## EXHIBIT LIST

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HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PARLIAMENTARY PETITION

P2A-000040 – Graham Ward 2010 Discretionary Trust
Graham Ward 1998 Children’s Life Interest Settlement
Graham Ward Will Trust
Graham Ward Farms Ltd

Presented by

Barry Denyer Green Barrister
Charles Roger Bedson BSc MRICS FAAV
David Langton Walker FRICS FIQ
HIGH SPEED RAIL (WEST MIDLANDS-CREWE) BILL

Herewith your petitioners’ evidence for the Parliamentary Petition in respect to:

- Graham Ward 1998 Children’s Life Interest Settlement
- Graham Ward Will Trust
- Graham Ward Farms Ltd

1.1 Introduction - Barry Denyer-Green.

1.1.1 Efficient and productive family dairy farming enterprise, see Appendix A, comprising:

- Netherset Hey Farm being a total of 141.6 hectares (350 acres), comprising 129.5 hectares (320 acres) owned, 12 hectares (30 acres) rented and

- Hungerford Farm comprising 182.11 hectares (450 acres) comprising 129.5 hectares (320 acres) owned, 52.6 hectares (130 acres) rented.

- HS2 taking 50.59 hectares (125 acres) of prime best and most versatile agricultural land for a borrow pit plus around 24.28 hectares (60 acres) of prime agricultural land for tree planting, which will close down the Netherset herd. Ironically the railway takes virtually nothing, but Borrow Pit 5 and trees decimate Netherset.

- See Appendix B. Red line boundary, grey borrow pit land (Borrow Pit 5) and green ecological mitigation land.

1.2 Borrow Pit Summary Points

1.2.1 Borrow Pit 5 is not considered to be a suitable or appropriate source to supply materials for HS2 construction requirements due to a number of fundamental issues summarised as follows:

- the operations will decimate what is a thriving dairy farming business and will hinder its further development and expansion

- there are existing facilities available within the local area surrounding Borrow Pit 5 that could supply the materials requirements quantified by HS2. These facilities benefit from extant planning permissions with a number of environmental controls in place

- the mineral resource contained within Borrow Pit 5 is safeguarded under planning policy guidelines and use of this resource as a fill product is not an appropriate use of primary aggregate

- The use of the borrow pit does not correlate with the definition of a true borrow pit nor their purpose.
2.1 Impact on the Farm

2.1.1 The land take from this enterprise has serious financial and economic impact on the existing dairy herd at Netherset Hey which will need to lose around 200 cows, thus making the farm unviable.

2.2 Impact on Family's Minerals

2.2.1 The Family has held this land in trust for many years and HS2 requirements simply “take” part of the Family’s strategically held mineral reserves and potentially sterilise the remainder, which is against national policy. Your Petitioners have had this mineral tested and sampled and can confirm that it is a primary aggregate to that ordinarily required for railway embankments. It is ideal for use in high strength concrete and hence using it as fill material for embankments is not an appropriate use. This is contrary to national planning policy, specifically provisions of the National Planning Policy Framework.

2.2.2 Ultimately, opening up a borrow pit in this location is completely unnecessary as there are existing quarries with extant planning permissions within a 25 mile (40Km) radius centred on Borrow Pit 5. The closest quarry is Lordsley Quarry (owned by Hanson) located circa 4.8 miles (7.7 km) away from the proposed route of HS2. See Appendix C.

2.2.3 Lordsley Quarry – Summary Points

- Proven consented reserve of 6 million tonnes (3.64 million cubic metres) 4.8 miles (7.7 km) from trace
- Proven quality suitable for the scheme (used on roadways)
- Currently non-operational therefore not taking away any current market share (HS2’s argument in the south was that operational quarries could not be used because it could upset existing market supply which is not the case here)
- Hanson own Lordsley. They had not been approached by HS2 as at March 2019
- Hanson have written confirming availability and quality of materials. Clearly ready, willing and able to use (See Appendices D1, D2 and D3)
- Any planning restrictions at Lordsley can be overcome by temporary planning consent or compulsory acquisition of better access if supply limits are an issue due to the access.

2.3 The Madeley Cord and Overhead Clearance of the Viaduct.

2.3.1 The railway line at Madeley Cord (the former Silverdale Colliery mineral railway) offers the opportunity (point A at Appendix B) to facilitate the transport of sand and gravel on to the West Coast Mainline at point B on Appendix B.
It is important that the viaduct at Point C retains sufficient clearance for the Madeley Cord to remain available for future use in accordance with Policy T9 (Rail freight) of the Newcastle under Lyme Local Plan 2011 which states that it is important to safeguard existing rail connections to Chatterley Valley and Silverdale.

3. **Impact on the Farm Business - C R Bedson**

3.1 • Netherset loses around 74.87 hectares (185 acres) of land to the scheme through Borrow Pit 5 and the tree planting. Stocked at a little around a cow per acre on the best ground, there will be a loss of around 200 cows. See Appendix C and D.

