell the property.

45. THE CHAIR: Thank you. We’ll meet again at 10.00 a.m. or the moment after that when it’s convenient for the Committee.

Sitting suspended.

On resuming –

46. THE CHAIR: The Committee have met in private and I’d just like to make a short statement.

47. Blight notice is a statutory scheme which has a legal process which we will not and should not insert ourselves into. To do so would be to the potential detriment of the petitioner, HS2 and the Committee. Before I ask Mr Strachan to make a statement, because I understand there’s been some discussions with the petitioners that have been satisfactory to both parties, it would be convenient for the Committee next to, after Mr Washburn stands down, there’s another issue I want to raise with you in public just on the broader point of principle and then we’ll take evidence from the petitioner, Swynnerton Parish Council, to allow us to just check with some procedural issues in relation to the petitioners, the Allsops. Mr Strachan?

Statement by Mr Strachan

48. MR STRACHAN QC (DfT): Thank you, that we have had some discussions outside and what I understand we’ve reached an agreement upon is that the HS2 will provide an undertaking to Mr Washburn in a form I’ll just read out for the record, the effect of which is he will have the ability to pursue the blight notice procedure, the statutory process external to this process, to see the outcome of that which presumably if favourable to him, which it may be, then he’ll be satisfied. If not favourable, he has certain rights under that process itself to come before the tribunal and, again, he may
have a favourable outcome there or not, but only after then to need to resurrect a petition to the House of Lords, assuming that timing works out, and what I propose to do, as a result of understanding that process, is give the requisite undertaking to Mr Washburn which ensures he’s not prejudiced in bringing such a petition to the House of Lords by us taking some technical point that he didn’t pursue his petition in front of this House. So, just for the record, if I could just read out the undertaking we are prepared to give him and do give him and that is, it’s in the language of a lawyer I’m afraid but, ‘In consideration of Michael and Lesley Washburn withdrawing their petition against the High Speed Rail (West Midlands to Crewe) Bill in the House of Commons, I undertake on behalf of the Secretary of State that this will not be taken as a point of prejudice should they find it necessary to deposit a petition against the Bill in the House of Lords’.

49. And that’s effectively what is sometimes referred to as a second House undertaking but that’s in the substance of which I hope I’ve fully explained to him. I emphasise again that the point of the separate statutory process is that there is a process under which he may in fact not need to petition at all in the future, depending on the outcome. I can’t predict its outcome, it’s not for me to do that, but it’s just there, this undertaking ensures that he’s not prejudiced so far as this column entry process is concerned. So, subject to Mr Washburn being happy with that undertaking, that would enable this petition then to be dealt with in that way.

50. THE CHAIR: Mr Washburn.

51. MR WASHBURN: Clearly, Chairman, I had the discussion with Mr Strachan. I understand why we need to take this route and this process. It is a little stressful I have to say, for the record, and it does feel somewhat as if we’ve reset the clock again and we go again so I wouldn’t actually say that I was happy with it. I would say that I understand the points that have been made and I accept those points that have been made and I sincerely hope that my blight notice receives favourable consideration by HS2 and the Secretary of State and that I don’t actually, effectively, have to start again. But, yes, thank you for that, Mr Strachan, I appreciate that, and thank you Chairman for bringing that up too.

52. THE CHAIR: Thank you very much. Bill Wiggins, I think, has got a quick question.
53. MR WIGGIN: Just very briefly, if we have not finished by the time the process is over, his appeal would then come to this Committee again, wouldn’t it?

54. MR STRACHAN QC (DfT): Well, on the basis of the undertaking I gave, that was on the basis that his petition is withdrawn from this House. That’s how I articulated it. The reason why it’s done in that way is otherwise, technically speaking, you need to hear his petition and that’s why it’s articulated in that way. So, he withdraws from this process before your Committee but then he’s protected, if it becomes necessary, from bringing it in front of the Committee in the other place. So, that’s why it’s articulated in that way. If it’s left more generally, then technically you will have to hear the petition under the relevant parliamentary rules. That’s why.

55. THE CHAIR: Thank you very much. Thank you, Mr Washburn. Thank you. Mr Strachan, before we bring in the parish council, this is the first time we’ve dealt with second House undertakings. Is there anything that we need to be aware of in terms of process for future petitioners?

