

MINUTES OF ORAL EVIDENCE

taken before

HIGH SPEED RAIL COMMITTEE

On the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Wednesday 9 July 2014 (Afternoon)

In Committee Room 5

PRESENT:

Mr Robert Syms (Chair)
Mr Henry Bellingham
Sir Peter Bottomley
Ian Mearns
Yasmin Qureshi
Mr Michael Thornton

IN ATTENDANCE

Mr Timothy Mould QC, Lead Counsel, DfT

Joe Rukin, Stop HS2
Marjorie Fox, Stop HS2
Jane Penson, Stop HS2
Ian Barnes, Stop HS2
David Vick, Stop HS2

Mark Balaam, West London Line Group
Graeme Phillips, West London Line Group

IN PUBLIC SESSION

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(at 09.30)

1. CHAIR: Order, order. Welcome this afternoon. We will now proceed to the challenge to Stop HS2. The order, as I understand it, you are going to go first, Mr Rukin, then you, Mr Mould, then your witnesses, of which I believe you have four.
2. MR RUKIN: I have evidence and witnesses.
3. CHAIR: All right.
4. MR MOULD QC (DfT): I did not realise you had other witnesses. I thought that it was just Mr Rukin. It would be helpful, I think, if Mr Rukin called his witnesses before I respond, if that is convenient.
5. CHAIR: Or would you like to come back briefly after the witnesses? You can cross-examine the witnesses if you wish.
6. MR MOULD QC (DfT): I hope that I will not need to, but I think that it would probably be more convenient to you if you hear his presentation, including any evidence, then I respond briefly, I hope, to that and then he has the final word.
7. CHAIR: Yes. Are you happy, Mr Rukin?
8. MR RUKIN: Basically, I will do my two presentations together.
9. CHAIR: Okay. That will be super, thank you very much. Could you introduce yourself and who you are, please?
10. MR RUKIN: My name is Joe Rukin. I am here as a campaign manager for Stop HS2, a national organisation formed in 2010, bringing together all parties affected by HS2 in a collaborative democratic representative manner to promote best practice, sharing information and campaigning to stop the HS2 project and, failing that, attempt to achieve a better solution than the one set out initially in the 2010 Command Paper and, since then, in subsequent iterations of the plans for HS2. I believe that this fact is

made clear in point 7 of our petition, that the petitioners are the Stop HS2 campaign group. The individuals who form Stop HS2 became aware in March 2010 and considered themselves directly affected by HS2. Stop HS2 was formed in June 2010 as a national grassroots campaign to represent all of those territories affected by HS2 proposals. Your petitioners are supported by over 100 action groups, as well as numerous individuals and other groups, such as parish councils and residents associations, as well as other regional and national groups, trusts and associations.

11. Over the last four years, Stop HS2 has led on campaigning on issues around this project. A few examples are that in 2010, whilst some local authorities immediately passed policy to oppose HS2, the majority did not and Stop HS2 led a campaign to inform councils of the effect of HS2 and would they like to take a stance on the project and commit resources to both the opposition and mitigation. It is also the case that the first Parliamentary lobby day that we held in November of that year was the first time that the affected MPs were brought together and started talking to each other.

12. In September 2010, Stop HS2 founder, Lizzy Williams, walked the entire 140-mile route of HS2. The reason for this, besides wanting to do it, was that there were a lot of blanks at either end of the line in terms of action groups and we wanted to know the reason why. The reason for this was quite shocking. As you walk from house to house and farm to farm, the people who would lose their homes, their land and their livelihood did not, actually, know about HS2. They had not been informed by HS2 Ltd. This has set the pattern which has been repeated over the last four years in the fields of engaging and informing the public about consultations, events, mitigation, understanding the impacts of HS2 and even the business case. In those respects we have done HS2 Ltd's job for them.

13. Even yesterday, when HS2 Ltd announced the sixth consultation on compensation, Stop HS2 got the information out to the affected first, because that is what we do, we work to represent our constituents and we tell them what they need to know and we help them wherever we can.

14. To that end, we update our website on a daily basis. We provide information which has helped individuals understand the impacts of HS2 and help them respond to consultations, most recently, of course, by providing guidance on how to petition this Committee.

15. We have held two national conventions to inform and educate individuals on all pertinent matters. We have helped action groups by providing guidance and support and we have represented our constituents at the highest level, with this being the fifth Parliamentary Committee to which we have given evidence.

16. With regard to our petition, Stop HS2 has sought to petition on the route-wide impacts which affect everyone along the line. There are no issues raised concerning specific localities in the petition. All the issues relate to multiple localities or, indeed, to everywhere along the route. To that effect, we have petitioned on the powers contained within the Bill, the cost of the Bill, the concerns about the Environmental Statement, concerns about the Construction Code of Practice, concerns about water supplies, about ancient woodlands and hedgerows, concerns about habitats and wildlife, concerns about light pollution, concerns about electromagnetic interference, concerns about the speed of HS2, requests for community funds, concerns about archaeology, concerns about community identity, concerns about highways, agriculture and ecology and other issues which arise during the construction stage. We have made requests for restoration of landscape and ecology, compensation, concerns about ancient buildings, concerns about the operation of the scheme, carbon outputs and, finally, concerns about the additional problems which may become released. It is clear that these concerns are not against the principle of the Bill, but we have a great concern which impacts on everyone everywhere. However, I believe none of this matters to the promoter, as we believe that the promoter had decided to challenge our petition before we had even deposited it.

