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

Tuesday 19 June 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:
Jacqueline Lean, Counsel, Department for Transport
Malcolm Gale, Petitioner Representative

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WITNESSES:
Tim Smart, Chief Engineer, HS2 Ltd
Peter Miller, Head of Environment and Planning, HS2 Ltd
Luke Mellor and Mike Greetham
George Astley
Martin Langdon

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1. **THE CHAIR:** Welcome back, Mr Gale, and good to see another team change from HS2. Good to see you moving forward from the ranks. Mr Gale, just to remind you, what we’ve found with effective petitioners is they tell us very early on what they’d like, why, and if they can’t have that, what are the mitigations. So, if I can encourage you to tell us up front what you want, that would be brilliant and that helps us help you. Over to you, Mr Gale.

   **Messrs Dangerfield**

   **Submissions by Mr Gale**

2. **MR GALE:** Thank you, Mr Chairman, ladies and gentlemen. As a start, if you don’t mind me saying, I’m here on behalf of five different clients. All of those clients, within their petition had put similar issues with regards to timing of notices and things like that. As far as I’m concerned, I’m not going to be addressing those today because they’ve already been discussed previously and have been addressed through the various NFU assurances. There are one or two small points that I want to have a talk about on individuals but that is the general situation.

3. So, the first petitioner we’re talking about here are Messrs Dangerfield. Basically, they farm at two separate places. Obviously you’ve seen the slides. They’ve got 107 hectares of land in two locations at Moreton Farm and at Riley Hill, mainly grassland and arable and very good land, grade 2 land, down at the King’s Bromley end. The issues that we have relate to, if I start at Bishton Lane, and I’ve got three petitioners who’ve got issues with Bishton Lane and I understand that we’re just going to discuss this effectively once today with the HS2 expert I believe. Bishton Lane itself is a narrow –

4. **THE CHAIR:** Have we got a map so we can see the area?

5. **MR GALE:** I’m just trying to find the reference on it, sir.

6. **MR WIGGIN:** 174?

7. **MR GALE:** So, on here, Bishton Lane runs north south, you’ll see where the cursor is, along here. That is effectively a dead-end lane. It serves a number of farms
and there’s also a school at the northern end. That is a concern to various of the petitioners here today. We understand that there have been assurances given to Staffordshire County Council in respect of the way that the work’s going to be carried out but, effectively, we are in a position whereby that lane is going to be used for access to get to the item shown 6 on that slide. There are concerns with regards to the discrepancy between figures. Interestingly, the ES volume 2 stated 10 HGV movements for nine months. That has been changed in the current HS2 slides but we understand from somebody on the ground who is an HS2 representative that there’s going to actually be 15 HGV movements per day over 15 months. Now, I assume that 15, it must be 15 in each direction because otherwise you’re going to have one vehicle stuck at the top or the bottom. There are also a lot of smaller vehicles which will go up and down. That, in itself, to our mind, causes an issue with regard to the greatly increased use of that lane.

8. The lane itself is generally single track, high hedgerows and with some blind corners along it. The point that we see is that the promoters have said that the construction traffic will access from the A51 which you can’t quite see on that particular plan but it lies to the west, so if you followed the trace along to the west you then come to the main A51 trunk road. The view that we are taking is, well, if construction traffic can go down the trace, why is there a necessity for Bishton Lane to be used? Why can it all not go down the trace? Bishton Lane at its very southern point goes through a residential area which is quite narrow. It then goes over a bridge and on a very straight road up until the first bend and then it goes round some seriously sharp bends and if you would turn to exhibit A169(5), that just gives you an indication of what the lane is like. It is very similar all the way along.

9. If you go to A169(4) that again just shows what we’re talking about in respect of what is already there. So, it’s an established lane, high hedges and, as such, causes grave concerns as to how that is going to work. The idea that there will be passing places and maybe widening in places of that lane, I can’t quite follow because if you’re going to carry that out, and it’s only supposedly for a temporary period, then why not utilise the trace to actually access that part of the works? It would then alleviate all the issues and the concerns that we have because the other point is that, without traffic management and traffic calming, we’re very concerned about the number of accidents
that may happen down there and obviously it’s speculation but we know that there have been accidents there before for people going round the blind bends and also the speed that people approach a bridge towards the southern end.

10. THE CHAIR: Is it possible to bring up a map again and show us where your petitioners are and how they use that road?

11. MR GALE: Yes, certainly sir.

12. THE CHAIR: Is the first, well, which petitioner?

13. MR GALE: This is Mr Dangerfield, Messrs Dangerfield. Yes, so that is their land which lies directly to the north so that is the land we’re talking about which is served by Bishton Lane. You can see Bishton Lane running down. That’s the one there.

14. THE CHAIR: And there are other petitioners that we’re seeing today in that area?

15. MR GALE: Correct, sir. There’s Mr Hooley who lives on the farm just over the first railway bridge and then Messrs Ridley who access Messrs Dangerfield’s farm as part and parcel of their business and you can see on that plan, if you look to the west, you can see where it crosses the A51 and our view is that it would be much more sensible to access along the trace and not go along a country lane and the associated works and disturbance that that will have.

16. MR WHITFIELD: Sorry, Mr Gale, can I just ask, looking at this map, this is the only road access to this farm, am I right?

17. MRS MURRAY: Where’s the trace you’re talking about?

18. MR GALE: Sorry, the trace is the line of the railway.

19. MR WHITFIELD: Sorry, Mr Gale, Bishton Lane appears to be the only road access to the farm, is that right?

20. MR GALE: It is, yes. So, obviously, what we’re trying to do is remove potential issues with regards to conflicts between the traffic that already uses it and conflicts with the traffic that is going to be there to do the construction and the petitioners would like that to be visited to see whether there is an alternative, to be able to go along the trace
rather than utilise Bishton Lane itself because we don’t feel that the assurances that have been given to Staffordshire County Council will be sufficient because it talks about widening –

21. MR MARTIN: Looking at this map, there’s clearly an area of Bishton Lane where it is much wigglier and more difficult than the rest of it. Do you believe that would be the area where there would be the most problems?

22. MR GALE: I think there’s two issues: one is obviously where the road, as you’ve indicated in that –

23. MR MARTIN: Just there, yes.

24. MR GALE: Yes, where the cursor is, that is much worse. But you’ve also got a change in height on that lane as well. It does go up and down quite a lot. So, that is one issue which is obviously quite a concern because that’s also where the high banks are. But the other point is that just south of where the cursor is, there is then a very straight run and the concern would be that irrespective of what speed limits may or may not be put there, that there could again be a conflict because of that whereas if it’s coming straight off the A51 on to the trace, that would resolve all of the issues in respect of that particular aspect of this, that point of the petition.

25. Can I go on to A174(5) please? The reason for highlighting this is that where the cursor is at point 5 is where the access will be to Moreton Farm and whilst there has been an assurance stating that the works will allow for a 16.5 metre articulated lorry, we are concerned that that may not be satisfactory, bearing in mind the type of vehicles that will go up and down there, either agricultural or delivery vehicles with fertiliser, so lorries and drags, and so what we would ask is to ensure that the access that is there will be designed to a specification which would be acceptable to the farm to ensure that there is no need to shunt backwards and forwards whilst going round the corner. I know it might seem a small point but it’s something which obviously at the moment is a concern and if we can get some assurances that they will be designed in order to satisfy the requirements of the use and the potential for things going slightly larger, because the actual line where it shows, I think at about – it goes from 5.5 metres wide to where it says into the power station down to 3.5 metres wide which really is getting on the smallest side that we would actually want. We’d like to have that just revisited and
whoever is designing it to have discussion with Messrs Dangerfield to ensure that they are satisfied that it will serve their property acceptably.

26. THE CHAIR: Mr Wiggin?

27. MR WIGGIN: Yes, so how wide do you want it? Three metres wide is the legal requirement including wing mirrors, so how much more do you need?

28. MR GALE: I would be suggesting five metres but I will obviously check with my clients because with agricultural vehicles, they are wider than your standard load and lorry.

29. MR WIGGIN: They’re allowed to be.

30. MR GALE: So, at five metres, I would feel that would be –

31. MR WIGGIN: That’s not correct, is it?

32. MR GALE: Sorry?

33. MR WIGGIN: Any agricultural vehicle that goes on the road has to be reduced to three metres wide.

34. MR GALE: Yes, it would have to be reduced to three metres wide but, the idea is if you’re travelling between ground then I would like to be in a position whereby there isn’t going to be any issue with it. But five metres to me, an extra metre and a half, would potentially give that bit of comfort as far as the petitioner is concerned.

35. MR WIGGIN: Thank you.

36. THE CHAIR: Carry on.

37. MR GALE: Thank you. Can we go to exhibit A172(2) please? On here, there is access shown at points 2, the two points 2, to get to the towers or the overhead line for utility works. There is also an access shown at point 4 which runs directly off the A515 and we cannot follow the reason for actually having to have separate access from Shaw Lane. The bridge at point 3 is a weight limited bridge in any event and I think in the promoter’s response it says that you cannot go underneath the line. I believe that if you speak to National Grid engineers there will be a number of occasions, maybe 50% of the
time, where they have only one point of access, so they are used to having to work with that and I would have thought that if we can remove points 2, the two points 2 of access, that in itself will then allow for that land to be utilised fully with the access coming from point number 4.

38. MR WIGGIN: This is access just for the power?

39. MR GALE: That’s just for the utilities.

40. MR WIGGIN: So, it wouldn’t be permanent anyway?

41. MR GALE: No, it wouldn’t, but it will cause disturbance whilst the work is carrying on.

42. MRS MURRAY: Do you have any ideas as to how long that would be?

43. MR GALE: I’m not aware. I’m sorry, Mrs Murray.

44. MRS MURRAY: Thank you.

45. MR GALE: Can we go to slide A173(7). Here we have a couple of points. One is in relation to the realignment of the A515 which you can see sweeps down to the south of its existing position. That in itself causes issues because it severs that land and that land in that area is actually grade 2. We would like the promoter to give consideration to revising the alignment proposal so that it follows more along the A515 and in some way, and I’m not an engineer but I would like to think it would be quite straightforward to do, actually reduce that land take. So, at the moment, the road obviously comes up here. The question is, whether or not there’s any way of bringing it along there or the petitioner has questioned as to whether or not there’s any ability for a roundabout to be put there, rather than having to build all that new length of road. So, it’s a question as to whether that’s a possibility.

46. THE CHAIR: Sorry, talk us through the roundabout.

47. MR WIGGIN: You quite like roundabouts, come on.

48. THE CHAIR: No, I’m a bit confused in this case about the roundabout.

49. MR GALE: Sorry. The roundabout that the petitioner is suggesting is somewhere
in that area which would obviously then allow the road to come in and then straight under the bridge and then off to the side.

50. MR WIGGIN: So, not in the railway line then?

51. MR GALE: No, no, below it. Below it, yes.

52. THE CHAIR: But just for the farm access?

53. MR GALE: Say again, sorry?

54. MR WHITFIELD: The re-routing of the road, the main road.

55. MR GALE: It’s rerouting, redesign, realignment of the road in order to reduce the land take and the severance which is currently being shown where the proposed alignment is.

56. THE CHAIR: Right we’ll ask HS2 to go through why the road is being rerouted more generally. So, Mr Gale, carry on.

57. MR GALE: Thank you. The other point in that area is the point here at number 7 which is proposed for a wetland habitat to be created. In the promoter’s response it says that the reason is that it’s a flood plain. It may well be classed as a flood plain but the ditch course which runs along the side of it, if you look at exhibit A169(14) please, you can see from that that the ditch, the brook is actually a long way down from the field and therefore if you go back to A173(7) please, so going on to that, the idea of trying to form a wetland habitat where it is very well drained land with a ditch course maybe four feet down, we can’t quite follow. So, again, if that can be revisited please.

58. THE CHAIR: Sandy?

59. MR MARTIN: Just before we move on, can I ask, Mr Gale, you’re talked about the severance of the land on the northern section of Mr Dangerfield’s field there, north of where the new alignment of the main road is going to be but south of the old alignment, it’s not absolute severance though, is it?

60. MR GALE: No, sorry.

61. MR MARTIN: It’s severance from the rest of Mr Dangerfield’s land.
62. MR GALE: Correct

63. MR MARTIN: But it’s not actually severance from the field to the north of it?

64. MR GALE: No, it’s not severance in the strict case but it is severance – it splits the field into a smaller area.

65. MR MARTIN: It’s splitting his property.

66. MR GALE: Splits it, makes it a smaller area and makes it more difficult to farm, or more expensive to farm. So, that’s the reason I use that term and I apologise if it’s confusing.

67. THE CHAIR: Thank you.

68. MR GALE: Okay. Can I then go on to exhibit A171(8) please? Number 8 is something which may or may not be applicable now which relates to the borrow pit. Obviously, I understand that the borrow pits are being re-considered at the moment anyway but the concern we have there is the proximity of that borrow pit to the land which is owned and farmed by Messrs Dangerfield and the possibility of de-watering of their land because of the proximity to that. I appreciate that it’s something which is being currently considered anyway but I wanted just to flag that up as an issue and concern that the petitioners have.