56. MR STRACHAN QC (DfT): Well, from our perspective, and no doubt from other petitioners who may be in a similar situation, i.e. potentially with blight notices procedures either in prospect or underway which haven’t yet been determined, I would hope that the statement the Committee’s already made may be of some assistance. In general, we HS2, will consider, and in normal cases offer such undertakings in similar situations to avoid the circumstances that have occurred today. What we can only do is offer those undertakings. We can’t, obviously, require petitioners to accept them but certainly we can articulate the same sort of undertakings where we can identify those cases. We have done so in some other cases. The benefit of what I think the Select Committee has already done in terms of expressing its position so far as the statutory process is that we can refer to that general statement in letters or communications with petitioners so that they can make an informed choice as to what they want to do and it may be that it’s unnecessary, I was just debating whether it was going to be of assistance to have any more amplification of that general statement by us seeking to set it out in writing for the Committee to explain our position but I suspect that you’ve already said, in combination with communications we would have with the petitioner would be sufficient at least to try and –
57. THE CHAIR: I think it is sufficient and we can always ask you to provide more detail if we review that position.

58. MR STRACHAN QC (DfT): Right, well that’s very helpful.

59. THE CHAIR: Thank you. Thank you very much. Can we bring in the parish council next, thank you? Okay, when you’re ready.

Swynnerton Parish Council

Submissions by Mr James

60. MR JAMES: Mr Chairman, thank you for allowing us to be here today. You asked for 10 minutes, I’ll give you two. Firstly, we would like you to implore whoever to revisit the decision to put a T-junction on the Tittensor diversion road on to the A51. We asked for a roundabout. And the second point is to revisit the mitigation of HGV traffic on Yarnfield Lane.

61. THE CHAIR: Fantastic, that’s how it’s done. Okay. Mr Strachan?

62. MR STRACHAN QC (DfT): Well, we can deal with it straight way.

63. THE CHAIR: Yes, yes.

Evidence of Mr Miller

64. MR STRACHAN QC (DfT): Yes, absolutely. I’m going to get up on screen – I’ll just ask Mr Miller to explain the two issues. First of all, the junction arrangement and if I put up on screen for you P290(13) just so the Committee is aware of where we’re talking about. This is the Tittensor Road. It comes up to join the A51, it’s realigned the road, and there’s a new junction therefore created for the A51 and, as Mr James has very succinctly identified, they would prefer a roundabout rather than a T-junction at that location. And if one turns to the next slide, P290(14), there’s a summary, that’s been looked at and there’s a summary of the position so far as HS2 is concerned and I will just ask Mr Miller to address any questions or address any points about that as to why we don’t consider a roundabout is the appropriate solution.

65. MR MILLER: Is it worth explaining what you do get with a T-junction, so you’re
clear about that?

66. THE CHAIR: Yes, Mr Miller.

67. MR MILLER: If we go back to the map please.

68. MR MARTIN: Actually, Chair, before we go back to this map, could you just point out to us on P284 exactly where this junction is? So, we’ve got some idea of where the traffic is coming from.

69. MR STRACHAN QC (DfT): It’s just there.

70. MR MARTIN: Okay, thank you.

71. THE CHAIR: Mr Miller, do explain about the T-junction, what you get with a T-junction.

72. MR MILLER: Okay, the T-junction that we’ve considered and the bullet points which explain all the things like the Department’s manual of roads and bridges standards and all that sort of thing, basically what you’re getting with the Tittensor Road here is, as you come up to meet the A51 on the left-hand carriageway, we are widening that part of the carriageway and you will have a better left turn, or a dedicated left turn and dedicated right turn on to the A51. You have a singular turn from the A51 on the left turn going into the revised Tittensor Road arrangement here. The road is realigned and I think you can just about see that underneath the drawing here, the T-junction, and in doing that, what we’ve done is we’ve increased the visibility splays of the road, so that’s good for turning in and out and on to the A51 but for people turning out of Tittensor Road there is a greater length of visibility, you can see further down the road essentially in either direction and that’s our consideration, to make that junction safe. Now, that’s our proposal and, as far as we’re concerned, and having spoken about a wide range of traffic arrangements with Staffordshire Borough Council, the highway authority, they have not come forward with a pressing need for providing a roundabout in this location and we suspect that the reason for that is that by putting a roundabout that the parishioners, parish council wishes, we suspect that what that means is that they wouldn’t want something to impede the free flow of the traffic on the A51. We don’t have anything like that in writing from Staffordshire so that’s my sort of submission to
you. So, that’s broadly what’s happening here, to make that junction safe.