17. When reading the list of the promoter's objections to the petition, we cannot even say that they have read it. With specific reference to, say, point 8 of the objection, certain of the objections raised in the petition are directed to matters affecting the principle of the Bill as approved by the House and no other grounds for objection are disclosed in the petition, in accordance with the practice of Parliament and the rules of

the House, that would entitle the petitioners to be heard. On that point, I am very much looking forward to see what Mr Mould has to say, because I stand here to be corrected, but I cannot see a single issue contained in the petition which relates to the principle of the Bill, let alone there being no other grounds for objection.

18. In fact, this statement is undermined by the very list of locus challenges provided by the promoter and available on the Committee's website. This lists that our petition is concerned with Country North, meaning it is supposedly solely concerned with Staffordshire and Warwickshire, not route-wide issues. Obviously, this is incorrect and it may seem like a small niggle but this is symptomatic of what we have had to expect from HS2 Ltd over the last four and a half years, giving out incomplete and contradictory information and generally communicating poorly and inaccurately, while honestly displaying contempt for those people whose lives are affected by HS2. At best, we would say that they have seen these people and their interests as inconvenience and they have seen answering questions, providing facts and giving assurances as an inconvenience, as well as providing the truth about any downside of the project. That, in our opinion, is the reality of why our locus standi is being challenged.

19. I am sure that the view from the promoters - intimidated by the Under Secretary of State for Transport at the Environmental Audit Committee - is the belief that our petition has been submitted for vexatious reasons to gum up the process. This is simply not the case. All of the issues in our petition are well-grounded issues of route-wide concern. In fact, hearing our petition would, actually, potentially speed up the process through cutting down on repetition afterwards.

20. The Government have said that “directly and specially affected by the project” is a definition that cannot apply to national organisations, yet we see that the petitions of CPRE, the Ramblers Association and the Woodland Trust stand unchallenged which, in our opinion, not only completely undermines this challenge to our locus standi, but also supports the idea that we are being singled out for political reasons.

21. If I was being charitable, turning to the objections that the promoter has lodged against our petition, I might say that points one to four of their objection, that there is no

land or property right or interest affected by the Bill and that we do not represent anyone or interest would have been avoided if we had provided more information about Stop HS2 in the petition document, but the reality is that HS2 Ltd are well aware of who we are and that we represent everyone affected by HS2. The Department for Transport has said that Parliament is clear that a campaign group which is not composed of individuals directly and specially affected but simply opposes the principle of the Bill cannot petition, which brings me to my first slide, A3(2), which is the objects of Stop HS2 Ltd. As you might expect, our first objective is to stop HS2; given our name, I would hope that was obvious, but, as you can see, ever since the start we have taken a pragmatic view. I point the Committee very specifically to point N, to work with all parties to minimise the adverse impacts of HS2 on individuals, communities and the environment. That clause was not inserted in 2010 with this process in mind, but that has been the reality of our operations since the start. Also of relevance to this challenge, I would like to point to point D, to engage with Government and HS2 Ltd on behalf of local action groups, which is again part of the reason for our petition.

22. Stop HS2 has membership on different levels. Firstly, we could look at the number of people on our mailing list. We could claim the 34,000 as supporters, but, obviously, I expect that there are a few email addresses that end in HS2.org.uk on that list to find out what we are up to.

23. In terms of affiliated action groups and residents associations, we have 105. It is going to be 106 in a couple of days. There are 94 listed on the website, but SOS Camden, Camden Cutting, *Antil Residents Association*, Killamarsh, Redshaw, Madeley Culture, Swynnerton, Abell and Warburton should be added to that list. The new action group set-up meeting is in Crofton just south of Wakefield, obviously, on Phase Two, but within 500 metres of the proposal for Phase Two. Therefore, potentially, I would expect that, if they had petitioned, they would not be subject to a locus challenge in the same way that other actions groups on Phase Two have not been.

24. It should also be mentioned, although they are not mentioned as affiliates on the website, that there are numerous parish councils and other bodies which could legitimately be added to that list. Although we work with anyone, action groups must

become affiliated to use the Stop HS2 logo, which you will see when you take your site visits all over the route. This, besides giving branding to the campaign, has fostered a sense of belonging and the feeling that people are not alone. We also have a number of volunteers, some who have specific responsible functions in the organisation, some who take on projects and some who dip in from time to time. Obviously, there is the issue of funding which comes from people all over the route. Finally, Stop HS2 has 57 shareholders spread all over the route of HS2, who, legally speaking, are the members of the organisation. We could have more but we have never really pushed the shareholding. It is worthy of note that 20 of those shareholders have not petitioned against HS2 in their own right, being happy to Stop HS2 to petition for them, a list which includes myself.

25. Whichever measure of membership you use Stop HS2 members do have land and property which will be taken or interfered with under the powers of the Bill. Stop HS2 members do have rights and interests which are injuriously affected by the Bill and Stop HS2 does represent inhabitants affected by the Bill. This, in my mind, dismisses points one to four of the promoter's objection.