• We note the assurances offered to move some of the trees to less productive land, but the acreage taken may remain the same.

• This means that the herd at Netherset would reduce from 350 cows down to 150 cows. This makes it unviable to employ herd managers and stockmen to manage the herd and hence the only viable option is to move the remaining 150 cows to Hungerford.

• This means that the facilities at Hungerford need to be increased to cope with an additional 150 cows. Infrastructure requirements are:

  o increase in size of slurry lagoon
  o increase in silage clamp facilities
  o extension to milking parlour
  o additional cow accommodation

• Economically, the farm business consultant identifies that if Netherset is closed down then the farms annual profit of around £210,000 per year will be lost and will become a compensable item.

• If the remaining 150 cows are moved to Hungerford then those losses reduce to around £140,000 hence saving the tax payer £70,000 per annum.

• We anticipate the cost of additional infrastructure required at Hungerford is around £300,000 which we believe would represent value for money for the tax payer because ultimately it would be cheaper to enhance the facilities at Hungerford rather than pay an annual loss of profit claim of circa £210,000 per annum.

• HS2 have offered to make some advance funding (subject to negotiation and agreement) although this offer has been advanced via a treasury green book appraisal business case which is predicated on the Secretary of State acquiring permanently all of the borrow pit land.

• See Appendices B1 and B2 Landscape photographs.
Your petitioners do not want the Secretary of State to take possession of their land for a Borrow Pit 5.

4.1 **Borrow Pit 5 - David L Walker FRICS FIQ**

4.1.1 Borrow pits are generally defined as temporary mineral workings sited adjacent to major construction projects and can have advantages over established mineral workings by reducing the impact of HGV movements on the public highway.

4.1.1 With the exception of small borrow pits developed within the boundary of construction sites including highways and rail, planning permission is required. Proposals for borrow pits will be treated in the same way as any other mineral extraction scheme. This means that borrow pits must be justified in terms of being the most suitable source of material to meet demand, that there is no alternative material of the required specification available in sufficient quantities, and that appropriate environmental safeguards covering both working and reclamation are included in any planning permission.

4.1.2 The use of the mineral resource at Borrow Pit 5 does not fit within this definition given the receptor sites (e.g. embankments, cuttings and tunnels) are spread out in excess of 10 km along the line of the HS2 route and although the mineral resource would be transported along haul routes as opposed to the public highway, there will be significant disturbance along the respective transport corridor.

4.1.3 There will also be HGV movements in excess of 84,000 along a number of public roads associated with the importation of material for backfilling of Borrow Pit 5 and it is not considered that the adverse highways impacts of transporting minerals from established workings within the areas surrounding the receptor sites, such as Lordsley Quarry, outweigh the transport impacts associated with Borrow Pit 5.

4.2 **Netherset Hey Farm Mineral Resource**

4.2.1 The mineral resource at Netherset Hey Farm is in excess of 10 million tonnes, (6.06 million cubic metres) which has been proven by test pitting and drilling over the years at an average of 10 to 11 metres in depth and up to 17 metres.

4.2.2 The sand and gravel deposit comprises a balanced ratio of coarse to fine aggregate in the approximate proportion of 41% gravel, 54% sand and 5% fines.

4.2.3 The gross area of the proposed borrow pit is some 50.59 hectares (125 acres) although the area identified by HS2 for actual mineral winning/working is 28 hectares (69.19 acres).

4.2.4 The estimated tonnage over the total area of 50.59 hectares is 6.88 million tonnes (4.17 million cubic metres). HS2 propose to work in excess of 1.75 million tonnes (1.06 million cubic metres) over 28 ha.

4.2.5 This mineral reserve should be safeguarded in accordance with local and national planning policy.
4.3 **Borrow Pit Requirements**

4.3.1 The scheme promoter identifies the need for high quality aggregates for construction purposes, but it is understood that only 19,000 cubic metres (just over 30,000 tonnes) is required for "zones of high quality granular fill" associated with bridges, viaducts, autotransformer stations etc.

4.3.2 "Bulk fill" would normally utilise lower quality mineral which can either be "as raised" or dry screened, but not washed.

4.3.3 Concrete production would require the sand and gravel to be processed, including washing, which would need silt settlement facilities.

4.3.4 For concrete production, the sand and gravel would need to be mixed with imported cement and filler with suitable washout facilities.

4.3.5 If the borrow pit is to be used, we need to approve the extraction method so that the remaining reserves post scheme are not sterilised.

4.4 **Sterilisation of Minerals at Borrow Pit 5**

4.4.1 The whole of Netherset Hey Farm/Hungerford House Farm lies in a Mineral Safeguarding Area for sand and gravel as designated by Staffordshire County Council.

4.4.2 HS2 Volume 5 - Technical Appendices- Borrow Pit Restoration Strategy (CT-009-000) refers to an average mineral extraction depth of 4.3 metres less 0.8 metres topsoil/subsoil i.e. 3.5 metres. The mineral resource is therefore not being extracted to its full depth. Excavation of borrow pits involves less depth, but larger land areas leading to additional environmental impacts.