73. MR WHITFIELD: Can I just ask Mr Miller, in the category of safety, is a roundabout considered safer than a T-junction, on to a main road?

74. MR MILLER: Well, I’m not sure there is a definitive answer for that. I think what we have here is a junction arrangement which is safe to meet the T-junction requirements in this location and we feel that that’s all that is necessary here to maintain the traffic flow.

75. THE CHAIR: Martin, do you just want to probe that a little further?

76. MR WHITFIELD: Yes. In the response that you gave, that HS2 have given, it is said on that sheet somewhere, yes, one of the phrases that’s used, which is why I prompted, ‘There is no identified road safety justification for a roundabout’. Your evidence today is that the T-junction is safe as it is.

77. MR MILLER: No, what I’m suggesting, and there is a change, we have two lanes.

78. MR WHITFIELD: Sorry, the amended T-junction is safe.

79. MR MILLER: At the T-junction. So there are essentially three bits to the carriageway. There’s a left turn onto the A51, so that makes the safe turning for the left turn. Then there is a bit of carriageway which is sort of in the middle of the road, if you see what I mean, and that gives a safe turning out to the right, all in conjunction with the wider visibility splays. And then there is a singular carriageway for doing the left turn from the A51 into and that is what we consider to be all that is required on –

80. MR WHITFIELD: So maybe my question is, if there was a roundabout there properly designed, would that make that junction more safe than your T-junction proposal?

81. MR MILLER: Well, it may do, but it also impedes the free flow of the traffic on the A51. What we’ve looked at, if I can answer this slightly differently, what we’ve looked at are the safety issues in this area over a period of time, the known data, and there’s very limited – sorry, there is no information which says that this is by any means
unsafe. And so our consideration to get to a T-junction to provide the simplest connection onto the A51, that’s how we’ve derived this connection. We have not taken it any further with a roundabout because we feel that there is no need; the T-junction does the job.

82. THE CHAIR: Carry on. There are lots of people wanting to come in. At least five people are trying to intervene. So, Martin, you’ve got the floor.

83. MR WHITFIELD: Very grateful. Thank you. So the strongest argument you have in relation to the roundabout is impeding the flow of traffic on the main road because, clearly, it would have to slow down to cross the roundabout.

84. MR MILLER: Yes. We’re not dealing with a capacity issue here.

85. MR WHITFIELD: Well, that’s what I was going to come to. There isn’t a capacity issue as such but, actually, given the importance of this junction in any event, slowing down the traffic would not be a bad thing anyway.

86. MR MILLER: Well, what you’d need to do with the roads is to make sure that the roads work effectively. It is an A road so, yes, people would be travelling a little bit faster on an A road and so making that junction safe is an imperative thing to do and that’s why we have chosen the configuration that we have.

87. MR WHITFIELD: So would I be right in saying that a roundabout is potentially safer? However, the consequence of it would be a possible slowing down of traffic travelling along the road by time.

88. MR MILLER: Yes. But I would say that the T-junction is safe.

89. MR WHITFIELD: Yes. HS2’s basic argument is this T-junction as amended will be safe.

90. MR MILLER: Yes.

91. MR WHITFIELD: My suggestion is it may be more safe, albeit that it would slow down the traffic, with a roundabout.

92. MR MILLER: Okay. Well, I’ll accept that point.
93. MR WHITFIELD: Thank you.

94. MR WIGGIN: Yesterday you very helpfully explained that your ambition with HGVs particularly is to keep them moving.

95. MR MILLER: Yes.

96. MR WIGGIN: And, therefore, a T-junction is more difficult, particularly at peak times, than a roundabout, isn’t it?

97. MR MILLER: Yes, but we also talked about the backing up of traffic yesterday as well and the free flow of the traffic on the A51 is important, not just for us but for everybody in this area. So we have looked at these things very carefully and to make sure that these junctions work effectively for everybody. So I accept that you might alter the flow with a roundabout but what you might get with an altered flow with the roundabout with all these different forms of traffic happening at various points in the day, particularly in the peak, you may actually end up getting backed up traffic and that’s of no interest to anyone in this location.