26. I will return to the issue of representation later and make use of some of the evidence of the 230 letters from individuals, business owners, councils, action groups and other organisations, which have been submitted as evidence, which all state that Stop HS2 represents them. But for now, I would like to continue through the list of objections to our petition.

27. At point five the promoter states that no grounds for objection are disclosed in the petition that would warrant the grant of discretionary locus to the petitioner under Standing Order 96 of the Standing Orders of the House of Commons relative to private business. I would say that, while the points that I have made show that we do not need discretionary locus under Standing Order 96, if the Committee is not convinced by the earlier points I would put it that we do qualify for discretionary locus, not under Standing Order 96, but under Standing Order 95-2, as discretionary locus allows for inhabitants of an area. Without changing the meaning of Standing Order 96, the wording which I think would apply to the specific case is “it shall be competent to call

for referees, if it thinks fit, to admit the petitioners being the inhabitants of any area of the whole or part which is alleged in the petition to be injuriously affected by the Bill or the provisions thereof to be heard against the provisions thereof.”

28. I would say that, with reference to Standing Order 96, the members of Stop HS2 are inhabitants of an area, the whole of which is injuriously affected by the Bill. It just happens that that area is 140 miles long and a mile wide. It is the whole route of Phase One of HS2. The analogy to make, I suppose, would be that an action group would be considered as a parish council, whereas Stop HS2 could be considered as a county council, simply a 140-mile long one. I would say that we qualify under Standing Order 91A, but, obviously, we are not a society or an associate. However, with reference to Standing Order 95-2, we must qualify as what is defined as an “other body” and we do represent the interests, amenity, travel and recreational interests, and we have petitioned against the effects to those in our petition. It is notable that HS2 Ltd have not objected, actually, to us being awarded discretionary locus under Standing Order 95-2.

29. Point six of the promoter's objections states that the interests of the petitioners are not directly and specially affected by the provision of the Bill and the petition does not disclose, nor is it a fact that the petitioners may be affected in any manner different from the way in which the Bill may affect the general public.

30. I think that I have already sufficiently covered the issue of whether or not we are directly or specially affected. However, I would like to draw attention to the second half of this sentence, “that the petition does not disclose that the petitioners may be affected in any manner different to which general members of the public are affected”. Again, like point eight of the promoter's objections, I can only assume that this clause was inserted for the sake of it by someone who had not read the petition, as otherwise it would seem that we believe that dust churned up from HS2 will reach Dundee, that the noise will reach Norwich, that the roads of Cardiff will be churned up and the New Forest turned to woodchip. It is absurd to suggest that the general public away from the route of HS2 will suffer these detrimental effects felt by those living near the route of HS2.

31. Finally, point nine of the promoter's objections claims again that Stop HS2 has no interest in the subject matter of the Bill. As I cannot challenge that claim without repeating almost everything that I have said, I would like to call Marjorie Fox, the first witness.

32. CHAIR: You are the first witness in place?

33. MRS FOX: Yes. I am Marjorie Fox. I live in Harefield, which is part of Hillingdon, which is directly affected by the route of HS2. I am here today to help my community. I ask the Committee to hear a letter that I have written to Joe, as part of Stop HS2, and also to allow me to expand on that letter. I obviously ask that the Committee allows Stop HS2 and HS2 Action Alliance to petition. We could not do this without them. We rely on them. They represent us and are able to speak for us. But, if I may, I would like to read what I wrote to Joe. He has forwarded to you the letter that I wrote.

34. “As a Harefield resident directly and specifically threatened by HS2, I have turned to Stop HS2 for guidance, information, news, comment and advice for the past three years. I am on the email list for both Stop HS2 and Action Alliance and benefit from both. Stop HS2's particular up-to-the-minute commentary has been so helpful. One example of this is Joe's email enabling us to contact the House of Lords Private Bill Office re: the Standing Orders Committee in January 2014. As a result of Joe's accurate timely email, I acted to represent the Harefield community in a way that I could not have known about without Joe's accurate research and prompt action. We, ordinary residents, need Stop HS2's overview. You represent us and help us. We would find it impossible without your input to deal with the scale of this massive project, which so threatens our homes and lives. Individually, we could not know where to turn. I have tried email, write to my MP, I have used every method, e.g. attending community forums, putting requests for information, but HS2 do not respond and, therefore, we need a body which is devoted to sending out immediate up-to-date information about what is being proposed throughout the project rather than just the droplets of bias information offered by HS2. Their letters repeat the standard line and do not respond to the community's questions. Only Stop HS2 has been able to get us before the Standing

Order Committee to challenge the unfairness of the process. I have emailed our gratitude to Stop HS2 on various occasions at each stage. For example, response to consultations, Environmental Statement, compensation and now petitioning. Stop HS2's suggestions for the petition process have informed how I have drafted the petition for my neighbours, which has been accepted for hearing later. It seems unfair and wrong for Stop HS2 to be challenged. Unfairness was part of my submission to the Standing Orders Committee in January and we were successful in that challenge.

35. I have contributed financially to Stop HS2 and to Action Alliance, but now I am shocked that Stop HS2's locus could be challenged. Each community up the proposed line needs the overview of the whole project, which you, Stop HS2, give. You share with us how communities are responding. You, Stop HS2, enable us to have some understanding of the scale of the project. You and your experience is vital. Without you Goliath would win. With you individuals can have a more informed voice and have a better chance of our views being respected. Please use this letter when arguing about status.”