69. I think that basically that covers off all the points that I have with regard to the specifics of it so if there are any queries then I’m quite happy to have a chat about it.

70. THE CHAIR: So, you’ve finished Mr Dangerfield for now?

71. MR GALE: Yes.

72. THE CHAIR: I don’t think there are any questions. Sorry, Bill.

73. MR WIGGIN: Sorry, all our wires, screens have gone out. If all the things that you say come true then isn’t it likely to be the case that they will want to sell that field? I mean it’s going to be damaged by its irrigation, by the water table.

74. MR GALE: Sorry, if it is as proposed within?
75. MR WIGGIN: Sorry?

76. MR GALE: If as proposed?

77. MR WIGGIN: Yes.

78. MR GALE: Right, sorry. It’s not something we’ve discussed. The general view that I would always say is that when talking with farmers, farmers do not like selling land. Farmers will look to buy land but won’t look to sell it. As to what their proposals would be afterwards, I don’t know, but as far as we’re concerned, we’re trying to work in the way to enable them to carry on farming the land in the best way that they can.

79. MR WIGGIN: But that little triangle field in the field is really blighted by this and is therefore eligible.

80. MR GALE: If the road re-alignment doesn’t change then, yes, but I think in the first case the point is, it would be preferable that it was retained and kept as part of the larger field.

81. MR WIGGIN: Thank you.

82. THE CHAIR: I’ll take your advice. We can either hear from HS2 without the benefits of the visual or if you feel that you need the visual and would be disadvantaged by not having them, we could have a short recess.

83. MS LEAN (DfT): I think it would probably be helpful to have the visuals, sir.

84. THE CHAIR: Okay, in which case we will adjourn until 10.10 a.m.

Sitting suspended.

On resuming –

85. THE CHAIR: Mr Gale?

86. MR GALE: Thank you, Mr Chairman. Just for the sake of clarity, and the question that Mr Wiggin asked in respect of widths, I’ve just had whispered in my ear, combines wall to wall can be four metres and are allowed to travel on public roads on that basis and also power harrows are four metres wide. So, from the point of view
we’re saying it’s just a bit of clarity, and the other point was that if you have a combine
towing a 30-foot header, so it’s nine metres and then the length of the combine, so
talking about the 16 metres, 16.5 metres, just a bit of clarity as far as that’s concerned.

87. THE CHAIR: Sheryl?

88. MRS MURRAY: Just to clarify, how often would a combine travel along that road?

89. MR GALE: Obviously it would be during the period when they’re actually
carrying out the harvest so it will generally be August/September time.

90. MRS MURRAY: Thank you.

91. THE CHAIR: Sandy?

92. MR MARTIN: And also, presumably, you have looked at the 290 degree turn at
that point 5?

93. MR GALE: Yes.

94. MR MARTIN: That needs to be able to get round that turn.

95. MR GALE: Exactly, sir. That’s the point of concern, or one of the points of
concern to us.

96. THE CHAIR: HS2?

97. MS LEAN (DfT): Thank you, sir. I think it might be helpful if I call Mr Smart to
talk firstly about the realignment of the A515 and then also touch on the Bishton Lane
and access issues if that’s acceptable to the Committee.

98. THE CHAIR: That sounds eminently sensible. Always helpful to call Mr Smart
in. Let’s not make it an exception.

**Evidence of Mr Smart**

99. MR SMART: I hope I can live up to that, thank you. Good morning. Right, so
the diversion. Shall we go first to our slide P605(3). Okay, so this illustrates the slight
conundrum that we have because in this area, obviously there is an aspiration by a lot of petitioners and indeed Staffordshire County Council for us to lower this viaduct in the landscape as low as we can. You can see that this road, the A515, comes at quite a skew across our viaduct and the arc of grey dots are piers and quite simply, sir, there’s a trade-off between the width of the piers, which are the supporting columns for the deck, and the depth of the deck. So, as you might expect, the wider the piers then the deeper the deck because it has to resist the forces on it and flexing and shear forces. So, if we didn’t divert the road, that span would be in the order of 100 metres and it’s very, very much a rule of thumb that roughly for every 14 metres you push the piers apart, you can add about a metre of depth of the deck. So, it’s a trade-off here with trying to keep the deck, the final profile of the viaduct low, span the road and get sufficient height, which is 5.7 metres above the road. So, if we don’t divert the road –

100. THE CHAIR: I’m sorry, Mr Smart, can I ask what the deck is?

101. MR SMART: Sorry, the deck is the superstructure that sits on the columns which actually supports the rails and all the rail systems on it. So, it’s actually a platform.

102. THE CHAIR: So the physical bit, the platform on which the –

103. MR SMART: Yes, which has to have a certain depth to it for structural reasons. So, it’s what you would call, it’s actually the span of the bridge, effectively, but over the viaduct it’s a multibridge, if you can think of it that way. So, that’s the reason why we would need to divert the road, in order to keep the height of the viaduct low as we’ve given an undertaking, I think, previously to Staffordshire County Council.

104. MR WIGGIN: I’m sorry I didn’t follow that. It’s quite clear because of the brook that the water is running down the hill therefore the more you move towards the right of the screen in front of you, presumably the lower the land is, therefore moving it to the left, which is what your proposal is, will be moving it uphill to some small degree potentially and therefore it doesn’t seem to fit with what you were saying as well. Just from that map, of course.

105. MR SMART: Well, what it does do is you can see that it gives us a single span over the existing road. Now, obviously we will also have to achieve sufficient sight lines and sufficient radius to achieve the highway design standards. So, that’s not to say
when you look at the detailed design there might be some fine tuning we can play on the alignment of how that does go across but you can see that what we do with the realignment is we go on a single span, whereas if you look at the existing road, the viaduct would have to be in the order of five spans. So, that’s the diversion. It’s in order to come across between the 40-metre span.

106. MR WIGGIN: How much will all that cost?

107. MR SMART: It’s not so much about cost; it’s about reducing the height of the viaduct.

108. MR SMART: Because if we have that span that would have to be about 100 metres single span, first of all, that’s quite a construction task to build 100 metres in a single span over an existing road but irrespective of that, it would result in a depth of in the order of seven metres in depth to get the structural stiffness that you need to support that span. So, it’s a trade-off. So, really, we can look at whether we can slightly refine the alignment which I guess the petitioner would prefer it to come this way, but at the moment that is difficult to achieve whilst meeting highway standards for tying in and keeping sightline and the right radius through there. But it’s certainly something that would be looked at further in the detailed design stage.

109. THE CHAIR: Okay, carry on.

110. MR WHITFIELD: Sorry, can I just ask Mr Smart, would it make a huge difference if instead of moving as we’re looking at the picture to the right, the realignment moved much, much further to the left?

111. MR SMART: I can see why the petitioners would prefer that and indeed that is what we would try and do, sir. But, we’ve got to do that whilst achieving highway design standards for sight lines and how we tie in the roads so that is a matter for detailed design. So, at the moment, this is our view where it would be and, as I said, if it’s helpful to the petitioner, which I guess it is, to reduce the amount of that chord across here, we can look to pull that in.

112. MR WHITFIELD: I was wondering actually, sorry, if you went the other way, if you increased the size of what is effectively the cut-off field to become the main field?
113. MR SMART: If you run that here?

114. MR WHITFIELD: By skirting sort of northwest much earlier on and going much straighter under the railway line to make that small field actually one much bigger field.

115. MR MARTIN: If you look at P601(3), that shows where the petitioner’s property is.

116. MR SMART: Yes.

117. MR MARTIN: So, you’re contemplating –

118. MR WHITFIELD: My suggestion is skirting around –

119. MR MARTIN: The bottom of the south end of the field.

120. MR WHITFIELD: Yes.

121. MR MARTIN: But that would be a very sharp turn.

122. MR SMART: Well that would result in – across there would probably result in, if we’re talking across there that would result in more land take I would have thought, and also I need to understand what would be in here.

123. MR WHITFIELD: Cul-de-sac of an option, I withdraw it.

124. MR SMART: I think the best I can say at the moment, sir, is that we would look to try and modify that alignment to reduce how far we come out into the field as best we can in detailed design but without doing a more detailed study on that, at the moment, this is our view.

125. THE CHAIR: Okay. Jacqueline Lean?

126. MS LEAN (DfT): Perhaps moving now to Bishton Lane, Mr Smart.

127. MR SMART: Yes.

128. MS LEAN (DfT): Perhaps we could pull up P605(6).

129. MR SMART: Right, okay.
130. MS LEAN (DfT): A short question to start may be, why can’t we use the trace to bring in the vehicles that propose to use Bishton Lane as requested by the petitioner?

131. MR SMART: Well, some of the vehicles that come later in the programme are actually to do the widening of Bishton Lane so they have to be on Bishton Lane to do any widening works and that’s highlighted with the need to widen to 3.5 metres. Now, the problem with using the trace is, first off, the construction programme and is there a trace there; secondly, there are blockers on the trace so, depending where you are in the programme, you can’t always get along the trace because it may or may not be formed. If it is, there could be blockers along the route because there could be bridges or viaducts which prevent you from using the trace but also, importantly, is the trace is really only suitable for big yellow plant with big rubber tyres, articulated dump trucks is the term that you probably know what I mean by that. Other vehicles can only go a limited amount on the trace, if at all, because you’ve not got like a metal road or anything. You’ve got, basically, a haul road that might actually be earth and there are limitations when you then get further into the construction programme of using the trace because if you’re got a prepared surface to start laying what is known as the preparation layer and the regulating layer before you start laying track, you can’t track that because we need the earthworks to be of sufficient stiffness in modulus that it can support the rail systems that we put on top. So, whilst it’s a nice thing to do, it’s not always practical to use the trace. So, in order to get this accommodation overbridge in, we’ve got to build a compound here and although we will service as much as we can from the trace which on the construction drawing goes down here, we nevertheless have to get some access into here for the rail system compound which is the auto feeder transformer site. So, to say that we can’t use that at all would not be possible.

132. THE CHAIR: Sandy?

133. MR SMART: Because first, sadly, first of all the trace until we get the overbridge in won’t really be there anyway.

134. THE CHAIR: Sandy?

135. MR MARTIN: Yes, Mr Smart, you say here that you may need to widen 1.5 kilometres of Bishton Lane from the Hollies to Colwich bridleway 23 but, unfortunately, it’s not at all clear to me where either the Hollies or Colwich bridleway
23 are and you also don’t show any part of Bishton Lane on a sizeable map south of the point that you’ve got on this map here. The very wiggly bit, I’m sorry, I’m sure there’s a technical term for that, but the very wiggly bit of Bishton Lane just south of what you can see on this map, is there any intention to widen that? Have you looked at the possibility of widening that? Was that something that you considered doing ever or not?

136. MR SMART: Yes, well that would apply to the whole of the lane so I’m not sure if we’ve got an exhibit which shows the two points you’re talking about, Mr Martin, but we could clarify that for you if you want to know precisely where that is.

137. MS LEAN (DfT): I don’t know if it might help to bring up, it’s an exhibit for another petitioner, it’s P595 which gives a further extent of Bishton Lane crossing over the West Coast Mainline bridge.

138. MR MARTIN: Yes, so you can see the wiggly bit that I’m talking about it.

139. MR SMART: Yes, you see the wiggly bit. So, yes, this is actually work to do with the whole section really to get the road into a suitable state that we can use it a bit but it is not – it’s for more limited works around the compound.

140. MR MARTIN: So, to reiterate, the only part of Bishton Lane that you’re thinking about widening is the bit right at the north end. Is that right?

141. MR SMART: Well, depending on more detailed surveying, that is the area, yes. But I think there are proposals down here as well.

142. MR MARTIN: Okay, I mean the Hollies and Colwich footpath number 53 or whatever it is are not marked on here either.

143. MR SMART: No, I don’t know if they’ve got a footpath.

144. MR MARTIN: It’s just that if you say you’re going to do something, it’s quite useful to show it on a map.

145. MR SMART: Yes, I understand that. That’s why I wonder whether we could clarify after the break.

146. MS LEAN (DfT): My apologies we don’t have that. The Hollies is south of the
West Coast Main Line marked on there.

147. MR MARTIN: Right, there.

148. MS LEAN (DfT): It’s to the south there. It’s a whole long section of Bishton Lane that’s caught by the Staffordshire assurance.

149. MR SMART: So, we would need to do more detailed surveys to precisely say where we’re going to have to do that.

150. THE CHAIR: Okay, you’ve made yourself clear. Jacqueline Lean?

151. MS LEAN (DfT): I think there was another issue around access, sir, and this is dealt with on a slide P605(8) which talks about the design to date of the access road to the auto transformer station which then carries on and ties in to the existing access to Moreton Farm. And if we go back to 605(7), this explains the basis on which it’s been designed to date, the work that’s been done as part of the design development, including a swept path analysis to be sure a 16.5-metre articulated lorry can be accommodated. Obviously, we’ve heard what the petitioner has said today about whether additional widths are needed and there’s obviously the detailed design assurance that I know you’ve been told about on other occasions to work with the petitioners as detailed design progresses to look at things like accommodation works. So, those are things that can be looked at as that design stage progresses.