98. MR WIGGIN: So, having heard that, does Mr James agree?

99. THE CHAIR: Sorry, just pause a second. Everyone seems to want to say something.

100. MR WIGGIN: I’m done with my question. I just wanted to hear the response to that.

101. THE CHAIR: Right.

102. MR WIGGIN: But if I could ask Mr James.

103. MR JAMES: If I can just say the fact that no one’s died anywhere near this area is no justification for saying that a T-junction is better than a roundabout. A roundabout is inherently safer than a T-junction. And the other one is that if you look further down the road you will see there is a roundabout between the A519 and the 51.

104. MS ONG: Existing roundabout.

105. MR JAMES: Which is existing. It took us 26 years to get that roundabout in that
position. Now what we’re trying to do here is future proof this road on safety grounds for the future. My car, for example, is almost autonomous. In 10/20 years’ time a lot of cars are going to be autonomous. This road needs to be safe. I do implore you, put a roundabout, please.

106. THE CHAIR: We’re going to come to Sheryll and I think then Sandy is catching my eye. I’m going to let the Committee – I will always give preference to the Committee’s questions rather than HS2’s.

107. MRS MURRAY: Just to ask really the parish council what dialogue they have had with Staffordshire County Council with regard to this. You’ve just said you found it very difficult to get a roundabout. Presumably, which eventually was a battle you won with the primary authority.

108. And secondly, Chairman, I’m not sure that we can actually look at future proofing within our remit.

109. THE CHAIR: It’s in consideration but not a principal reason to look at it.

110. MRS MURRAY: So what dialogue have you had with Staffordshire, who have obviously been negotiating on your behalf?

111. MR JAMES: We’ve had discussions with them and they asked for us to put anything that we wanted for their petition and we sent an email in to them and unfortunately I haven’t got it here with me today otherwise I’d show you what it said but one of the points on that email was this road junction: that we wanted a roundabout and we gave –

112. MRS MURRAY: And did they include that in their petition, then?

113. MR JAMES: No.

114. MRS MURRAY: Okay. I mean I’m not a highways engineer so that’s why I asked because sometimes, and I know from past experience as a councillor, sometimes what we may think is acceptable and we think that’s a good idea, I’ve had several of my ideas completely blown away by people who are experts and I just wondered whether you’d had any meetings with the local council at that junction to discuss it with them
and that sort of thing.

115. MS ONG: No.

116. MR JAMES: No.

117. MRS MURRAY: Okay. Thank you.

118. THE CHAIR: Sandy?

119. MR MARTIN: Yes. Questions for Mr James, really. Mr James, would you say, coming out of Swynnerton onto the A51, that that was the main movement that most people would take from Swynnerton when driving anywhere?

120. MS ONG: Yes.

121. MR JAMES: Yes.

122. MR MARTIN: And would that also extend to people from Cold Meece and Yarnfield?

123. MS ONG: Yes.

124. MR JAMES: Exactly the same, sir, yes.

125. MR MARTIN: Yes. And would most people coming on to the A51 from Swynnerton turn right or would most of them turn left or would it be a combination of the two?

126. MR JAMES: A combination of both. It depends on where they worked.

127. MS ONG: Because there are two roads.

128. MR MARTIN: Right. So it’s certainly not the case that almost all the traffic is going one way rather than another.

129. MR JAMES: No. It’s both ways, sir.

130. MR MARTIN: Okay. And, finally, there’s a large area, I’m looking again at map 284, but there’s a large area near Cold Meece which I am assuming is the ex-MoD base,
which has been the subject of discussion about a large new housing estate. Am I right?