36. If I may supplement that letter, I would be grateful. I am a resident of Harefield, which is in Hillingdon. I am a member of a local group sub-committee of the Harefield Tenants and Residents Association, which has also petitioned. I have also petitioned in my own right with other residents of my road. I rely on Stop HS2 to deal with issues that I have not been able to put in my petition. I can do the petition personally, I can do it on behalf of my neighbours, but for the high level detail, the specifics, I rely on Stop HS2 and Action Alliance to give competence, technical expertise, to cover all the detail. Lunchtime I read Stop HS2's petition. I am amazed at the detail in it. I could not do that. As an ordinary person, an ordinary resident trying to get my villages to hear what is happening to our village, I need Stop HS2 and Action Alliance input. It is beyond my skills, however literate and competent I might be personally. I am here for ordinary people. Ordinary people's lives are being devastated by this project. I rely on Stop HS2 and Action Alliance to put in that detailed level the overview.

37. It says in my letter that I am directly threatened by HS2 and have individually responded to consultations. My MP, Nick Hurd, has now been helpful. He has

submitted a letter to you. I would be grateful if I could refer to his letter, which I believe you already have. If I may quote his letter, at the end of his one-page letter he urges you and your Committee to look sympathetically upon Stop HS2 and Action Alliance's case and allow these two organisations to present their cases to the Committee and to speak for a large number of those affected by this project. His letter is address to Robert Syms and it is dated 4 July. He reiterates the points supporting both organisations' locus standi.

38. I am also grateful today because, as a person who lives in Hillingdon, the borough solicitor is present behind me and, when I emailed the borough the day before yesterday, Mr Alagh kindly did give a letter and I quote from it. He says that HS2 is actually countering what has been offered in the previous proceedings. What Mr Alagh says is, "One of Hillingdon's two grounds of appeal were that the Hybrid Bill process did not allow for effective public participation in environmental issues." He heard the QC remark on several occasions that "every opportunity would be given to allow for full public participation in the Parliamentary process, so why he asks are there these locus challenges? They go against everything that the QC said in open court and, if anything, endorses that Hillingdon Council were absolutely right in expressing their concerns, although they weren't listened to by the courts."

39. If I may humbly echo the solicitor's remarks and ask that the Committee recognise the need for full public participation. HS2 must surely enable full public participation. To enable us to have effective voices we rely on organisations, such as Action Alliance and Stop HS2. We cannot individually do it. We cannot put in the level of expertise as individuals that these two wonderful organisations can do. We rely on them, we need them, they represent what we cannot do ourselves. We have not been able to put the detail into our individual positions. Without them the Committee would not have the facts that it needs.

40. I am proud to be a Quaker and one of our tenets is to "speak truth to power". I, therefore, ask that you use your power to allow both Stop HS2 and Action Alliance to continue to represent these ordinary people threatened by this ill thought out scheme. Without their expertise, the process will be grossly unfair and the public will be

deprived of opportunity to be heard in this complicated detailed process. HS2 has such power, as demonstrated by the strong numerous presence here this morning. We need Stop HS2 and Action Alliance overview and expertise. We rely on them. Thank you, unless I can help you further.

41. CHAIR: Thank you very much, Mrs Fox. You said earlier you were a petitioner yourself.

42. MRS FOX: Yes.

43. CHAIR: And you rely on Stop HS2 for advice?

44. MS FOX: And to supplement what I have been able to put in my petition.

45. CHAIR: You, as a petitioner, can call witnesses.

46. MS FOX: Yes, but who are going to be the witnesses? We cannot rely on Stop HS2 and Action Alliance to be here for all the 1,900 petitions.

47. CHAIR: Okay. Is that all, Mr Rukin?

48. MR RUKIN: Yes.

49. MR BOTTOMLEY: Was George Fox an ancestor of one of your family?

50. MS FOX: I am afraid not. I would be delighted if he was, but thank you for knowing of him. But it informs my whole career. I just try to deal in simple language for ordinary people and that is what I am here for.

51. CHAIR: The next witness, please. Can I say before you launch into what you are going to say that we are here to hear your views, not necessarily to quote councils and other people who have already submitted information and no doubt they will make their own representations?

52. MRS PENSON: My name is Jane Penson. I live in Chalfont St Giles, where the route is proposed to go underground very close to my house. I will be affected, undoubtedly, during the building works with pollution, with enormous problems with traffic and transport, with vibration, all of these things, which every single person who lives in my area will be affected by. My personal concern, particularly, is with the river. I work as a volunteer every month measuring the quality of the water in the River Misbourne. As a result of that, I have put in my own petition, number 1899, which specifically worries about the strength of the bridge which goes over the River Misbourne at a point where I use it every month, because it is on a lane that is currently used by only farm traffic and which is going to be now a route for spoil, which is going to be transported from one of the ventilation shafts. I have put in my own petition for that reason. That was something, which, as far as I could ascertain, nobody else had mentioned in their petitions and so I thought that it was important to put it in.