152. The next point I had picked up was on access for utilities and we deal with this on slides P605(4) which explains the access that is proposed for utility works and you’ll see from there the main access route proposed is a route from the A515 as requested by the petitioner which isn’t within their landholding as I understand it but vehicles using that access will have to pass under the existing overhead lines so when working with national grid, as part of developing the Bill proposals to look at what’s needed to make sure these works can be done, two additional access points have been provided which are the two lines marked ‘2’ on the petitioner’s exhibits, the one via Shaw Lane further south and the one up by the canal. You’ll see with the access via Shaw Lane, that route would enable the crossing under the overhead lines to be avoided if bringing in tall items of plant and there’s a further route to the north is particularly to do with any access that might be required where the utility works cross the Trent and Mersey Canal.
Now, clearly these have been put in on a basis to make sure that the utility works that need to be done can be done. I’m sure that if, as detailed design progresses and the work programme with the National Grid becomes more advanced, if it’s not necessary to put that in we obviously wouldn’t look to do it but we do have to in the Bill make sure that we have all the powers we need to be sure the works can be done. So, that’s why those additional accesses are in the route but they are not proposed as the primary access points. I know a concern was raised about the weight limit over the canal bridge on Shaw Lane. I think this is addressed, if we could go to the next slide, that bridge is to the north at Shaw Lane, just above the point where it says ‘emergency access’ but although it’s not on this map, Shaw Lane can also be accessed from the south, so coming from the A515 and the B5014, you can come up Shaw Lane from the south. So, just to clarify that point.

153. The next point I had that was raised today was about proposed wetland habitat and I know you were shown some photographs about the land as is today and what the land looks like when compared with the Bourne Brook. In terms of this, this habitat area, clearly there’s going to be quite a lot of disruption to the land in this area for construction of the embankment and construction of viaducts which is going to impact on both the land and also on existing wetland habitat. So, although obviously you’ve been shown a picture of how the land looks today in terms of the farmland and then the slope down and then the ditch, there are going to be some changes in this area. It is within a flood plain and that’s why this is thought to be an appropriate location to try and provide wetland habitat here that will be lost as a result of the construction of the viaduct and the embankment. That said, of course, I know you’ve been taken on a few occasions to the detailed design assurance which includes ecological mitigation and obviously the exact positioning of this wetland mitigation, how it sits on the petitioner’s land, is something that can be looked at as that process goes forward.

154. MR WIGGIN: Can you do a bit better than that for me please?

155. MS LEAN (DfT): I’m sorry, sir?

156. MR WIGGIN: Than ‘it’ll be looked at’. Can you make a bit of a better promise than that please?

157. MS LEAN (DfT): Sir, I can take you to the terms of the detailed design assurance
which is working in consultation with the landowners as the detailed design progresses. I’m not sure I can go further to say that can be definitely be removed or can be definitely relocated because of the need we have to re-provide for that loss to the scheme and a more detailed explanation as to why this is here and has been put here has been set out in a letter that was provided to the petitioner. So, I’m not sure I’m afraid I can sit here today and say we’ll definitely move it but certainly we can take it away and look at it.

158. MR WIGGIN: That’s fine, okay.

159. MS LEAN (DfT): Yes.

160. THE CHAIR: I think that that’s the risk that if we don’t get a little bit more movement we take a strong view the other way so it might be worth reflecting on. Sheryll and then I think Sandy wants to come in as well.

161. MRS MURRAY: On the wetland, obviously I understand that you can’t make a categoric ‘We’re going to move it from here to here’ but could you give us a form of words that would say you will, in conjunction with the petitioner, decide the location of that so that both parties are happy with it?

162. MS LEAN (DfT): I’m sorry, I’m trying to look at the wording we have to date. I’m conscious the assurance we’ve given talk about in consultation with the landowner and having regard to the responses received so far as reasonably practicable, but I’ll take away, if I may, whether we can provide either some other form of wording or something more in the short term for this petitioner.

163. MRS MURRAY: ‘With the agreement of the landowner’ might be a better form of words.

164. THE CHAIR: That’s great. You can take that away. I don’t think we need to press you further on that specific point.

165. MR MARTIN: I was just going to say there’s no specific reason why the wetland shouldn’t all be to the south-east of the brook. It’s not about where it is, it’s about the quantity is it not? You’re trying to preserve a certain amount of wetland. You’re not that fussed about where it goes. That’s my question.
166. MS LEAN (DfT): I think, sir, in the letter that we sent to the petitioner on ecological mitigation of 13 June, which you have at P606(1), we do talk more about why specifically this location was chosen. If we could go over to maybe 606(2). Part of this location would also allow for connectivity with other mitigation that’s proposed in this area. I’m certainly very happy to ask Mr Miller to come on if that’s helpful.

167. THE CHAIR: That would be very helpful. Thank you very much.

**Evidence of Mr Miller**

168. THE CHAIR: And after Mr Smart it’s great to have you back as well, Mr Miller.

169. MR MILLER: Thank you very much. Good morning.

170. Yes, that’s great. Thanks. Yes, I thought I’d bring up this plan because the way that the mitigation has been configured has taken into account some of the things that Mr Smart has touched on. We’ve got fairly big construction in here going across the brook and the construction area of land for the viaduct and the embankment is going to be quite a significant operation in this location. So there’s quite a lot of alteration in the brook area that’s going on.

171. I should remind you also that there is the change to Common Lane in this location as well.

172. So a lot going on. We’re trying to find a way of replacing wetland habitat in this location. What we’ve looked at is trying to take out the corner of land, as you’ve seen, there and where the number 3 is there’s a bit of woodland planting and then you’ve got the wetland mitigation round the brook. And what I think we can probably do is through the detailed design assurance that we’ve got, and if this gives you any further comfort or a steer on what we might do, is we could perhaps look at that in terms of the floodplain and perhaps try and get more of the wetland mitigation into the area of number 3 rather than on the other area where you’ve got the bigger field, which is sort of shown where the number 2 is.

173. THE CHAIR: Let’s assume that you’re going to do that. It makes life easier for us.
174. MR MILLER: We can play tunes on these sorts of things. I would say that altering anything to do with water courses and this sort of thing we have to be very careful of. We have provisions in the code of construction practice to talk with the right authorities to get it right and we’ve got to be careful in floodplains.

175. THE CHAIR: Okay.

176. MS LEAN (DfT): I think something I had noted down was borrow pits and I’m aware with is dealt with only in passing but just I know you’ve been taken to the NFU assurances and review and I understand that that will be looking at issues, hydrological issues, dewatering issues and we have provided a slide P605(10), which gives a general overview of how watering issues associated with borrow pits will be managed. I didn’t propose to go through that in any detail. I know Mr Miller will be happy to speak to it if you had any questions.

177. THE CHAIR: No questions? Let’s move to the next petitioner.

178. MR GALE: Is it possible to make any comments?

179. THE CHAIR: On the basis you’re here for the whole day moving in and out, I thought it might be more efficient to just get a bit of pace and allow you some summary at the end. However, if you want to take the time now because it’s very discrete and the petitioner –

180. MR GALE: Just very little –

181. THE CHAIR: As long as you keep it really quiet –

182. MR GALE: Certainly.

183. THE CHAIR: Go for it.

184. MR GALE: If I work backwards – sorry?

185. THE CHAIR: You do your bit and then we’ll come to Bill.

186. MR GALE: Just working backwards on the points, talking about the wetland, it keeps on being mentioned about it being a floodplain. That land has not flooded in the last 60 years.
187. THE CHAIR: Okay.

188. MR GALE: There is no flooding there and if you have any alteration to what is proposed in that area that will have a knock-on effect to drainage in the adjoining land. So that is one point.

189. With regards to the realignment of the A515, I note what was being said by Mr Smart but at that point where the existing road runs underneath the proposed line the verges there are inordinately wide. So, looking at the plan, it looks like a very wide road. It isn’t. It’s not as wide as it would appear on that plan. So I think that there may be some opportunity on that as well.

190. Apart from that – sorry, the only other point was on the utilities. Can you bring up P605(5), please? Just very, very briefly. I note that we’re talking about the fact of access from Shaw Lane. If you look to the west where it says, ‘Access from Shaw Lane’, directly below that is a pylon, which is accessed underneath the other line, which is lying directly beneath it. So I’m just sort of saying, you know, it’s already being done elsewhere so why should it not be the case on that piece of ground? So just an observation. Thank you.

191. THE CHAIR: Bill has a question.

192. MR WIGGIN: Yes. The bit about the combine, we didn’t solve it yet, I don’t think, that you needed a wider than three-metre road. So could we get that for them, please?

193. MR MILLER: The works that we’ve got in that particular location they’re accommodation works. There’s also a green bridge and the way that the sort of splays of the road’s and sort of swept path area are configured that’s all designed for not only the railway works but to accommodate the farm works. So because of the fact that they are accommodation works we will be looking at that again, whether, in fact, they’re accommodation works we will be thinking about what we need to accommodate on Moreton Farm. And so if the vehicle is bigger than 3.5 metres we will make that track a little bit wider and I think we said four metres. Somebody said four metres.

194. MR WIGGIN: I’d ask for five metres but four metres is a bit wider, anyway.
195. MR MILLER: Between 3.5 metres and five metres I think we can get it sorted out for the small bit of land that we’ve got with an access track and we come back to the –

196. THE CHAIR: Excellent. Thank you very much.

197. MR MILLER: – petitioner on the point.

198. THE CHAIR: Let’s move to the next petitioner. Well done. Do you want to introduce us to your next witness?

Luke Mellor and Son

199. MR GALE: So the next petitioner is Luke Mellor from Luke Mellor and Son. I think the best thing to do is if Mr Mellor can just make a statement at the start and then I can go through explaining the issues that we’ve got.

Submissions by Mr Mellor

200. MR MELLOR: Thank you, Mr Chairman, ladies and gentlemen. Thank you for the opportunity to hear my petition this morning.

201. Hello. My name is Luke Mellor and I am a father of four and a third generation of the Mellor family to farm at Manor Farm, Blithbury. I went straight from high school in 1994 to working in my family dairy farm alongside my father. In 1995 we were approached to rent Manor Farm, Colton. This was 200 acres and it was a great opportunity to expand the farm and increase production. After years of uncertainty in the dairy industry, in 1997 we took a radical step and decided to convert to organic production. This involved producing organic milk and cereal crops together with organic forage crops. This was a huge undertaking and involved a completely different method of farming; not now relying on fertilisers and chemicals to grow and maintain our crops. The journey as an organic farmer has not been easy and it’s had plenty of ups and downs but we believe it’s been the right choice for our farm.

202. In 2002 we were approached by a retiring farmer and friend to rent his 120 acres farm in Colton. This was a great opportunity to convert to organic and help grow the business further to our current status of 600 head of cattle, including 200 milking cows.

203. In 2011 we were given the opportunity to buy the land at Manor Farm Colton.
was a huge undertaking to buy this land but we couldn’t afford to lose it as it was now a vital part of our business. Land in our area very rarely comes up for sale and when it does it always creates a huge amount of interest.

204. I first heard of the news that HS2 was coming throughout the heart of our farm on 28 January 2013. The HS2 line runs directly through our farm in several different places, firstly hitting our dairy cattle grazing ground at the main dairy unit. This land is vital to our business because being organic means our cows have high welfare and they must be kept out of grass from April through to October. Our organic status means that it’s not an option for us to keep the cows inside all year round. The HS2 line cuts this grazing land into two and the realignment of the B5014 then further transects the grazing area. To make matters worse, HS2 would like to put a further 13 acres of grazing area around the track into tree planting.

205. The line also hits our other block of land around the Newlands Lane. This land is used to grow forage for the dairy cattle and the young stock. We grow as much of our own forage as we can as it is very expensive to buy in organic forage and it’s not always great quality. This enables us to keep down cost to the business and maintain quality and viability. The transformer station on Newlands Lane also takes a large chunk of the land, as does the realignment of Newlands Lane.

206. We need to keep the land take to a minimum and to replace our lost land to keep the business viable. As organic replacement land will not be readily available, we would have to put the land into conversion, which takes three years to get full organic status. Therefore, time is of the essence for our farm.

207. We need answers on the land take and the assurance of compensation upfront to allow us to have a chance to keep the business functioning. It is impossible to put into words the pressure, stress, heartache and pain –

208. THE CHAIR: Take your time and, Mr Gale, if you want to box clever and pick up points and –

209. MR MELLOR: I’m sorry. I’m nearly done. Can I finish?

210. It is impossible to put into words the pressure, stress, heartache and pain the
uncertainty has caused and continues to cause my whole family. Since 2013 our lives have been turned upside down. My physical and mental health has been affected and day-to-day tasks become increasingly more difficult with the uncertainty causing the inability to plan for our future. Despite trying to engage with HS2 officials they seem unable to appreciate the scale of the challenge we face and they have never been able to come up with any credible definitive answers on which we can make any decision for my future or that of the next generation.

211. Thank you for my time.

212. THE CHAIR: Thank you very much for coming and giving your petition. Mr Gale?

**Submissions by Mr Gale**

213. MR GALE: Thank you, Mr Chairman. Obviously you can tell from what Luke has said the effect that the line is having. If we look on specifics, one of the main points, I think, to hold in your minds all the way through is the fact that it is organic and that that creates its own issues in respect of how we can replace, we hope, land.