131. MR JAMES: Yes.

132. MR MARTIN: So it’s entirely likely that the traffic on the road, the Tittensor Road coming on to the A51 will increase significantly in –

133. MR JAMES: Yes, almost certainly.

134. MR MARTIN: Yes. Okay. Thank you very much. And, finally, how busy is the A51?

135. MR JAMES: It can be extremely busy at times. It is a very fast road, which is another reason that we want the roundabout there because if you make the visibility better all you’re going to do is increase the speed of the traffic down the A51.


137. THE CHAIR: Mr Strachan?

Response by Mr Strachan

138. MR STRACHAN QC (DfT): Yes, there are three points, whether I put them as points or confirmation for Mr Miller, but I think they’re relatively uncontroversial.

139. The first is in answer to a question that Mrs Murray asked is that certainly the highway authority have not requested a roundabout in this location as part of their petition and they’ve seen the junction arrangement we propose. So I just as a matter of fact.

140. Secondly, in terms of the slide that we showed you of the relative items, the junction arrangement that’s proposed is subject to what’s known as a road safety audit and it’s been through the stage one road safety audit process, which ensures that it has to be safe. I just want to make clear it’s not just us saying, ‘It’s safe’. There is a process that’s undergone.

141. And the third point is that, in relation to questions of further or what might be regarded as enhanced safety or issues of that kind, it would depend upon which users you’re thinking about, for example pedestrians, cyclists and other users, they have
different expectations of junctions than cars, obviously, the roundabout that we understand would be proposed would, in fact, take more land outside the scope of the current Bill alignment and would, therefore, if it were to be pursued it would require further land take and, therefore, the junction arrangements that we seek are intended to be a balance between ensuring safety, dealing with our traffic and future traffic and balancing how much land we take from affected landowners.

142. I make those three points because they’re relevant.

143. THE CHAIR: No, no that’s helpful. What’s the cost of the two schemes? What does the T-junction improvements cost and what would a roundabout cost, in order of? You’ve clearly not got a costed scheme for a roundabout but, clearly, it would be reasonable to expect you to know roughly.

144. MR STRACHAN QC (DfT): We may have to come back to you on that. We’re getting a broad order of costs for a roundabout of this type of nearly £1 million, I think; £900,000. And I don’t have the figure for the T-junction arrangement but I’m sure we can get that for you.

145. THE CHAIR: That would be helpful. Martin?

146. MR WHITFIELD: So if you just look at P285(5). It’s really just to clarify what you’ve just said about the Bill limits, Mr Strachan.

147. MR STRACHAN QC (DfT): Yes.

148. MR WHITFIELD: If you look at the T-junction, the dark pink is the permanent and the lighter pink is the potentially required during construction. Are you saying that there would need to be an amendment to the Bill if that land that was potentially required only during construction became land that was required permanently?

149. MR STRACHAN QC (DfT): Effectively, yes. That’s my current understanding. That’s what I’ve been told. And you can see the land that’s required permanently is drawn in much –

150. MR WHITFIELD: It’s darker pink.

151. MR STRACHAN QC (DfT): Where the arrow is you can see is running alongside
the road. The roundabout, at least in the design that I’ve been shown, would be extending into land that’s only required for construction –

THE CHAIR: It’s not a big issue because it would come through an additional provision, wouldn’t it? I’m not pre-judging our view but it would be as simple as –

MR STRACHAN QC (DfT): No. It would come through an additional provision. It would then, of course, be open to anyone to petition to say, ‘No, you don’t need such a junction. You’re taking too much land. A T-junction –’

THE CHAIR: I think that’s just a statement of the process. I don’t think that would influence us either way.

MR STRACHAN QC (DfT): I’m just drawing your attentions to the state of the Bill in its –

THE CHAIR: Absolutely fine to do that. Thank you.

MR STRACHAN QC (DfT): Unless anyone’s got any further questions. Mr Miller –

THE CHAIR: Is everyone happy that we proceed? Everything we need to know about the roundabout?

MR WHITFIELD: Sorry, just one further question. With regard to the flow of traffic on the A51 do you have any comments about the difference between interrupting the flow of the roundabout and it, therefore, slowing down the traffic as compared to not interrupting it with a T-junction that would allow it to flow at the higher speeds that Mr James has indicated may potentially occur?