53. However, in line with the lady who has just spoken before me, I have been listening carefully to the views and the information given by Stop HS2, who have told me about the petition process, about when I can meet my MP - that was 25 November, I think, when the second reading happened, I came along to meet my MP. I would not have known about that if it was not for Stop HS2. I would have put many things into my petition that I did not put into my petition because I felt it was not just me that was being affected by them. Things that I mentioned at the beginning, like pollution and vibration, how am I going to put sensible things into my petition about those when there is an organisation there who is communicating well with me, telling me what they are doing and explaining that they are taking up these issues on my behalf? It is not a national issue, it is a local issue hundreds and hundreds of times over, as I see it.

54. Why is my brother not a member of Stop HS2? Believe me I have tried to persuade him. He is not a member of Stop HS2 because he is not directly affected by it. He does not want to join it. I am, because I am directly affected by it. The suggestion that Stop HS2 does not represent people who are directly affected by HS2 is a complete and utter nonsense. The people who have relied on Stop HS2 to put forward their

petition are being disenfranchised by you deciding that for some semantic reason you are not willing to take seriously their petition. Those are my points.

55. CHAIR: Thank you very much. Thank you for coming to the Committee today. Who do we have next then, Mr Rukin?

56. MR RUKIN: Ian Barnes.

57. CHAIR: Good afternoon, Mr Barnes. You have seen what the procedure is.

58. MR BARNES: Yes, it is all very new to me, I must admit.

59. CHAIR: Can you just say where you live as well, please?

60. MR BARNES: My name is Ian Barnes. I live in Wendover and the route is planned to go directly past Wendover, so I am directly affected by this. I have put in an individual petition. I would like to say really, rather than go through the letter and all that sort of stuff, that Joe her is a great help, as is Stop HS2 in total and HS2 Action Alliance, in providing me all the information that I needed to put that petition in, but there is a lot of information that I did not put in the petition because it is included in other petitions by Stop HS2. The key one that springs to mind is about the line speed, whereby, if you reduce the line speed, you can adjust the route slightly and it makes less noise, all those sort of large-scale things which will directly affect me but in my individual petition it is not particularly relevant, because they are route-wide issues and not for me personally.

61. I was amazed when I saw that they were being challenged to be allowed to be heard, because, if the Government themselves employ an outside agency, then why should the locals not employ an outside agency as well, although they are not actually outside, because most of the people who are members of Stop HS2 are directly affected? They have been tremendously helpful in trying to sort of demystify the gobbledygook that comes out from HS2, so that ordinary people like myself, and I do not work in any sort of legal capacity or anything like that, can understand what is being

said. I do not know if the Committee is aware of the email about secure email that HS2 sent out. I do not understand a word of it, hardly. It was nonsense. I do know that solicitors even have trouble understanding it.

62. For me, all I can say is that HS2 Action Alliance and Stop HS2 - and Joe especially - have been tremendously helpful in allowing me to make my petition and make sense of what is going on. That is short and sweet, but that is all I was going to say.

63. CHAIR: Thank you very much. Last but not least ...

64. MR RUKIN: I am not going to introduce you because I am not sure what title you use.

65. MR VICK: I will stick with David Vick, if I may.

66. CHAIR: Could you just say where you live first, please?

67. MR VICK: Certainly. I live in Waddesdon in Buckinghamshire, in Aylesbury Vale. My name is David Vick. I am a petitioner who is directly and specially affected by this Bill. I have been a member of Stop HS2 virtually since its creation. My own home and locality is due to suffer significant adverse impacts not only from the line, but more significantly - and quite often neglected in the wording of HS2 - by the associated works, the road realignments and construction sites that go along with the line. I am also the elected representative for the district council ward of Waddesdon in Aylesbury Vale, which is, likewise, seriously affected.

68. My experience of Stop HS2 is that communities have received significant guidance from Stop HS2. There has been much community engagement, a huge push to enable the communities to understand this huge and complicated scheme, to enable the fullest involvement by communities in this arcane process, to educate communities, to lobby on behalf of communities and to represent the views of communities that are directly and especially affected by this Bill.

69. Many residents have been totally lost as to how to respond to the difficult and convoluted consultations, wholly inadequate forums and the petitioning process. Many believe that much of which was designed to defeat as many of those affected with information overload, ridiculously short time scales and difficult response forms.

70. Stop HS2 have taken the views of many within the community gained from countless community events over the past four years or more, many of which are relying on the input of Stop HS2 into this process to represent their views to the various stages we have had to endure. Some petitioners have found the means to petition on their own specific concerns, but many have not and are reliant on Stop HS2 taking these concerns to the Committee.

71. My own personal petition makes reference to wider impact issues to enforce the positions suggested by HS2 staff that a number of petitioners commenting on an issue bolsters the argument for dealing with the same. Whilst I may ultimately be capable of becoming a home expert on certain technical matters represented in my petition, it would be a significant additional workload for me, and, likewise, many others also. My petition is for specific issues on many points, but they are based upon wider issues that are best settled by a smaller number of technical experts and representations from the likes of Stop HS2 and HS2 Action Alliance. Also a wider topic not raised in my own petition cannot now be raised by me at a later date, as I had not decided to include it in the petition in the first place because it is bring represented by someone else, unless the Committee will, of course, reset the process and allow those that have petitioned already and omitted certain elements expecting the likes of Stop HS2 to include them to go back and put them in their own petitions. I shudder to think of the additional Committee workload should you all have to hear each individual petitioner's own take on the wider issues and how they relate to their own more local impact and concerns. It is not reasonable for this Committee to have to endure that, nor is it reasonable for the groups, such as Stop HS2, to be expected to provide detailed site specific technical assistance to the other petitioners. HS2's - the promoters - suggestion that all issues of one particular nature could be held over a single week would also require petitioners to attend Committee multiple times. It is not workable.