214. The dairy farming business itself I’ll get Mr Greetham to comment on the effects that the line will have in its current form. The conversion, obviously, for ground into organic is a three-year period so we are right at the cusp now of trying to get something sorted out. The business is profitable, as Mr Greetham will explain. And what we’d like to try and do is keep the farm going. That is certainly the intention of the family, hence the reason why we’ve tried to engage to look at the various options.

215. The issues that we have are in respect of the amount of land take that there is. The preliminary land take we believe to be about 97 acres and temporary land take of 28 acres. The land is then also split off. You can see on the slide in front of you roughly the line that is going through. The blue land is that which is rented and the red land is that which is owned by the farming family.

216. A large amount of land take relates to mitigation works; whether it be balancing ponds, tree planting or grassland creation. We did receive an assurance yesterday afternoon with regard to maybe some of the tree planting being moved but we haven’t
had a chance to give consideration to that.

217. MR WHITFIELD: I’m sorry. Can I just clarify something following Luke’s evidence? If we look at P609, just so I can understand this farm, all of the pink is the land take that they’re doing during construction. Am I right to understand that the Manor Farm side is where the cattle are and then the Newlands Lane and the land above that is where you grow forage. Is that right?

218. MR GALE: That’s correct.

219. MR MELLOR: Yes, that’s correct.

220. MR WHITFIELD: So actually all of this land take that’s cutting through the middle of Manor Farm is effectively separating the fields that your organic cows freely walk across at the moment.

221. MR MELLOR: Yes.

222. MR WHITFIELD: Thank you.

223. MR GALE: Which, as you quite rightly observed, that is one of the main issues that the farm will have and has been trying to –

224. THE CHAIR: While there are issues to the north and the south, it’s mainly the south that we need to focus on to –

225. MR GALE: It’s the fact that the grazing platform itself, Mr Chairman, is being split by the railway. And because of the organic status the cattle, unlike, I think, the petitioner you heard last week talking about having cattle inside, that isn’t something that can happen from an organic point of view.

226. THE CHAIR: Right.

227. MR GALE: Is that correct, Luke?

228. MR MELLOR: Yes.

229. THE CHAIR: Thank you.
230. MR GALE: So hence again why I keep saying please keep that organic side in mind.

231. MR WIGGIN: Actually, while we’re on that, then, I think – are you Soil Association?


233. MR WIGGIN: Oh, OF&G. Will they give you a dispensation for this for any period of time?

234. MR MELLOR: No. We’ve already been to OF&G and there’s no dispensation at all.

235. MR WIGGIN: That’s helpful. Thank you.

236. MR GALE: If I can just look at – can we look at A204(1), please? What we’re trying to do here is that is an off lying piece of land that is owned by the family, which you see is going to be affected by a balancing pond. What we have suggested is that that area of land marked 1 is actually used for some of the tree planting, which is already being shown at Manor Farm. So trying to remove that away.

237. MR WIGGIN: It’s just an offer to HS2 because they will own large amounts of land because some farms will no longer be viable and, ideally, it would be better if that was preserved, wouldn’t it, because it’s already an organic –

238. MR GALE: It is. Exactly. Exactly, Mr Wiggin, yes.

239. MR WIGGIN: Very good.

240. MR GALE: But it’s trying to see how we can go forward, yes.

241. If we go on to 202(2), please. Okay. So if you look on number 2 there are various points there and it’s particularly with regards to the ponds and the alignment of the B5014, as Luke as already mentioned. You’ll see the existing B5014 runs to the east of where the numbers 2 and 3 are. Yes? To the east of there. That’s it. So that’s where the existing road runs. And, again, because of the fact that it has been moved across, that is severing an area of land which is part and parcel of the grazing platform. And
also, then, the mitigation works that are being put in there mean that it’s not going to be available, we understand, for use going forward. So the main point I think it would be worthwhile exploring or we would like to have explored is the situation with regards to the alignment of the B5014 and whether or not there is any particular reason why it cannot stay in its existing line. No doubt we’ll have an engineer that can explain that to us but if that was left in its existing place that would certainly help with regards – it would make a big difference to the position on there.

242. MRS MURRAY: Can I just be clear? To be really clear, at the moment 2, 3 and 6 plus where the realignment of the road is, all of that is grazing land. Yes?

243. MR MELLOR: Yes. All that –

244. MRS MURRAY: And that’s where your cattle graze.

245. MR MELLOR: Yes, absolutely. Yes.

246. MRS MURRAY: Thank you very much.

247. MR GALE: Thank you. I mean just actually on that plan, just so – it’s quite straightforward to look at. If you to the north of there you see Manor Farm. And so, basically, the block which lies to the south of the Blithbury Road is the grazing platform. So most of that is owned but some of it is rented but that is the grazing platform which will, under these proposals, be lost. Okay.

248. MR WIGGIN: Can I just ask Mr Mellor? At the moment how many head of cattle are you running?

249. MR MELLOR: 600 head in total.

250. MR WIGGIN: And if this went ahead how many would you drop down to?

251. MR MELLOR: Milking wise when we did figures we were down to anywhere – 80 was it? 80 through the Bill and then back up to 150, I think.

252. MR GALE: Mr Greetham will pull out those in a moment, if that’s all right.

253. MR WIGGIN: That’s fine.
MR GALE: On that existing exhibit – is that 202 that’s up there at the moment? Yes? You’ll see that there are areas 4 and 5, certainly number 4 on both sides of the Blithbury Road there, that is outside of the ownership of the Mellor family but we understand that is something which is likely to be acquired by HS2. Now it’s shown as planting area. If that would be made available to the Mellor family, sooner rather than later, then there is the possibility of trying to convert that into organic, which, again, will reduce the impact on the farm.

THE CHAIR: You mentioned earlier that there had been some offers made around some changes with HS2. I’m quite keen not to focus the Committee’s time on things that you’re already close to agreeing, focusing on the ones where everything needs a bit more of a nudge or oversight. Is that what we’ve done?

MR GALE: Yes. That part we’re talking about there’s nothing come back with regards to that at the moment.

THE CHAIR: Okay.

MR GALE: So that’s why I’m sort of –

THE CHAIR: So all the things that you’ve mentioned are still –

MR GALE: The only thing that might change, with the assurance that came in yesterday afternoon, was with regards to areas 3 and 6 on that plan, I think it is, in regard to the planting, which is intended to possibly go across to the land at Admaston, that separate block I showed you earlier on.

THE CHAIR: Yes. Very clear.

MR GALE: Okay.

If I can then move on to –

MR MARTIN: Sorry, Chair, before we move on there are two issues here, aren’t there? There’s the land take and there’s also the severance. At the moment I can’t see that there’s any way of getting from the north side of the proposed new railway to the south side of it –
265. MR GALE: There is, Mr Martin. If you look where the cursor is now. So there has been a proposed overbridge to connect the two areas of land.

266. MR MARTIN: Would that be available for cattle as well?

267. MR GALE: Yes. That’s certainly what we’re looking at. We wanted to make sure that it’s going to be concrete so its design needs to be certainly looked at but there is that provision to go there.

268. There is the other point which has been raised in the fact if you notice obviously the blue land is rented and if you then look to the west of that, that red block, that needs to have an access provided between the two. So there’s got to have some rights taken over the adjoining landowner, which Mr Mellor rents the ground anyway. So it’s just minor points but it builds into a bigger picture.

269. Can I see A203, please? Hopefully this is the correct one. It is. So this is the proposal for the Newlands transformer. Now, I don’t know whether this may or may not change bearing in mind what was said when I was down two weeks ago in respect of the line that’s coming through from Rugeley power station and I don’t know whether it will so I’m assuming that it won’t move but maybe the line’s coming from a different place. So the point here is that as you see the location of the Newlands transformer that takes an enormous chunk of ground, again, from Mr Mellor. What we were talking about was actually running it on the south side in area 7, effectively, not just in there obviously, but to the south side of where the line will be. HS2 say that that is an issue because of the fact that it is visible from Colton and noise. When I stood in the field yesterday I could not see Colton. Colton is off to the west, it’s over the other side of a hill and I think that that should be revisited because that would then make a big difference as far as land take again. Whilst it’s not grazing land, it is there to provide forage for the cattle. Okay?

270. One of the points which is obviously covered under the NFU assurance is in regards to temporary possession and notice period. And whilst the assurance has been welcomed, because of the specifics of this and the time period for organic, the longer the period we can have any notice of any acquisition or temporary land take the better it will be for the farm. Okay?
271. Can I ask now if Mr Greetham would just come up and explain what the effect is on the farm with the current proposals? Mr Greetham, the Mellor family employed him. He’s an organic specialist who will obviously explain that to you anyway –

272. THE CHAIR: Stand down Mr Mellor and change witnesses. Yes. That’s absolutely fine. Thank you very much for giving evidence.

273. MR GALE: So if Mr Greetham comes up. We’ve been trying to get agreement from HS2 to pay for Mr Greetham, not for today but generally, and it has been like banging a head against a brick wall, unfortunately. So the family decided no, they wanted somebody to give them an idea so it’s not just a case of heart saying it’s not going to work; they wanted somebody to actually come down, go through the figures, see what the situation was pre, during and post.

274. Now I hand over to Mr Greetham.

**Submissions by Mr Greetham**

275. MR GREETHAM: Thank you. There are a number of slides reference A195. I’m not going to take you through them and doing death by PowerPoint but just picking up various points.

276. The farm at the moment is 640 acres. It is, if we go to A15(2), please, 640 acres, 260 hectares. It is supporting two families and then three farm workers. The conversion did start 20 years ago and there are 240 milking cows at any one point in time, 200 of which are in milk at any one point in time, and they do all-year-round milk. That is an important factor and that is partly why they get the premium on their milk; the fact that they are able to deliver a consistent quantity of milk throughout the year rather than the traditional peak and trough that is with more conventional farming.

277. They are not able to use any artificially produced fertiliser, spray chemicals, feed or veterinary products. Organic farming does extend to veterinary products. So if there is a problem it’s not a case of just calling the vet and saying, ‘An injection of this’, or whatever, as would ordinarily be available.

278. If we just go to slide 3, please. I have been involved with this farm for approaching 12 months and worked with the family, both Luke, his father, his mother
and his wife and, I would also say, his children. I’m very impressed and very taken by I think one son is 11, probably 12 now, and he’s so committed to this farm and farming it’s untrue. But the point is I have analysed the last five years’ accounts and they are producing – the average profit over that period in time is £150,000 per annum and it exceeds what would be obtained on conventional farming.

279. If we move over to slide 4, this is a technique I was a partner in a farm business consultancy called Andersons for 35 years, in fact it was a fledgling business when I joined it, this is a technique which is used and the AHDB have adopted this. It’s a way of looking at the efficiency of a farming business. Taking the output as the divider or the multiplier, whichever way you want to look at it, you’ll see that the target is for a conventional farming business and the target is your variable costs, which is your feed, the fertiliser or the nutrients that go into the farm, should be 45%; effectively half of the gross output. On the Mellor’s case theirs is less than a third, which obviously gives them a higher gross margin produced. Their fixed costs, which is labour, power, administration, is naturally higher because they actually have to go out there and cut weeds and deal with things with brute force rather than with chemicals. But the most important thing is before rent and finance. That’s the level which any farming business can be judged and you can see that the target is 30% of your gross output and they achieve that. And they achieve it with a lower than target rent and finance charge, meaning that their profit and loss is 18% of their gross output rather than the 15% which is a target and not all farms meet their targets.

280. The most important factor here is they need this level of profitability and if we can just go over to slide 5. A lot has been said to date and I won’t retract from any of that, it’s the grazing platform that is the most important situation here. Each cow needs to access 0.75 acres of grazing land throughout the year, obviously not at any one point in time but that’s the actual amount of land that needs to be available in grazing for each cow. The grazing platform, I don’t need to repeat, is severely damaged by the proposal and during construction there’ll be very limited grazing land which is accessible. For a conventional farm it is possible to house cows inside for a period of time and move grass to them and it’s also possible to substitute other feedings stuffs over and above grass, maize and other things.

281. THE CHAIR: Can I ask you to speed up? You’re covering territory that’s already
been covered and perhaps you can focus on what you want us to help change.

282. MR GREETHAM: Yes. Yes. Just moving on, then, to the next slide but just making the point that this family are very efficient –

283. THE CHAIR: Yes. You’ve made that point. Let’s move on to new points and what you want us to do.

284. MR GREETHAM: If we move on, then, to slide 195(7). That is the current profitability. The £214,000 is this year’s budget and the important factor –

285. THE CHAIR: Sorry, we know we’ve got profitability of 150. We don’t need all this detail. We’ve got that point. They’re profitable and they’ve got bigger margins. Could we move on to what you want us to do?

286. MR GREETHAM: Yes, okay. To move to slide 9, please, during construction. I’ve actually tried to look at maximising the number of cows available during construction. I’ve stated 120. Mr Mellor disagrees with me and he thinks that it’s only going to be possible to access 80. You can see the effect.

287. Post construction, going on to slide 10, you can see that the profitability, which was £214,000 this year, is reduced to £121,000. The important factor is that they have loan repayments, bank loan repayments and machinery repayments, of £123,000. So there would be no surplus over and above that to work with them.