MR STRACHAN QC (DfT): Well, sorry, was that –

MR WHITFIELD: Sorry, this was to you, Mr Strachan, as legal –

MR STRACHAN QC (DfT): Well, I think Mr Miller’s probably answered that.

MR WHITFIELD: Yes.

MR STRACHAN QC (DfT): I haven’t got anything further to add other than that
we would have expected through the highways authority, if they thought a roundabout was an appropriate or better arrangement, they haven’t been shy in telling us what they want in relation to junction arrangements and this one was satisfactory to them. And, as Mr Miller has inferred, that is, no doubt in part, because free flow along the A51 is an important or relevant consideration as opposed to putting in a junction which necessarily slows down the traffic. I accept there’s a safety consequence of slowing down traffic but it’s not necessary for safety purposes; free flow may be preferable so far as they’re concerned. I probably can’t take it any further without speculating in the minds of the highways authority.

165. THE CHAIR: The traffic flow – can we see…?

166. MR WIGGIN: I can’t remember how many lorries we were going to get through that.

167. MR STRACHAN QC (DfT): Yes. I can give you traffic flows. The 290(37), I think, is – have you got the equivalent map there? I probably need to show you – let me just put it in order so it’s a bit more comprehensive. Give me one moment.

168. THE CHAIR: Certainly.

169. MR STRACHAN QC (DfT): I’m just going to show you slightly out of order but the construction traffic on Tittensor Road is shown as 290(35) in the form of a histogram, which I think the Committee’s becoming quite familiar with in terms of interpreting. So this is construction traffic proposal on Tittensor Road.

170. MR WIGGIN: That’s fine. We get that. That’s great.

171. MR STRACHAN QC (DfT): Does that help? And I think –

172. MR MILLER: It’s getting onto 90 in the peakiest month then.

173. MR WIGGIN: But you are using it the entire time. Is that right?

174. MR STRACHAN QC (DfT): Exactly.

175. MR MILLER: Yes, but you can see at much reduced level. So there are the obvious peaks, which I think you’ve seen before. Almost in every case with our
histograms we get these peaks at two points in the construction.

176. MR WIGGIN: That’s fine, yes.

177. MR MILLER: And then we’re below the bar of the busy period, which is the blue bar, in virtually all cases for the duration.

178. MR STRACHAN QC (DfT): Does that give you the information…?

179. MR WIGGIN: Certainly. Thank you.

180. MR STRACHAN QC (DfT): Okay. What I can’t show you is points A and B on a plan but that’s on Tittensor Road.

181. MR WIGGIN: What I was looking for is two things. One, whether it was a significant usage and you are using it throughout, which is helpful. And, secondly, whether you had high peaks, whether you’re more than 70% of traffic, and you have. So that’s all I was looking for. Thank you.

182. THE CHAIR: Yes?

183. MS ONG: Can I raise another point, please? We talk about the free flow of the A51 as being imperative but as far as myself as a parish councillor is concerned the people who live in Swynnerton are important too and where they have had two roads coming northwards out of the village, one generally going left and one right, you’re reducing it to one. So all the traffic from both of those roads at peak times is channelled onto one road with a T-junction at the end onto a very fast A51 and farm traffic included in that too. It needs something to make it safer and fairer, perhaps, for the people who have to get to work in either direction.

184. THE CHAIR: Thank you. Are we all happy to move on to Yarnfield Lane, I think?

185. MR MARTIN: Oh, I think – were we not going –

186. THE CHAIR: Sorry, there are two issues; the roundabout, is there not, and then Yarnfield Lane.

187. MR MARTIN: I see. I beg your pardon.
188. THE CHAIR: So we’re sticking on the roundabout.

189. MR MARTIN: Sorry.

190. THE CHAIR: Yes, Mr James. I’m going to give you an opportunity. I’m very keen to clear up whether you’re asking us to look again because of something you’ve just heard or whether you’re going to introduce new evidence because what I don’t want Mr Strachan to do is rehearse arguments we’ve already had. So if you can be forensic.