72. The Standing Orders quoted clearly state the position for bodies, such as Stop HS2, who rightly and justifiably represent hundreds and more likely thousands of individuals specifically and directly affected by this Bill.

73. All along we have been promised the right to be heard and myself and many others are yet again taken aback by this thinly-veiled attempt to stifle proper input into this process. I really am ashamed to see this sort of conduct from my own Government.

74. I hope that this Committee agrees and takes the power placed with them as elected Members to look at what is allowable within the Standing Orders and what is the right thing to do and to allow these petitioners to partake in the full petitioning process.

75. Thank you for your time today and, in advance, thank you for the significant and likely arduous process you are going to have to endure on our behalf.

76. CHAIR: Thank you very much. Yes, Mr Mould.

77. MR MOULD QC (DfT): Do you mind if I just ask one question?

78. CHAIR: Yes, please.

79. MR MOULD QC (DfT): Mr Vick, I am right, am I not, that you are a councillor in the Aylesbury Vale District Council?

80. MR VICK: Correct, sir.

81. MR MOULD QC (DfT): And your council has lodged its own petition on behalf of those whom it represents, has it not?

82. MR VICK: Correct, sir.

83. MR MOULD QC (DfT): Thank you.

84.

85. CHAIR: Thank you very much. Have you finished, Mr Rukin?

86. MR RUKIN: I would say that we have heard from some witnesses. I would just like to very quickly cover some of the letters of support for our petition...

87. CHAIR: I am sorry, could you list the people rather than read the letters?

88. MR RUKIN: Absolutely. Letter 20, the Madeley Stop HS2 Action Committee; 34, Andy and Liz Charman from Harefield; 9, Clare Lazenby from Camden, letter 68...

89. CHAIR: Very usefully this is all coming in front of us so that we can see what they are saying. Thank you.

90. MR RUKIN: Slide 12, letter 95, Georgina Cuppaidge from Westminster. Slide 14, specifically paragraphs 2 and 3; letter 108, Helen and Mark Stephenson in Boddington.

91. CHAIR: It jumps about a bit, do not worry.

92. MR RUKIN: It is number 8. They are in this pack.

93. CHAIR: We have them, anyway, thank you.

94. MR RUKIN: I am sorry, I thought that this was what was on the slides. Slide number 14 was the last one, letter 108, paragraphs 2 and 3, to which I was going to make specific reference. Obviously, I was going to make specific reference to slide 15, the letter of support from the 51m Group of local authorities, besides, of course, a number of various other members who have written directly to the Committee and the Chair.

95. CHAIR: Thank you. Mr Mould.

96. MR MOULD QC (DfT): Yes, very quickly, I hope. Essentially, our response to these arguments is as I put to you this morning in relation to the Action Alliance and I do not think that I need to repeat that. In a nutshell, particularly looking at the objects that you saw of the Stop HS2 company, we say that they are able to provide the same co-ordination role and support role to individual petitioners that we said Action Alliance could perform. I was struck, actually, by Mr Barnes, who characterised Stop HS2 as an outside agency. Who are they the agents for? The principals are the individual petitioners and, just as a Parliamentary agent, no doubt, the number of Parliamentary agents will come to this Committee providing representation in terms of advocacy and also procuring evidence and so forth for you from experts in support of petitioners, such as local authorities, whom they represent. I for my part would encourage and welcome a role for the Stop HS2 company if they were to perform the same function for those petitioners who come under their umbrella, as it were, and I would have thought that the Committee might find that helpful as well, but it does not amount to a locus standi to come in front of house rather than perform that support role.

97. If you will forgive me just for a second, there is one thing that I do want to make clear, because it is a point that has been raised. It was raised by Ms Qureshi this morning and it has been repeated by Mr Rukin this afternoon. The purpose of bringing the very limited number of locus challenges that we have is not to try and stifle legitimate debate before this Committee. If I had any sense that the reason why we were pursuing these challenges was to try to stifle debate and to prevent the Committee from receiving material that falls within its proper purview, having regard to the role that has been set for it by the Standing Orders of this House and its instruction, I would not have pursued those challenges, because I would not have regarded it as proper to do so. I regard the role of this Committee as a vital one in terms of hearing the proper concerns of those who are specially and directly affected by this proposal and I hope that you will hear relatively little from me as these proceedings go forward and a great deal more from petitioners, because that is the purpose of these proceedings. I would respectfully refute in the strongest possible terms the suggestion that this is an exercise in trying to stifle debate where it is properly to be brought before this Committee. We have brought these challenges - and this is no different - because we believe that

applying the rules of this House and the Standing Orders and looking at the petitions that were proposed by those whom we have challenged that they did not, as a matter of simple fact, fall within the scope of this Committee's work. You will decide whether we are right or wrong about that, but I wanted to make that point quite clear.