288. Going over to slide 11, we have looked at conventional farming as an alternative simply because the land post construction you’ve still got a reduction in the area of land. Conventional cows still need 0.75 acres to graze. The limited margins and the higher costs of producing forage means that conventional farming is not a possibility.

289. And, to bring the whole thing to a conclusion in slide 195(12), I’ve looked at trying to get to breakeven point and, essentially, we need to have access to grazing for 200 cows, 150 acres, and it is the breakeven point.

290. A point that’s been made earlier, obviously any help that can be given to convert land now so that it is actually in organic status once the construction starts is an important factor.
291. MR WHITFIELD: Can I just ask Mr Greetham, to transfer from an organic to a traditional farm, for want of a better description, is really an impossibility in this case because of the loan commitments, isn’t it?

292. MR GREETHAM: Yes.

293. MR WHITFIELD: Thank you.

294. THE CHAIR: Any questions?

295. MR WIGGIN: Would you agree that the biggest difference—and I think you misled the Committee slightly when you said that they don’t use veterinary products. They must do; it’s illegal not to. But the thing they don’t use is wormer and the reason you don’t use wormer is because you have to have more land because you can’t give them anthelmintic wormers. And that’s why it’s so critical that organic farmers have so much more land. Do you agree?

296. MR GREETHAM: It’s one of the factors but the veterinary products that are available to an organic farmer are very, very limited and—

297. MR WIGGIN: No, they’re not. The law says that if the cow is ill you must apply the right veterinary medicine according to the vet.

298. MR GREETHAM: That may well be to keep the cow alive but whether it can then produce milk organically is a different matter.

299. MR WIGGIN: Nonetheless, it’s the prophylactic stuff that they’re not allowed to use that really means they need extra land, doesn’t it?

300. MR GREETHAM: Extra land. And the other point is that grass doesn’t transport easily unless it’s in round bales and organic grass is difficult to actually get to supplement.

301. MR WIGGIN: Okay.

302. THE CHAIR: Sandy?

303. MR MARTIN: So if Mr Mellor were going to be taking on additional land in order to keep the farm business going while construction work is taking place on other
parts of his land, when would he need to start converting it to organic in order to make it organic by the time the railway is being built?

304. MR GREETHAM: As soon as is possible. It’s three years –

305. MR MARTIN: Three years.


307. MR MARTIN: Okay. And this is probably a question that I ought to have asked Mr Mellor but we were shown the proposed bridge over the proposed railway to get to the southern part of Mr Mellor’s main grazing area. In your opinion, is that going to be adequate to enable the cows to move backwards and forwards as much as they need to?

308. MR GREETHAM: The use of a road bridge is not unusual. The way it’s constructed is important. It needs to be a very solid surface, concrete construction but, yes, I mean the important question is how much grazing there will be on the other side of the road once they get there.

309. MR MARTIN: Right. So you don’t need lots of access; you just need to make sure that there is access.

310. MR GREETHAM: Correct.

311. MR MARTIN: Okay.

312. MR GREETHAM: There is a limit to how long you can walk a cow because while it’s walking it’s not eating. It’s also using energy, which it otherwise would convert into milk.

313. MRS MURRAY: It may seem a little bit of a silly question. Again, I should have perhaps asked Mr Mellor. Where is the milking parlour?

314. MR GREETHAM: The milking parlour is actually at Manor Farm, which is actually in the village.

315. MRS MURRAY: So the cows that are grazing and need to cross the bridge, is there a possibility that they would have to cross the bridge to be milked?
MR GREETHAM: Yes. They would have to cross a bridge to be milked, yes.

MRS MURRAY: Okay. Thank you.

MR WIGGIN: How many times a day do you milk them?

MR GREETHAM: Two or three. Twice.

THE CHAIR: Mr Gale?

MR GALE: Thank you, Mr Chairman. Moving on, then, to where we need to try and get to is to try and reduce the mitigation provisions that are shown within the plan. One of the points that we’ve raised is the question as to whether or not the mitigation that is shown for tree planting can be altered to grass planting or grass management, although we don’t actually know what that will entail, because if it is and we’re able to graze it then that, again, will add more land available whilst still fulfilling what HS2 feel they need to do.

Apart from the piece of land that we’ve identified earlier, there are two blocks of land just lying to the west which have recently been put on to the market by Staffordshire County Council, or there were two smallholdings. The –

THE CHAIR: Could you get up a map and show us?

MR GALE: Say it again, sorry?

THE CHAIR: Could you get up a map and show us those? I’ve got a map but I’m unsure where –

MR WIGGIN: 608.

MR GALE: I don’t actually know if it’s shown. If you have a slightly larger – if there’s one of the one I’m holding. Hold on. P608, please. Thank you very much. Can I just borrow this? Thank you.

So the area that we’re talking about is, he says confidently, this area here and I believe it’s that area there. Is that right? Yes? So these two are owned by Staffordshire County Council. This is all country council holdings down here. They’ve just sold one of the holdings, the property and buildings, but they didn’t sell the two blocks of land.
And I presume that’s because they didn’t get sufficient figures. I’m not sure. But one of those is 42 acres; the other one’s 32, 33 acres. So, again, it may well be that HS2 are having to deal with Staffs County Council, which I’m not aware of, but if that is the case then, again, there is land which is closer, it’s not ideal, but it’s closer to Mr Mellor’s farm. So we’re looking at – or we’ve put that forward as a suggestion.

329. The other point, I think, which is very important is the same point that was made by the petitioner last week with regards to advanced funding. And in this case the specific things that we would like to understand as soon as is possible is the funding which would be available during the temporary land take, so the compensation, to actually sit down and talk through that because, if there’s going to be a reduction in the land during construction but that then comes back, we need to know that the compensation that is going to be receivable during that period is going to be sufficient to cover off the costs –

330. THE CHAIR: Sheryll?

331. MRS MURRAY: Yes. Can I just ask, if land came back that had previously been designated as suitable for organic, it would be three years before that could be designated as organic again?

332. MR GALE: That’s a very good question and I will ask – does it mean it will have to be three years again?

333. MR GREETHAM: Yes.

334. MRS MURRAY: Thank you.

335. MR WHITFIELD: If part of the field is taken during the building, which then requires three years to go back, does it affect and how do you measure the other bit of the field that’s not been affected? Or is it …?

336. MR GREETHAM: That’s possible. It’s not necessarily done on a field-by-field basis. And, of course, the other question is when it’s taken what happens to it? I mean if you can maintain its organic status then obviously it could come back into production straightaway. But it’s then somebody has got to fully document what activity happens on that land during the time –
337. MR WHITFIELD: And that must come at an additional cost to somebody.

338. MR GREETHAM: Yes.

339. MR WHITFIELD: So can –

340. THE CHAIR: So it’s literally just the land that is taken that loses its organic status, not the attached land.

341. MR GREETHAM: Correct.

342. MR WHITFIELD: It’s also quite helpful to point out that there aren’t any woodland all the way along this stretch of the line.

343. MR GALE: Correct. It’s something which we were going to try and work out how many trees there are. If you actually have a look at Google on this there are occasional trees that are in hedgerows we’ve taken out but there’s no woodland that is actually being affected on Mr Mellor’s ground at all. And I appreciate and we all appreciate that there are requirements in mitigation and it’s supposed to be, you know, line wide but in this case there aren’t any woods that are being taken out and hence the reason is, you know, why put –

344. MR WIGGIN: To balance their overall tree planting.

345. MR WHITFIELD: And that is exceptionally detrimental to the petitioner.

346. MR WIGGIN: Exactly.

347. MR GALE: Thanks. Chair?

348. MR MARTIN: Notwithstanding that, Mr Gale, there are some little snippets. I am guessing that when the mitigation was put in by HS2 they didn’t necessarily look at the land ownership when they were making that decision. So there are snippets of Mr Mellor’s land which are not going to be of enormous amount of use to him once the railway’s built, which would be more sensible for mitigation than some of the areas that are more central to his –

349. MR GALE: If that were the case then I don’t think Mr Mellor would have any objection to it, providing obviously you understand because the one thing obviously is
to make sure that we try and maximise the amount of land that’s available to him within a grazing area, shall we say.

350. MR MARTIN: I’m thinking, for instance, of the Hurst Wood area south of the railway line, which is a very tiny snippet of land south of the railway line, which, unless you were to purchase other land contiguous to it, will be of no use to him whatsoever.

351. MR GALE: Well, that piece, yes. Yes, sorry, I was just thinking that’s not – the Newlands transformer is the one just further up the line.

352. MR MARTIN: Yes.

353. MR GALE: Yes. So that was probably only a small piece at the end anyway, wasn’t it? At the end of the day, you know, it’s not a case of, ‘No, we don’t want it’. It’s a case of, ‘It’s coming through. How can we best manage it?’

354. MR MARTIN: Yes.

355. THE CHAIR: Can I ask about money? I thought you were going to get to a financial figure out of some of these spreadsheets because the big ask seems to be to retain as much land as possible –

356. MR GALE: Yes.

357. THE CHAIR: – which makes absolute sense. But at the end there is still going to be a reduction of some amount. There’ll be an impact during and an impact after, both of which, presumably, will have to be compensated for. Are there figures that you’ve got in mind or a formula that you’ve worked through of what’s acceptable?

358. MR GALE: We haven’t gone through those but what we’ve been trying to major on is maintaining the amount of ground we can and seeing if there is any other opportunity for land within the immediate area, which is going to be taken by HS2, which can then be converted. We can put –

359. THE CHAIR: So the idea is there will be no net effect on land.

360. MR GALE: The idea –

361. THE CHAIR: There will be no financial transfer.
362. MR GALE: That – well, I wouldn’t say about no financial transfer because, obviously, there will be land being taken permanently so there would, obviously, have to be compensation as far as that is concerned and then, obviously, the normal disturbance, injurious affection and whatever else. But really it's trying to see how we can maintain the business going forward and so the family can stay where they are, as they have done for a number of generations.

363. MR GREETHAM: If I can come back in there, the figure we’ve come to is the 150 acres of grazing land, which is in excess of what is currently proposed. 150 acres is greater than is currently proposed as access to grazing land. So as close to 150 acres as we can get. That, to my mind, is a breakeven point for the business.

364. THE CHAIR: That’s very clear. HS2?

Response by Ms Lean

365. MS LEAN (DfT): Sir, I’m grateful. Obviously you’ve heard this petitioner’s aim is to do what’s possible to keep this farming operation going and, if I may say, that’s a shared intention on the part of HS2 Ltd. Mr Gale referred to some assurances that were sent over yesterday afternoon that related to moving some areas of mitigation. I’m going to ask Mr Miller to come on in a moment, if I may, to deal with land take, so the realignment of the road and mitigation.

366. THE CHAIR: Certainly.

367. MS LEAN (DfT): But, going for the main point, if I may, which is how can this farm keep going, there are a couple of additional assurances which can be given to this petitioner. A letter, I think, has been sent over this morning and I understand Mr Gale won’t have received that because he’s been sitting next to me, but if I can just make reference to what those are.

368. Firstly, assurance about a working group. So a working group comprising appropriate representatives from the promoter and from the petitioner to collaborate to consider how organic farming activities at Manor Farm can reasonably be maintained during construction of the proposed scheme and any restoration period thereafter. And the term of that initially would be for it to be established as soon as is reasonably
practicable at a meeting until certainly the opening of House of Lords petitioning period. Now, the aim of that is not to say that’s the cut-off point. It’s about trying to set a deadline and focus minds in making as much progress as can be made while this Bill is still live within Parliament. But, obviously if it’s felt that those meetings are helpful then I see no reason why that assurance couldn’t be extended to carry on thereafter. So the point of that is to try and work through some of these very particular issues that have been raised to understand exactly what impacts could be and what needs to be done to try and not impact any more than needs to be on the activities –

369. THE CHAIR: That sounds very helpful. Sheryll Murray’s got a question.

370. MRS MURRAY: Yes, it does, but my question is you said how it can be maintained, how the organic farming can be maintained. I would like to know if you intend to maintain it at its current level now, because, very clearly, this farm is supporting two families and it’s very profitable. It’s a completely different thing to say how they can keep organic farming but they’re clearly very successful and we should be aspiring to ensure that they can still operate with the same head of cattle as they are operating at the moment or as near to that as possible.

371. MS LEAN (DfT): Obviously there will be an impact from the scheme here because of, as you say, the unfortunate the way the scheme intersects at a number of the pastures so –

372. MRS MURRAY: Providing them with alternative pastureland, for instance?

373. MS LEAN (DfT): If I may move on to talk – there’s a separate assurance I’ll come on to in a moment but the aim of the –

374. MR WIGGIN: You cannot escape from that one, if I may. It is quite clear from this petitioner HS2 has not engaged with Mr Mellor as it should have done. So why should we believe now that you’re suddenly going to see the light?