4.4.3 Mineral sterilisation will occur if the site is developed as a borrow pit. Partial winning/working of the total underlying deposit with subsequent backfilling with inert waste will prevent the future extraction opportunities of the mineral resource.

4.4.4 The Netherset Hey site covers 28 ha for mineral extraction. It is proposed to extract some 1.75 million tonnes. The total deposit underlying this area is some 3.81 million tonnes (2.31 million cubic metres). A total of c. 2.06 million tonnes (1.25m cubic metres) of sand and gravel would be sterilised by the subsequent backfilling of excavated materials from the development site with inert waste.

4.4.5 The scheme promoter has identified an assumed need for void space to dispose of inert waste, clays and silts, the majority being imported from Yarlet and Hopton, which are remote from Borrow Pit 5.

4.4.6 Agricultural land quality would be reduced by replacing free draining sand and gravels with compacted engineering fill material.
4.4.7 The consequential land filling are additional measures that would not be required if minerals are extracted from existing quarries which HS2 has not allowed for.

4.4.8 Borrow Pit 5 has a high permanent water table as proven in the borehole and trial pit investigations carried out by various mineral companies over the years. The topography of the site and the likely ingress of groundwater following sand and gravel excavation is likely to make it impractical to restore large parts of the borrow pit to their pre-construction land use.

4.5 Alternative Sources

4.5.1 There are 12 existing, fully consented sand and gravel quarries within a 25 mile (40 km) radius of Netherset Hey Farm. Consequently these quarries are available to supply the necessary volumes for the HS2 project.

4.5.2 The closest is Lordsley Quarry (Trentham), which is a non-operational but fully consented site. This lies some 4.8 miles (7.7 km) from the trace and contains a proven and planned reserve of sand and gravel in excess of 6 million tonnes.

4.5.3 Subject to planning permission, this quarry would have sufficient void space to accommodate all the arisings proposed to infill Borrow Pit 5.

4.5.4 Based on availability there are more than sufficient reserves of consented sand and gravel to meet both the requirements of the scheme and ongoing demand for aggregates within the region. Indeed as Lordsley Quarry has been non-operational since 2007 it currently does not contribute to the local market and could supply the whole of the HS2 requirement for this section of the scheme.

4.5.5 There does not appear to be any reason why the quantity of primary aggregate requirements cannot be met from existing sources as mineral extraction from an existing source is considered to be more sustainable and environmentally more palatable than extracting from a greenfield site and opening up new quarry at Borrow Pit 5.

4.5.6 Whilst there would be additional highways impacts associated with use of existing quarries where there is an intensification on output, it is considered that these impacts can be suitably reduced and mitigated through the implementation of appropriate routing restrictions and other measures employed at source.

4.5.7 Conversely there are significant highways and disturbance impacts associated with the use of Borrow Pit 5 given that it will not be operated as a true borrow pit. A significant proportion of the backfill from external sources is being imported from as far as Yarlet and Hopton in excess of 13 miles (21 km) from Borrow Pit 5. There will also be significant disturbance along haul routes along the HS2 route corridor for mineral from Borrow Pit 5 to be distributed to the receptor sites (e.g. embankments, cuttings, viaducts etc).
4.5.8 Although there is an assumed requirement for disposal of surplus materials, there are several landfill facilities in close proximity to the HS2 route and so there should not be any need to transport surplus materials from Yarlet and Hopton to Netherset Hey.

4.6 Conclusion

4.6.1 It is the petitioners’ view that it would be in the taxpayers’ interest to obtain the required materials from Lordsley, an existing opened quarry rather than incurring the cost of opening up a whole new quarry at Netherset with its associated costs and dis-benefits to the environment. It can be neither economically nor environmentally sustainable to decimate 50.59 hectares (125 acres) of farm land to win materials which are already available locally.
Dear Geoff,

**HS2 – North Staffordshire**

It is understood that in undertaking civil engineering works related to HS2 it will be necessary for the promoters to secure a resource of sand and gravel for construction purposes and also a site for the disposal of surplus excavated material. A number of 'borrow pits' have been identified for these operations.

Hanson Aggregates has an established sand and gravel quarry at Trentham – also known as Lordsley - to the south of Willoughbridge (SJ 751365) which has significant permitted reserves, and has potential – subject to planning permission – to accommodate surplus excavated material which could be incorporated into a revised restoration scheme. The quarry has direct access onto the A51 road, some 4.8 miles to the proposed route of HS2. Although the quarry is currently 'mothballed' the Company would be interested in discussing reopening the quarry as an alternative to the 'borrow' pits currently proposed, both for the supply of sand and gravel to HS2 and for the disposal of surplus excavated material from the scheme.

It is considered that the use of the Trentham (Lordsley) sand and gravel reserves and void would alleviate most of the objections to the use of 'borrow pits' along this part of the HS2 route.

Kind regards,

Yours sincerely,

BRIAN A SHAW
Land and Planning Manager