98. There is just one other point, if I may, and that is this. There has been reference to an apparent inconsistency between our having not challenged the locus of bodies such as Save Britain's Heritage, the Woodland Trust and the Council for Protection of Rural England. There is no inconsistency whatsoever. It has long been recognised that those bodies are precisely the sort of bodies who fall squarely within the scope of the discretion which Mr Thornton and I were talking about earlier under Order 95-2, because they do clearly represent a specific interest. The subject matter of those longstanding bodies' particular interest is an interest that is affected materially by the provisions of this Bill, as it has been in relation to other Railway Bills in the past where their locus has not been challenged. We accept that they have a locus and that the Committee will wish to hear from them. But their role is quite different from the role of Stop HS2 Ltd. Stop HS2 Ltd is acting as an umbrella organisation which, essentially, is providing, as they say, support and seeking to further the work of individual petitioners who have brought petitions before this Committee - that is completely different - and they can pursue that, in my submission, just as effectively by taking that background support role that I have mentioned this morning rather than outside the rules of this House pursuing a front of house petition. That is our position in relation to this.

99. CHAIR: Sir Peter.

100. MR BOTTOMLEY: Can I perhaps put one or two thoughts to the promoters and then turn to Mr Rukin, please? There are a number of issues raised in the petition which I have not seen elsewhere. I do not claim to have a very good memory. If your objection to their standing was upheld, is there a way in which some of those issues could be brought up if they were not brought up by others? There are very minor things like the name of an overbridge in paragraph 84, the Carol Green underbridge, for example. There are a number of other issues, which I will not go through now, which I

have not noticed elsewhere. What is the best way of dealing with those if they are not dealt with elsewhere?

101. MR MOULD QC (DfT): I suspect that they are of the order of sort of route-wide issues.

102. MR BOTTOMLEY; Some.

103. MR MOULD QC (DfT): The way in which they can be dealt with is through the evidence that is addressed by petitioners who do have a locus before you to which those issues directly relate. For example, issues relating to noise, to the disposal of waste, issues relating to impact on nature conservation interests, which are characterised as route-wide issues, in those sort of cases it is very likely that an examination of them on a broader basis will be necessary for and will inform the determination of impacts that are complained about on a more local basis. Noise is the obvious one because, if you think about it, if you have a series of standards that the promoter says are appropriate to apply across the route, in order to determine whether or not in their application to a particular area they give rise to an unacceptable level of disturbance which is alleged by a number of petitioners, you necessarily have to examine standards in order to see whether the standards are actually justified. One of the things that we know from, I think, yesterday, is one of the authorities is going to take the lead in relation to that, so you will be hearing evidence which you will then be able to draw upon.

104. In Crossrail - I am sorry to keep going to that, but it is quite a useful precedent - we had two or three authorities, Camden springs to mind, who led detailed evidence to the Committee in relation to the standards and then individual petitioners relied upon that when they came to present their petition. You will hear from the local authorities. I think all the local authorities, I think without exception, along the route here have put in a petition which covers a wide range of matters and I suspect cover all of the main environmental considerations that are going to come up before you on a petition-by-petition basis. Necessarily, that kind of issue will be tested during the course of the petition. I hesitate to say it, but, if there are any residual issues that individual

petitioners, as we go through the process, say that, well, we really thought that we had brought those matters before the Committee, but, looking at the way in which our petition is worded, there may be some room for dispute about that, we would have to take a view, I think, in trying to assist you, on whether we should be entirely strict in our reading to the words, as it were. I do not want to give too much comfort in that, sir, because you know we will have to take it away and think about it. There are ways in which we can apply a bit of pragmatism to the approach that we take in terms of the evidence that the Committee hears in the context of individual petitioners.

105. I do not know if that is helpful.

106. MR BOTTOMLEY: It is helpful. We face two questions, number one is decisions on standing and the second is a practical one about issues which may or may not be raised or may not have been raised by the time that we get towards the end of the process. I think that what you have said has been helpful, certainly to me.

107. Can I turn, Mr Rukin, to a point that I do not think you are going to find very helpful. Two of the people who are your witnesses said that you left things out of their petition because they thought you were going to do it. Illustrations were given about noise and vibration. My reading, but again I have not a very great memory, is that in paragraphs 37 and 48, if you turn to those, one is possible funding local authorities to monitor these things and the second, 48, is outside core hours. I am not sure that that has been the strongest point that you could have brought in your witnesses.

108. MR RUKIN: No. There are other issues in there about the operational effects of HS2 later in the petition as well.

109. MR MOULD QC (DfT): Which I think you will find have been covered by a number of other petitioners.

110. CHAIR: You have the final word, Mr Rukin. Would you like to give a brief summary?

111. MR RUKIN: Absolutely. I suppose, given that Mr Mould has said that there is obviously a disagreement between why our side and his side think that the challenge to this petition and the one this morning have been brought. I thought that I might give a rather independent view from Robbie Owen of Pinsent Masons, one of the Roll A agents, who said, "It's a perfectly proper part of the Hybrid Bill process but you do wonder why they have done it. Clearly, if the Government can get rid of HS2 Action Alliance and Stop HS2 and the Campaign for Better Transport in particular, they will remove three rather large thorns from their side, but I question the judgment made to the challenges relating to just 1% of all petitions deposited and risk alienating a large swathe of the public from the Bill process and even members of the Committee and undermine the claims that it is a process that fully and fairly involves all affected communities".