375. THE CHAIR: HS2?

376. MS LEAN (DfT): Sir, in terms of the assurances, obviously a commitment has been given. Part of the project will be on the register of assurances and undertakings and, as I referred to, the initial time period we’re suggesting is from as soon as
reasonably practicable to certainly at least up to the opening of the House of Lords petitioning period; the idea being that that focuses minds on looking to try and make some real progress while this Bill is still before Parliament. And, no doubt, if Mr Mellor and his family feel that insufficient progress has been made during those working group sessions they have a safeguard there in terms of being able to –

377. THE CHAIR: I think, looking around the Committee, just to give you a hint on where we’ll be going on this, that type of timescale is far too long. That conversation will have to happen much, much sooner so when we are, as constituted in the Commons, can look at that so we can satisfy ourselves because whilst we all have good intent and there are assurances, I think the Committee would like to see it through to a conclusion well, well before then. But we will, no doubt, deliberate in private and come up with a suggestion but you might find it better if you can come up with a pragmatic solution that works for HS2 as well as the petitioners.

378. MS LEAN (DfT): Sir may I just round very quickly behind me? Sir, if I may I’d like to take some formal instructions on whether we can put forward a proposal but one thing I would suggest is perhaps we could provide a report back to your Committee on the progress that’s been made while your Committee is still sitting. I’m not sure if we could do that by the end of this recess but I’m conscious that you’ll be having –

379. THE CHAIR: It’s a step in the right direction. You don’t need to come back straightaway so you can go –

380. MR WIGGIN: Recess is fine.

381. MS LEAN (DfT): That would be my suggestion that if – I don’t know that we’ll have a concrete proposal of exactly what’s now going to be done and what’s going to be changed by the time you rise in July but I’m conscious you have another sitting period at the early part of next year so that would certainly focus minds on trying to make some good progress.

382. THE CHAIR: We’ll discuss it in private and come back to you because on the actual timescale there seems to be different views within the Committee but on bringing it forward there’s a consensus. So thank you very much.
383. MS LEAN (DfT): I’m grateful, sir. And, if I may, the second assurance that I was going to refer to refers to Mrs Murray’s point about additional land. Obviously there are always other interests involved whether other people’s land proposed to be used. I know, for example, that one of the parties’ land, which the petitioner referred to, I think immediately adjacent to the holding to the south is required by HS2 during construction as well as during mitigation. It’s the realignment of Hollow Lane. It’s not land we own currently but, being mindful of the potential need of this petitioner to acquire land in advance of when their land is taken for the scheme, there is an assurance of similar form to the one you saw with petitioners Richard and Colin Smith I think last week about working together towards a business case to get approval for funding for additional land that may be necessary for the petitioners’ farm business in consequence of permanent acquisition by the promoter of the scheme. So it’s in similar terms you heard last week but if land does need to be acquired and needs to be acquired before the time when the compensation would be payable, seeing if we could take that through the processes we told you about, obviously subject to Treasury approval and such like to see if some monies could be made available for these petitioners to acquire additional land as one option of that.

384. So those are two assurances. I’m afraid I gisted rather than giving you exact terms. I am also conscious Mr Gale won’t have seen the letters but we can certainly make a copy of that available to your Committee, I should think, during the course of today once Mr Gale’s had a chance to see it. So I hope that ties in with what I understand to be the headline ask, which is how does this farm keep going where it is with the scheme coming through?

385. In terms of specific asks, perhaps it’s helpful for me to call Mr Miller at this stage, just to explain the land take concerns specifically as regards the alignment of the B5014 land acquired for woodland planting and potentially also the balancing ponds issue, because Mr Gale referred to an assurance that’s been given yesterday about moving a parcel of woodland planting. That also touches on balancing ponds and perhaps Mr Miller can assist.

386. MR WHITFIELD: Do HS2 accept Mr Greetham’s expertise on this point? Do you accept Mr Greetham as an expert witness for the evidence he’s given us?
387. MS LEAN (DfT): Yes.

388. MR WHITFIELD: That’s fine. Just before he left the stand.

389. THE CHAIR: No one’s challenging that. We just wanted clarity. Thank you very much. Let’s change witness. We spent a lot of time clarifying the HS2 witnesses right at the outset. They were qualified at quite some length and reading through the bulk of these so it’s worth trying to do so the other way.

Evidence of Mr Miller

390. MR MILLER: Do you want to go to P611(3).

391. MS LEAN (DfT): Mr Miller, I think it would be helpful to bring up P611(4) because now we’ve seen the realignment of the Uttoxeter Road and also some areas of mitigation planting.

392. MR MILLER: Yes. You asked about the Uttoxeter Road. That’s built as an offline diversion and you can see – and the reason they built it as an offline diversion means that we can keep the existing Uttoxeter Road in operation whilst the construction is taking place on the new Uttoxeter Road and then at a point we’ll swap them over and tie them in and get the new road working.

393. The design of the routes is meeting design manual for roads and bridges standards. There is a limit of deviation on the road as much as there is on the railway in the parliamentary plans. So there may be an opportunity in the detailed design to alter this to a degree but not back to the original alignment.

394. The road is going over the railway here, the railway’s in cutting, and you can see a large earthworks down here, which was the embankment because the ground is essentially higher on this side of the railway and lower on this side. You can see some of the contours and how the contours work on this plan. Those are the brown lines. So that’s probably what’s happening with the road.

395. The two areas of planting that I’ve got my cursor on here and here are intended to move to the isolated piece of land, which had the balancing pond on, we can show you that in a minute, that was pointed out by the petitioner. So an assurance has gone out to
that effect.

396. MR WIGGIN: That’s an ideal, though. That was an offer made by the petitioner to try and help you guys out.

397. MR MILLER: Yes.

398. MR WIGGIN: It's still land that’s already converted to organic status so it’s still not an ideal place if you’re just dumping trees.

399. MR MILLER: I accept that point entirely. There may be some other points that we can pick up on and just to think about maybe even reconfiguring off of that land and going elsewhere. I’ll try and touch on those as –

400. THE CHAIR: Elsewhere as in not on this plan at all?

401. MR MILLER: Well, I will show you –

402. THE CHAIR: Sorry, that was a statement rather than a question.

403. MR MILLER: I will show you the plan of construction for the auto transformer feeder station, which causes quite a bit of disruption on this petitioner’s land, but some of that doesn’t actually go back and I’ll come to it.

404. MR WIGGIN: When you do can you tell us if the power doesn’t come from Rugeley whether it happens at all?

405. MR MILLER: I’m sorry?

406. MR WIGGIN: If the power doesn’t come from Rugeley, which is up for grabs apparently, if that doesn’t happen does it –

407. MR MILLER: It won’t move the autotransformer feed of the station as far as I’m aware. So that location will come good. There are electrical facilities in this area that are necessary to connect up to make the railway work.

408. MR WIGGIN: Thank you.

409. MR MILLER: There was talk about the balancing pond. We’ve placed balancing
ponds in ideal locations. It may be that we can shift the balancing pond into this sort of area here. Now that’s the sort of thing we would expect to be looking at at the detailed design stage. So I’m sorry that we haven’t got that now but safe to say that we have got some room in here and we do have limits of land to be acquired and used which may well be able to accommodate that balancing pond.

410. MR WIGGIN: Can I ask on that? At the moment your theory is that if the pond you’re removing has great crested newts in you will put two new ponds along the route. If they don’t have great crested newts you’ll only do one.

411. MR MILLER: Yes, and we’re constantly looking at that as well.

412. MR WIGGIN: Is that statutory or is that an offer?

413. MR MILLER: Sorry? Two to one for great crested newts, like for like on other ponds.

414. MR WIGGIN: Is it compulsory to do two to one? Because there’s four balancing ponds being put on this farm. Is it necessary that there are four?

415. MR MILLER: No those are balancing ponds which are dealing with water runoff from the railway and the road. They’re not for great crested newts or ecological purposes. I think I gave some evidence on the other – there’s lots of Uttoxeter Roads in this area – the other Uttoxeter Roads earlier on in these proceedings. People were questioning why we had balancing ponds at the top of the hill. There is some retention of water which will flow down from the existing lands. There is the road water run off that has to be accounted for and the rail water run off that has to be accounted for. What I’ve said to this Committee before is that we have to think very carefully about the water regime to make sure it works for the road, the railway and for our neighbours. I think we had a discussion about flood events and that sort of thing occurring. So we’ve got to get it right.

416. So it may well be that we can offer up something which is a change in this location which might free up a field shape, which before we get to it, may keep a bigger field shape retained within an organic farming capacity. I think that that is the clue for dealing with the rest of the land. I think the petitioner has more than adequately said
that to us. It may well be that up here on the accommodation bridge which will enable this farm to work, get the cattle across, or cows across from one side to the other, it may well be that we can play tunes on that as well to get that field shape back in a better condition. It may well be that we can alter that grasslands vegetation in that corner.

417. This requires some careful consideration and whilst we have offered through this assurance this working group, I think what we are saying here is bringing forward what we call the farmers’ and growers’ guide. In this instance, getting a portfolio together of relevant information so that we can properly understand what’s going on on this farm, together with the costings and that sort of thing will get us a leap forward and get us thinking about this well in advance of construction.

418. You mentioned the ability for us to swap land around. The tree planting in this area and all of these ponds was mentioned. That’s outside of the petitioner’s land holding. It may be possible to come back to that at a point but we’ll have to hear from the people who own that land. I don’t know whether a conversation can take place. That’s not straightforward but it might be possible elsewhere because the HS2 government land estate is changing by the very moment. As we purchase other farms, or land, along the line of the route other opportunities might free up. Now, I can’t say that those will be organic opportunities. It may well require three years of getting that land back into an organic state of a similar sort of quality as this farm enjoys and has built its business on. So it will take time.

419. I don’t know, I think that we are well aware of the Staffs land becoming free, whether that could be brought forward. It seems to me that there’s quite a lot of data in the sums that you’ve seen today that would offer up, if that was reconfigured, the opportunity to bring forward a business case quite quickly. That might be something we could get on with now. That might give you some comfort that we can get on with this to see whether we can actually bring forward money early on in the process to purchase land.

420. MR MARTIN: Can I interrupt you at that point, Mr Miller? You said that there’s going to be some holdings that you’re going to be buying because people want to sell up altogether. But there are also going to be of course quite a lot of very small parcels of land which people who don’t want to sell up altogether will no longer have much of a
use for.

421. MR MILLER: Yes.

422. MR MARTIN: Can HS2 not act as a broker in order to ensure that people who have small parcels of land that are no longer going to be of any use to them can sell them through to the people for whom they would be the most use at a time when it will be useful for them? And I’m thinking of this piece between the newly aligned Blithbury Road and Mr Mellor’s land, which will no longer be, I would suggest, of an awful lot of use to the people on the other side of the newly aligned Blithbury Road but would be of great use to Mr Mellor if it was sold three years before you are due to start your construction.

423. MR MILLER: That might well be the case but I can’t guarantee that.

424. MR MARTIN: If it was sold after three years before you’re due to do your construction it wouldn’t be of much use to him, would it, because he wouldn’t be able to make it organic before that time.

425. MR MILLER: That’s right. We have to take the opportunity as the opportunity arises and so there are pieces of land which are coming into the estate and it may be that you can reassemble land. Land reassembly is part and parcel of a linear infrastructure project. What we have in mind is that comes much later on in the programme because you build and then you’d settle the land arrangements. But here’s a different case.


427. MR MARTIN: If I may, that’s my entire point, is that you are leaving things and leaving things and leaving things. If you carry on leaving things then people like Mr Mellor who have an organic farm are actually not going to be able to make the adjustments they need to make before you start construction. Can you confirm when construction is actually going to start?

428. MR MILLER: In here I think, I’ll have to get someone to confirm it.

429. MR MARTIN: Or when it’s intended to start?

430. MR MILLER: I think this is 2022, 2023 but someone might be able to confirm
that. It’s a few years off.

431. MR MARTIN: So if you were to actually get your skates on and get something sorted out so that Mr Mellor has some land that he can take over and convert, he will be able to do that before you actually start the construction.

432. MR MILLER: I think we are agreeing on the point.

433. MR MARTIN: Good, thank you.

434. MR MILLER: We’re bringing an assurance to get to grips with what’s going on on the farm. So hopefully that will, I know that’s not a good answer in terms of the engagement but we will get on with it. What I’m saying to you now is that there’s a framework here where, through producing the farmers’ and growers’ pack for this farm early on in the process, we can actually work out what the objectives are for the farm and get a better understanding of that. It’s clear that we’ve got a better understanding of that even today. We can work out a plan.

435. First of all it is trying to retain as much of the land as possible in an organic use. I think that’s the principal point. We can play tunes on the mitigation. That’s our sort of immediate response. The next response is land. That’s less easy because we would have to have a business case to demonstrate that we can bring forward public money early on in the process. It may well be that, and this area of land in red here, number nine I think Mr Martin you pointed this out, that there were triangles of land which could well be used for the mitigation purpose. It may well be that there are other things that we can do, albeit that that is a rented field as I understand it. It may well be that whoever owns that, whoever the landowner is, might not want that triangle of field. So I think we’ve got to get to grips with all of that to get the landholding back into as good an operation as we can organically as early on as possible and settle what that plan kind of looks like.

436. The alteration of the land, I don’t want anyone to go away with the feeling that we’re not altering the land. There’s big construction through here. We’ve got to recognise that. I can’t say that every other area of land that we are altering on this landholding can be immediately put back to an organic use. You’ve already heard it takes three years minimum to put that back. We have spoil heaps along the way where
we are taking out material soils.