191. MR JAMES: The only comment I’d like to make is the argument of free flow of traffic. If you were to look at the A34 –

192. THE CHAIR: Sorry, are we’re still on the roundabout?

193. MR JAMES: Yes.

194. THE CHAIR: Okay. We’ll do that and then – or maybe they connect in some way but then tell me about Yarnfield.

**Submissions by Mr James**

195. MR JAMES: Okay. On the A34 they’ve just constructed two roundabouts very close to one another, which slows down the traffic on the A34. The A34 is a much busy – it’s a dual carriageway road. So the argument of slowing traffic down on the A51 by putting a roundabout in there, sorry, just doesn’t hold water.

196. THE CHAIR: And then on Yarnfield?

197. MR JAMES: Yarnfield. Do you want me to go with Yarnfield now?

198. THE CHAIR: Yes. I encourage you to not rehearse the whole argument; focus on anything that’s different or anything that you feel we’ve not given emphasis to, because we have looked at it quite extensively.

199. MR JAMES: Right. Okay. If we can move on to the issues of HGV traffic on Yarnfield Lane. It’s a narrow lane going down. If you visited you will know the problems that we have and one of the things we’re very pleased that HS2 have done and that is to put the signalisation from Yarnfield Lane onto the A34. So ticking the box. Well done. Gin and tonic later.
200. The issue still is HGV traffic coming up and down Yarnfield Lane during the construction phase and we’re seeking for or asking you to put pressure on HS2 and their contractors to get the slips built onto the motorway quicker than what has been proposed and also to use the – once the realigned Yarnfield Lane is in place to use the old Yarnfield Lane bridge across the motorway, which takes the traffic off the Yarnfield Road for the HGV traffic wanting to join the motorway going north.

201. THE CHAIR: Sandy?

202. MR MARTIN: Sorry, Chair, I’m not quite sure when that was.

203. THE CHAIR: It was when you started talking about the M6 and taking traffic off.

204. MR WIGGIN: Show us a picture.

205. MR JAMES: No, not take traffic off the M6. It’s to take the traffic off Yarnfield Lane.

206. MR MARTIN: Yes.

207. MR JAMES: Right? And what we’re saying is if you build the slips quicker than they’re currently proposing –

208. MR MARTIN: Oh, I see. Yes. So quicker than what?

209. MR JAMES: Than the nine months they’re proposing. If Network Rail can rebuild a rail line that’s been washed away on the south coast in three months, I’m sorry, to take nine months to build a couple of slips onto the motorway –

210. THE CHAIR: Mr Strachan?

Response by Mr Strachan

211. MR STRACHAN QC (DfT): Well, can I show you P290(4)?

212. THE CHAIR: Yes.

213. MR STRACHAN QC (DfT): Because we’ve already given an assurance to Staffordshire County Council in relation to doing effectively what Mr James wants. So
it’s quite a long assurance but the broad effect is summarised in the heading. ‘To put in place as early as practicable and maximise the use of those slips to reduce’ –

214. THE CHAIR: Which bit of that, if at all, are you not happy with or if you were Staffordshire County Council you would have sought…?

215. MR JAMES: The timing, sir.

216. THE CHAIR: Right.

217. MR JAMES: You can build this quicker. I don’t hold that it’s going to take that length of time.

218. MR STRACHAN QC (DfT): Can I…?

219. THE CHAIR: Mr Strachan, I can let you reply and then Sheryll wants to come in and then comes other people.

220. MR STRACHAN QC (DfT): Can I try and assist on that? There isn’t a set timing in this other than to go as fast as we can that’s practicable. And the reason I say there isn’t a set timing, what the environmental statement does is try and assess the likely setup time and time it would take to construct and it needs to do that for environmental purposes, effectively, on a realistic worst case scenario. If things can go quicker all the better, no doubt, for everyone and that would be consistent with the assurance that’s set out on the page. We haven’t fixed in stone –

221. THE CHAIR: So it’s a maximum of nine months. If it goes well how quick is it? Can we ask somebody technically to come …?

222. MR STRACHAN QC (DfT): Well, I think –

223. THE CHAIR: Whilst people are beavering away let’s take a question from Sheryll and then you can come on roundabout costs and the other question.

224. MRS MURRAY: Mr Miller may need to answer this. Basically, we had the slip roads likened to the railway line of Dawlish. One of the things that I’m – being very familiar with that stretch of line, that line wasn’t in use while the work was being carried out. Obviously the slip roads would need to be put in with the motorway still in use and
what’s the feasibility of that? Obviously you don’t want to have construction traffic working on the motorway when it’s very busy during peak times. So that’s basically what I was asking because, obviously, that could sort of mean that it would take a bit longer, because you’re not going to close a stretch of motorway to put those slip roads in, are you?

225. MR STRACHAN QC (DfT): Well, I’m going to suggest Mr Miller answers your observation. I just make one preliminary observation. It’s, of course — there’s a mutual interest at stake here that the project’s own interest is to have the slips built quickly in order to facilitate its construction traffic. But as to your general point, I’ll just ask Mr Miller.

226. MR MILLER: I think it’s a fair point that you make. The railway case that was cited essentially gave circumstances where there was a pre-opportunity to get in and build or rebuild. That’s not the case here; there are lots of things going on. It comes back to my point, I think, which is to maintain traffic for everyone. That’s what these roads are here for; not just HS2. And the contractors will get on and deal with this as quickly as possible and they are conscious of schedule all of the time. And I think you’ve heard probably quite considerably about this particular junction and these slip arrangements and the importance to get this done for the whole of the railway through this area. And the contractors will have that very much in their minds. They’ll see it as a key point and they will get on with it as quickly as possible.

227. We don’t have the information to say whether we can improve on nine months. In all of our plans and things like the environmental minimum requirements that we have before you, all of that points to doing the job more efficiently and quicker in the process. We won’t know that until the contractors actually come on board and we’re some time off of that.

228. So I’m afraid the answer is not a perfect one here but using the analogy I think helps us understand where we go to with this particular situation.

229. MRS MURRAY: And does weather have implications on the length of time as well?

230. MR MILLER: The weather?
231. MRS MURRAY: Yes, because that’s something that none of us can predict.

232. MR MILLER: Yes. All construction – it depends what form of construction that you’re entering into. Things like pouring concrete and that sort of thing it becomes much more difficult if you’ve got bad weather conditions. The contractors’ schedule will take into account those sorts of things and they will want to get these important elements of the work done in clement weather as far as they can. They won’t want to be doing this in the middle of winter but if the schedule dictates that they’ve got to do it they’ll find a way of getting around it.

233. MRS MURRAY: Thank you.

234. THE CHAIR: Mr Strachan?

235. MR STRACHAN QC (DfT): I’ll certainly call Mr Smart, although I can tell you what he’s going to say if it’s more convenient.

236. THE CHAIR: Let’s do that save him having to leap up and leap down.

237. MR STRACHAN QC (DfT): He would say, were he sitting there, because he’s just behind me, they would hope significantly to reduce the nine-month period in practice. There are other things simply than the construction, namely the approvals process and traffic management that you’ve already pointed out. But the ambition is to, obviously, significantly reduce that period and, other than that, there isn’t a more precise figure.

238. THE CHAIR: I think us wanting it isn’t going to make it more precise, unfortunately, so we won’t put you under more pressure to give a number that I think you can’t do.

239. Great. Mr James?

240. MR JAMES: If I may just comment that currently on that stretch of the motorway there are narrow lanes and on the left-hand side there is a construction lane for the smart motorway. So it can be done. I think if the will is there – I agree let’s get the thing done quicker but if the will is there and everyone talks to each other then we can get this timing down. The other one I can quote to you is you will remember that the M1 was a

27
two-lane motorway from Hemel Hempstead down to off Harrow and you will remember that was then widened to three lanes. And what happened on the day that the three-lane motorway was opened? They shut it down in order to build the roundabout to go onto the M25. That did not take long at all to do.

241. THE CHAIR: I think we’ve definitely got the point. Thank you very much particularly for your efforts today giving us a heads up on the two issues. That’s been an exemplar and allowed us to dip in and take additional points from you. I think we’re at a conclusion and thank you very much.

242. MR JAMES: Thank you very much, indeed. Thank you.

243. THE CHAIR: We will now sit in private to deliberate and we will see the Allsops in the afternoon.