437. THE CHAIR: Sheryl?

438. MRS MURRAY: Mr Miller, I’ve got the distinct message today that again we haven’t really engaged with this petitioner until the last moment. Can I have your assurance that from now on this engagement that you’re promising the Committee will be carried out as soon as possible because at the end of the day we’ve already heard there are four years. We cannot go to another 11 months before you – or the petitioner can’t – because we are time limited here because of the organic status of the land. Can I please have assurance now that you will not leave this until the last minute? It seems to be consistent with everything that we’ve seen.

439. MR MILLER: All right, we will not leave this to the last moment. There is a letter on the way to Mr Gale at the moment. If he’s not received it he’ll receive it as soon after these proceedings as possible. In that it says that we will be getting on with the working group with this particular landowner and for us to sit down with the Mellors. I apologise that this hasn’t come forward as it should have done. We will get on with that. I’m giving you that under oath before this Committee.

440. MR WHITFIELD: Can I ask, Mr Miller, flowing on from that, we heard that there needs to be a fairly detailed description of what actually happens to the land with regard to getting it re-registered as organic land. Whose responsibility is that information collation? Will it be HS2’s? Will it be the landowner you’ve temporarily taken the land off? Where does that lie?

441. MR MILLER: Well HS2 will have to take responsibility for the land to get it back into a condition which is going to be agreed with the landowner. The difficulty here is actually putting it back over that three year period.

442. MR WHITFIELD: Yes.

443. MR MILLER: Now, it may be even after that three year period it’s not back in that condition and then we’ll have to agree terms with the landowner for another sort of time horizon. It might be another couple of years to bring that back into the right condition.
444. MR WHITFIELD: So retaining the information and facilitating it going back into organic production is the responsibility of HS2?

445. MR MILLER: Yes it is, and it will be working that with the farmer because the farmer knows his land better than we do.

446. MR WHITFIELD: He may not know what you’re putting on it. I was thinking particularly for the soil, the dumps and things like that. I mean would the landowner know what was being dumped on it or would that actually be HS2’s responsibility?

447. MR MILLER: Well, the type of soils that are coming out are the soils which are on that land anyway. We will be disturbing those soils. It may well be that part of the plan is to take care of those soils in a slightly different way.

448. MR WHITFIELD: So might it be right to say it’s with cooperation of the landowner but the responsibility rests with HS2?

449. MR MILLER: It does. And ultimately if this land doesn’t go back to that organic use then there would be a claim for compensation. Being very clear about that, so we are agreed on what that kind of looks like, is very important. Because the other thing we’ve been hearing with farmers coming forward is that they don’t want to argue one way or another. They want it clear that this is the compensation that is afforded to the farmer at that point in time. So a good sharing of information is vital, I’d suggest.

450. MR WIGGIN: May I ask, Mr Miller? Mr Gale made a point about whether or not grass could be used as a mitigation instead of trees. I’m not sure that the answer isn’t no, but I thought we better ask you.

451. MR MILLER: On the area of land outside of the holding?

452. MR WIGGIN: Yes, it is trees that you need isn’t it?

453. MR MILLER: It is. Yes. I think that I would have to remind myself but I think that’s taking out the route wide effect on trees. It’s the one aspect of mitigation and compensation, which on a route wide basis we do have to think, there are losses.

454. THE CHAIR: But just to confirm, none of these trees needs to be on this land at all. None of them are visual or sound barriers. It’s route wide mitigation. So if we
decided that there should be no route wide mitigating trees in this land in totality or the bit that’s grazed for dairy, with the exception of that area where the cursor is currently going over.

455. MR MILLER: There’s this bit here and probably this bit here. There’s a bit of screening and that sort of thing going on in this location.

456. THE CHAIR: But with the others.

457. MR MILLER: So sort of within the railway mitigation boundary, yes. It’s these areas where you sort of see we’re taking up corners of fields and whatnot. We’ve been trying to take up odd corners of fields for this type of mitigation.

458. THE CHAIR: Does that not work better when you’ve got big machinery going through and is less relevant with cattle?

459. MR MILLER: I don’t know.

460. THE CHAIR: It just strikes me if you’ve got big farms you need to go up and down and that’s quite a compelling argument. But cows – maybe we’ll just leave that hanging there.

461. MR WIGGIN: The problem with the cows is they need to be milked twice a day.

462. THE CHAIR: But they can access –

463. MR MILLER: There are others in this room who know more about cows than I do.

464. THE CHAIR: All right. Are we back to HS2? Jacqueline Lean?

465. MS LEAN (DfT): Thank you, sir. Just two points to clarify if I may, I’ve been prodded by those behind me that works are due to start here at the moment in Q3 2021. So there is obviously a time pressure there.

466. MRS MURRAY: That’s an understatement. We’re nearly in to the third quarter.

467. THE CHAIR: So we need a solution that’s agreed well before the summer recess. Not a report, an agreement.
MR MILLER: Yes, we’ll get on with it.

THE CHAIR: I think we’re all nodding assent but you’re slightly cautious about making a commitment. Maybe that will come quite quickly, not immediately but over the coming days.

MS LEAN (DfT): And it was just a minor point in response to a query raised by Mr Whitfield. I think there’s only a very limited area of ground construction plans, which would be material stockpile. So the stock pile of soils materials are predominantly outside this petitioner’s holding bearing in mind the concern that was raised about potentially foreign materials being brought onto this land holding.

Other points that I know were raised that we picked up on is the location of the Newlands autotransformer station. The petition requested that this be moved to location option 1 that was put in the environmental statement. We’ve addressed that in our slides. I note that the petition’s exhibits refer it to option 2 that was considered in the environmental statement. Just to note that four options were considered for the location of the autotransformer station as part of the development of the scheme. They are assessed and appraised in the alternative section of the volume 2 report for this area.

MR GALE: Two is a typo.

MS LEAN (DfT): Two is a typo, I’m grateful. In which case our response is on the slides that you have in the exhibits before you at P612(6) through P612(7). That’s the petitioner’s request and then the next slide sets out the various constraints, which are reported in the ES, some of the reasons why the current proposal was preferred to the location the petitioner is requesting.

THE CHAIR: Sheryl?

MRS MURRAY: Yes, if we look at P609 actually where the petitioner has suggested that you relocate it, there’s a compound there anyway. Would that have any bearing on the fact that you couldn’t move it? The orange box, that’s a compound I think.

MS LEAN (DfT): That is a compound. I mean I’ll look behind me but I think that if we did move the autotransformer station we’d have to find somewhere else to put
the compound. But just to confirm the broad reasons why the autotransformer station is in the location it is is due to concerns about noise and vision impacts on settlements in the area. So I know that the petitioner takes a different view on that. I’m merely reporting what’s been recorded as having been assessed in our environmental statement.


478. MR WHITFIELD: Can I just pause it there? There is soil being dumped on this gentleman’s land because right in the middle of that is his property with two soil dumps and to the right is a further piece of his property with some soil being dumped on it. Am I misreading the red squares?

479. MS LEAN (DfT): No, I apologise. I think I was looking at a slightly separate section. Sorry, I hope I said accurately there was a small area of landfill stockpiles but it wasn’t used for the large areas of stockpiling. I apologise; I misread the plan. I think a final detail to pick up on was access, specifically access over the overbridge being provided in the locality of Manor Farm. I think we can perhaps see this most clearly from the petitioner’s exhibits because our redlining seems to go over the track, A202? It’s the track which runs over the railway and then all the way along the southern boundary, the embankment there. It comes up to the point where the tenanted land meets the freehold land. That being the case, I can say we see no reason why the petitioners would not be granted the rights they need to, given the track leads to that parcel of land and I’ll certainly ask if an assurance can be given to the petitioners for that effect to provide comfort on that point.

480. THE CHAIR: Thank you.

481. MS LEAN (DfT): I think, sir, that was all I have in terms of points that had specifically been raised today unless there’s anything I can particularly assist with further?

482. THE CHAIR: No, we’ll just briefly go to Mr Gale for anything if he wants? You don’t have to. It would be appreciated if you didn’t have to.

483. MR GALE: That leaves me with a quandary doesn’t it?

484. THE CHAIR: Oh no, take the time if you need to.
MR GALE: It’s really just summarising. We can see the problems. The family want to carry on farming. It won’t be viable during construction and it may be viable post construction depending on how we go forward. We welcome the idea of a working group. It is a great pity that it hadn’t come forward eight months ago. I think the works that are talked about in 2021 are probably just some mitigation works, potentially so there might be a little bit more time. So there might be a little more time but even so, as you’ve all observed, it is very pressing and the family would love to stay there.

THE CHAIR: Okay. Well the Committee are committed to the family staying there.

MR GALE: Fantastic.

THE CHAIR: We are committed to it remaining on a dairy farm and we will do everything we can to encourage, help, cajole HS2 into a position that means that the farm can carry on. Thank you very much.

MR GALE: Thank you, Chair.

THE CHAIR: Thank you to the petitioners. Shall we call your next petitioner?

GF and B Astley

THE CHAIR: Over to you, Mr Gale.

MR GALE: Thank you, Mr Chairman. Sorry for changing around the order but I thought as we’ve got Mr Astley here as a petitioner in person.

THE CHAIR: We were given notice that was going to happen.

MR GALE: Thank you.

THE CHAIR: That’s absolutely fine. It’s a pleasure to see you earlier than later.

MR GALE: Thank you, Mr Chairman. I’m quite happy to say I can pass over to Mr Astley just to give an opening statement then I’ll go through in the normal manner.
MR ASTLEY: Chairman, ladies and gentlemen, thank you very much for hearing our petition today. I’m George Astley. I farm with my wife Brenda at Blythe House Farm, Hamstall Ridware. Our family have farmed there for over 100 years. We operate a 153 acre grass and arable farm split between several holdings. The main holding located on the outskirts of Hamstall Ridware with the River Blythe running through the middle, further land on the outskirts of Yoxall and Handsacre approximately three miles away and a parcel of land in Pipe Ridware which is subject to the proposed scheme.

We grow a variety of crops, parsnips, potatoes, maize, cereals. We’re in several environmental schemes, which covers our grassland, wildflower meadows, which we may hay. We also have several conservation wild bird strips dotted around. We have diversified our business. We are now operating 18 industrial units from Blythe House Farm. We have an art teaching centre, a brewery, several offices, motor mechanic, classic car stores and several other businesses. We also operate a caravan club certified listed site, have caravan rallies and operate weddings on our rally field when it is needed.

Like previous petitioners, we feel HS2 have not engaged with us very well. They’ve hardly been to see us. Basically, it’s a nerve wracking experience and we shouldn’t be here today. If I was a bat or a newt, I’d have a new house and a swimming pool by now. Thank you very much.

THE CHAIR: Thank you. Before I call you, Mr Gale, at 12 o’clock the House is observing a one minute silence to remember those who died at the Finsbury Park incidents last year. So just before I’ll call a moment of quiet. I’ll keep an eye on the time and we’ll observe a minute’s silence. People can either remain seated or stand as they see fit. I’ll remain seated but people can do as they see fit. Mr Gale?

MR GALE: Thank you, Mr Chairman. Well as Mr Astley has explained, he’s explained his farming enterprise. Interestingly, the actual slide that’s on there at the moment doesn’t actually show all of the land correctly. If you go to exhibit A189, which unfortunately doesn’t show the line of the railway but does show the land, you’ll
also note that there is a small field just directly north of the word ‘Nethertown’ so if you
go to the east, left a bit, that’s the on. That is also part of the petitioner’s land holding.
Whilst the field at point A is the one that’s directly affected one of the points, which is
quite a major point as far as Mr Astley and the farm is concerned is the situation with
regards to access. If you can put on A188 please? This shows the three access roads
that currently run into Hamstall Ridware. The blue and the green are poorer lanes.
They’re quite narrow, quite windy, blind bends, whereas access number 2 is the main
route that comes in and out from Hamstall really. Particularly with regards to Blithe
House Farm, it’s south. The issue that we have obviously with regards to the access is
that because there are 18 units there, business units, any disruption in that access is
likely to cause issues with regard to the letting of those units, which forms two thirds of
the petitioner’s income.

502. The other point is obviously with caravans and caravan rallies, I think you had 500
there last year over the year. You’ll tend to find that people who drive caravans would
not like to go up and down windy lanes. They would rather go in a reasonably direct
route, which is the road, which is shown red on that plan. The other thing is that
Yeatsall Road, which is the blue road, is also susceptible to flooding, as you can see
obviously with the River Blythe and the fishing ponds to the north as well. So that does
get blocked from flooding. So all in all the main route is the red line. So not wanting to
labour a point too much. Obviously it is the one used by all the businesses seven days a
week. Obviously that is of great concern. HS2 is providing assurances saying they will
only have temporary closures and it will only be night times and weekends. Well,
weekends is often when you have caravans in and out anyway and also the business park
does not close. It is available, you’re not restricted as far as the use is concerned, as far
as those users are concerned. So the idea there’s going to be any closure on there, any
stop up, is a major issue. Because the concern is as soon as you get any issue with
access the tenants will elsewhere. When that makes up two thirds of the income for the
farm that is obviously extremely worrying.

503. THE CHAIR: Rather than go on to the next point, the clock just turned over to
11.59. The division bells will go but we will stop broadcast and we will resume.

A minute’s silence was observed.
THE CHAIR: Thank you. Mr Gale, you were saying?

MR GALE: If I can continue on with the plan that’s in front of you, if you notice on the red line there is a number 2. That relates to where there is serious flooding, which I think you may already have been told about anyway there. There is obviously concern that works in that area, with regards to putting in a new haul road, may exacerbate that. I think that there might be, can I see 187(2) please? No, no sorry. That’s not the right one, 187(4). That one and then the following one, which is 187(5) gives you an indication of what the potential issues are in and around the area.

MR MARTIN: Sorry Chair, can I ask, is that Pipe Lane or what?

MR GALE: It is.

MR ASTLEY: It is just on the end of Pipe Lane coming back towards Hamstall Ridware. The photo is taken where HS2 crosses the road there.

MR MARTIN: Thank you.

MR GALE: Thank you. So obviously we have concerns with regard to the access not only from the point of view of the temporary closures but also the flooding. We’re concerned that it may well be exacerbated. We have Martin Langdon here who will talk about that in a moment.

There is also then the potential issue in respect of the borrow pit. If you could put up 187 please? I’m showing you some nice plans, 190. Thank you. So you’ll see where the proposed borrow pit is and you’ll see then to the east there is a field which adjoins it. Also shown on there are the watercourses, which surround and we have concerns as to the effect of that borrow pit. Now I realise they are under consideration but I also believe from listening to the previous hearings that the likelihood is that that one, that particular one will stay. So Mr Langdon hopefully will just talk about that in a moment.

If we then go to the actual land take, 192 please? So on 192 you’ll see on there item 3, down here. This here is the land concerned, which is Mr Astley’s ground. The railway also goes through and there was a proposal for a wetland habitat and also some ponds. There has been an assurance come forward, although we haven’t had
opportunity to give it full consideration, as to the removal of that because that is also where there’s a lot of land drains go through and there was a tip for Armitage Shanks, I believe, which is a local maker of sanitary ware. So we don’t recommend anyone digs in there. So the suggestion was it actually got moved to the north at 2.4.

513. That field there, as a matter of interest as well, as is all of the ground in Mr Astley’s ownership, is good agricultural ground used for growing arable crops but also growing root crops and veg. So we’re trying to minimise the amount of land that is being taken from there. Can I just ask that Mr Langdon comes forward just to give his views in respect of the water there please?

**Submissions by Mr Langdon**

514. MR LANGDON: Good afternoon Chair, members, members of the public. Right. I actually have been taken on to look at several properties along this route from roughly chainage 191 kilometres to around 197 kilometres. This part is actually particularly interesting because this is where a lot of 198 – so if we could please go back to drawing A190? Going from left to right across the middle is denoted as ‘A’ that is called the Luth Burn. The second A from the left which is where you’ve just gone past, near the borrow pit, that is more or less the point that all the water from the railway cuttings and the side drainage will all enter the system. Now it’s interesting because the distance up the railway line from that point is quite considerable. So although I might be talking specifically about this petitioner at the moment it does in fact cover quite a few other petitioners as well. So you’ll have to just bear with me please on that point. It’s an ongoing issue that will cover other parts of what I’m going to talk about as well.

515. The water that’s coming into that point has been not very well estimated in my opinion and the modelling that’s been done as part of the Trent Bourne flood risk assessment was done on such a broad scale that I’m rather interested to find how they could actually come up with some of the issues or comments that they made, that it was not going to be a significant input. Sorry, if we can go to A192 please? The cuttings that basically go from point 4 northwards along the railway line, they presumably will be coming into the system and actually eventually lead out at the bottom end here on the right hand side which is the southern side of the drainage system near Dawson Lane and Pipe Lane.
516. That is, even from a basic estimate, just from the cuttings, is going to be in the order of several thousand cubic metres at a 100-year storm. So the question really is: are the interception and balancing ponds going to be sufficient for that flow to be intercepted before it reaches Pipe Lane and the Luth Burn or not? At the moment there is very little information to actually go on and make a decision so I would ask that this is actually looked at in some degree of detail fairly soon. Because, as I say, Pipe Lane is a very important route of access for this petitioner and if anybody is going to be looking at discharge of water from the railway line it needs to be looked at in that holistic manner that I think this catchment wasn’t. It was done on a very broad base estimate. It was a model which had cells which were roughly two thirds the size of this room, which covering a brook of the width less than between these two tables. So we’ve got a very broad scale model looking at very specific flows. Half of the flows that are supposed to come through this, I don’t even know where the inputs are from. The detail on the drawings doesn’t even show the rail bed drainage or its outputs.

517. THE CHAIR: Sorry, can I just ask you, would you expect that level of detail at this stage of the project?

518. MR LANGDON: From the flood risk assessment, yes, because at this point of the project you have one brook that covers or goes right the way across, called the Luth Burn and that has been covered in a very, very low level of detail. For them to actually say, definitively that they will or will not be able to reduce or improve/alleviate the flooding on Pipe Lane is going to be very difficult with such a broad scale model. I would have thought that as Pipe Lane is one of the most important transport routes for my petitioner and other petitioners in the area to traverse and they are putting a lot of water from not just the railway but also from the adjoining lands as well, into a point just where it’s at its worst for everybody, just before the village.

519. MR WHITFIELD: Sorry, Mr Langdon, if we look at C6321, which is a slightly bigger map which puts Pipe Lane on it, I wonder if you can explain, I just didn’t quite understand when you were talking about, obviously the railway blocks the water and water always has to go somewhere, just how it would get to Pipe Lane.

520. MR LANGDON: Yes, so you basically have the junction between Dawson Lane, as proposed to be moved and Pipe Lane. So it’s just before the village, which is here
and the inputs are just there.

521. MR WHITFIELD: Right I see.

522. MR LANGDON: So it’s just on the eastern side of the end of the embankment. And all of that water that basically goes, on this drawing, from the left or north and west, that will all come down.

523. MR WHITFIELD: So that point there, it’s that point.

524. MR LANGDON: Now there are some points further upstream, because again this is where the strategic flood assessment that was done a few years ago actually put some of the watercourses in the wrong position and gives them the wrong direction of flow. So it was a bit awkward probably for some people when they were understanding the catchments as to how that worked. But when you go around on site and you look at where the drains go, there is definitely a clear division between where the Bentley Brook goes, which was detailed in modelling but where the Luth Burn was, wasn’t. The question was, why wasn’t it? Especially as this is the most important part for where the run off and all of the drainage from the railway comes to, why wasn’t that looked at? And it’s going into a well-known flood point. As I say, the photographs have already shown that you’ve already got existing flooding. So if anything I’d have thought aspirationally a major infrastructure project would have tried to alleviate it, not make it worse.

525. THE CHAIR: Sandy?

526. MR MARTIN: Yes, Chair, where exactly does the water go once its reached Pipe Ridware?

527. MR LANGDON: Perhaps if we go back to A190?

528. MR GALE: It is shown on that map.

529. MR LANGDON: It is shown on the map but A190, so the point that it would all come into is this point A. Now A itself marked on this map in dark blue is the Luth Burn so it flows from the left to the right and then enters the Trent somewhere around about point D. The actual point of entry is a bit questionable because there are some
other side drains that come off of it. So when the flows get a bit deeper then it will go somewhere else. Things change on agricultural drainage systems. But effectively, what happens is that everything that comes from the railway line on the north side of Pipe Ridware will go into the Luth Burn which then will go through the Nethertown area off to the right here and then down into the Trent.

530. MR MARTIN: So it’s almost as if somebody deliberately laid pipe along the watercourse.

531. MR LANGDON: It’s funny; it’s in the name, isn’t it?

532. MR MARTIN: Thank you.

533. MR LANGDON: Now the one thing I was going to say is that as part of this, and again it’s a common thing that’s come out with a lot of the drainage that I’ve looked at in the area, these are rural roads with rural drainage networks. They have a specific purpose, which is to convey the water from A to B as best possible. In the good old days, and I won’t say when, those are likely to have been sufficient for the requirements at the time. At the moment we have a lot of people who are using it. They’re using cars and when this floods people can’t get through. So the real question I still have is: why wasn’t this modelled in any more particular detail that would identify what could or could not be done to the Luth Burn and all of the inputs to it. And more to the point, why was there no alleviation?

534. THE CHAIR: I think we got the point. I think going into detail in this session is that there isn’t the detailed knowledge to go into. So let’s move onto the next point if that’s okay, Mr Gale?

535. MR GALE: Have you got anything else to say?

536. MR LANGDON: Well the other little thing was, can we go back to that other one you had, A192? Can you zoom into these at all? I want to see if we can get the detailed view of the drainage network. If you follow my cursor there are drainage channels that go on either side of the railway land. When you look at them in a lot of detail, you really zoom into them, they actually show which direction they’re going to flow in. It took me a while to actually work out which one was going which way. So somebody
has actually taken a fair bit of effort to go in and find out exactly where the water is flowing. The question now is: if all of the drainage from the roads, which are the relined Dawson Lane and all of the access points, are going to go into the balancing ponds, are they or are they not going to be going to piped drainage systems or open drainage systems?

537. Open drainage systems are normally what we would expect in a sustainable drainage scenario. Piped ones aren’t. And it looks like the majority of the flows that are coming alongside roads, instead of being in, like I say the old fashioned way which is an open ditch at the side of a road, they’re all going to be piped and then pushed into these balancing ponds. Now again, shouldn’t they be following SuDS philosophy, which is to keep them open wherever possible.

538. THE CHAIR: What is SuDS?

539. MR LANGDON: Sustainable drainage systems.

540. MRS MURRAY: Sustainable drainage.

541. THE CHAIR: Not one I was familiar with, apologies. I don’t do acronyms at all.

542. MR LANGDON: Okay, sustainable drainage systems.

543. THE CHAIR: Thank you.

544. MR LANGDON: There’s a construction information research industry association, which has a lot of advice and guidance on how to do sustainable drainage systems, since around at least 2007. We would have thought that these sort of things would have been built into it. Which of course then, as I say, where are all of these inputs going to be going to and from? Some of these I think are the little green lines that are shown sort of connecting to the balancing ponds but I wasn’t quite sure. So somebody has gone to a reasonable amount of detail. The question again that follows this is, okay, you are now putting in what effectively will be defined as ordinary watercourses which will have liabilities attaching to them. So riparian liabilities will attach to those. We don’t know if there’s a byelaw distance that will attach to either the land drains at the side of the railway or to these connecting pipes but if there are these liabilities who is actually looking at them and what are the implications for our
petitioners?

545. THE CHAIR: Thank you.

546. MR GALE: Can I just ask with regards to the proposed borrow pit, can you just give me an opinion as to what the situation may be in respect of de-watering on that field that I’m pointing out which is adjoining it?

547. MR LANGDON: Right yes. If we can go back to A190?

548. MR GALE: That’s the one, that’s the borrow pit.

549. MR LANGDON: As you can see it is adjacent to the Luth Burn and again the idea of this being de watered is going to raise the question of how extensive will be the drop in groundwater table, how much and how far? Now I haven’t been able to determine with any precision because I’ve not taken any boreholes as to what the soils and the underlying geology are like. But again I would have expected something in the order of maybe 100 to 500 metres depending on how they do it. Again, there’s very little detail on how that de-watering is going to take place. It does mention that they will be done in small sections, so the whole thing won’t be dewatered at once. Presumably it will be dewatered in sections. The thing is, when that is taking place, where is the water going to be pumped to? Which presumably again is somewhere onto Pipe Lane and Luth Burn which already has the flooding issue or somewhere else. That’s a lot of water to move.

550. THE CHAIR: Okay, Mr Gale?

551. MR GALE: Thank you. Associated with that I know that when there was discussion maybe last week in respect of the borrow pit, it was said that the affected landowners would be contacted once a decision had been taken on how it was going to go forward. I would like to know who is classed as an affected landowner because although land here isn’t actually being taken, to my mind, that land directly to the east -

552. THE CHAIR: You would like this petitioner to be included as an affected party?

553. MR GALE: It’s the same as Mr Dangerfield earlier as well. So there’s people who are immediately surrounding it who may be affected.
554. THE CHAIR: Okay, we’ll take that as a request from you to HS2.

555. MR GALE: If you will do. Just some other interests, the petitioner has also got piezometer information from his own farm anyway, which is available if needed. Apart from that, the only other point I would make is that in order to remove the issue in respect of Pipe Lane, our view of the best way would be to actually put a Bailey bridge straight across the Trent so you’re accessing it from the A513 not having to use Pipe Lane at all. It may be a flippant remark but it seems as one way.

556. THE CHAIR: What type of bridge?


558. THE CHAIR: So it’s a temporary bridge?

559. MR GALE: A temporary bridge, yes. A temporary bridge whilst construction is being carried out. It then means you don’t have to take the movements up and down Pipe Lane. I don’t know whether it’s a suggestion that HS2 are willing to give consideration to.

560. THE CHAIR: Okay, well, I think if you’ve come to some conclusion I think we’ll take HS2 after the lunch break. We’ll resume at two o’clock. Thank you very much.