112. I would also say that the assertion that Stop HS2 could provide assistance to all the petitioners or all our members in terms of support, actually, at Committee is an absolutely absurd suggestion. We have three grand in the bank. The promoters and their supporters have said from the start that we are incredibly well funded. The costs of doing that would just make it absolutely impossible to support our members in that respect. They have expected that we would petition on their behalf on these issues. Not allowing us to petition will very much risk the possibility that the process will be elongated as more and more petitioners will try to petition or at least in their evidence - in what they present to the Committee when they appear here in front of you - will try to say things that they were not planning to say previously. It will be far more efficient to hear from Stop HS2 at the start and have those issues covered. I think that that is about it, apart from the fact that the promoter has admitted that we have these levels of expertise, which the individual petitioners do not have and, therefore, it is in everyone's interest to be able to hear from us as experts.

113. A very minor point, but there was a question this morning - and speed has been brought up again - about whether or not changing the speed was within the remit of this Committee. The speed of HS2 is not part of the principle of the Bill. It is simply that HS2 will be high speed and the definition of "high speed" for a new railway is 250 kph or 155 mph, which is quite a lot slower than the 225 mph that is being proposed.

114. CHAIR: Thank you very much. That is an hour. That is pretty good. Thank you very much for whipping through that and thank you to all your witnesses.

115. As I understand the West London Line Group are here. You have been sitting patiently listening to proceedings, so, once Mr Rukin and his supporters clear the way, we will crack on with your particular case.

116. We are going to kick off on the West London Line Group. We have Mr Mark Balaam and Nicholas Woolven. Who is going to kick off then?

117. MR BALAAM: I will be speaking and I will be asking Mr Woolven towards the end if there is anything that I have missed out or might need some clarification.

118. CHAIR: Has he been sworn in as a witness?

119. MR BALAAM: Yes, he has.

120. CHAIR: Good, it is all working.

121. MR BALAAM: Could I ask, first of all, if everybody has received the papers we sent through? That is the 48-page supplementary papers. Has everybody had a chance to read them? I hope that that is the case. In that case, that takes out one and a half bit pages of my speech. Just for the Committee's benefit, could I ask if on the screen page 48, the last page, could be put up and just left there for the time being, please.

122. I should also say that on page 39 - I mean to take you through that particular slide in more detail - that some of the annotations have not quite lined up and I apologise for that. If anybody has questions, I will welcome them in due course.

123. CHAIR: Before you start, can you just say a little about yourself?

124. MR BALAAM: Certainly.

125. CHAIR: You live near Old Oak Common or ...

126. MR BALAAM: I live in Beckenham. I used to live in Wimbledon. When I left Wimbledon at the age of two, I left behind three people, my maternal grandparents and my dentist. I used to go back to Wimbledon from Beckenham and, coming through Victoria and Earls Court on the train, I would come to a station called West Brompton, which in the mid-sixties was half its former self. I was vaguely wondering why alongside a functioning railway station there were two other parallel tracks, quite bright, disappearing in the distance going nowhere, apparently. I wondered what it was all about. Subsequent to that I did use the line later on holiday going to Olympia at the time when motor rail was there, but it was only when I was fortunate enough after a spell at the English Tourist Board to come to the London Tourist Board as the Boroughs Liaison and Development Manager. I was responsible for developing tourism at the prime site within the UK. With everything having happened within size Zone 1 and most of the authorities outside the M25 had been taking up the cudgels, I had the doughnut of the London suburbs. The Royal Borough of Kensington and Chelsea came to me, because at that time I was now living in Earls Court in Eardley Crescent, which is the street between West Brompton Station and Earls Court Station alongside the boundary of the Earls Court Exhibition Centre.

127. In liaising with all 33 authorities, my contacts at the Royal Borough and Chelsea approached me to ask them to design a hotel development scheme for the Earls Court Ward, some of whose hotels, regrettably, at that time were below par. It was part of the Earls Court (At the Crossroads) SRB Programme of Government in the 1990s and, because I live in the ward as well, they invited me on the Partnership Board and I became involved with other elements of the SRB scheme, two of which were railway related. The first was the restoration of the magnificent facade of Earls Court underground station in the Earls Court Road and the other one was, after 59 years, the rebuilding and reopening of the National Rail platforms at West Brompton Station. The result of that, knowing the SRB project was supposed to have an exit strategy when the money ran out, but most of them did not, colleagues and I, including Mr Woolven here, decided to form a station users' group, because we could see that there was particular

potential for the station and that it had been for 30 years several times under the threat of closure, being the second least used station on the underground, according to other members of our Executive, with a Monday to Friday only service on the District Line. When the platforms opened on the National Rail side, we already had two services, one the originally unadvertised Kenny Belle, two trains in the morning peak and two trains in the afternoon peak, between Clapham Junction and Kensington Olympia, not advertised on the public timetable every year from 1946 until 1994.

128. In 1994 the authorities decided to extend the service back to Willesden Junction. That was the local service and three years later, in 1997, a commercial organisation on the fragmentation of the railways - with privatisation, taking the opportunity to do so - instituted a new service between Rugby, Milton Keynes, Watford, the West London Line, through West Brompton, Clapham Junction to East Croydon, Gatwick and Brighton, a very useful inter-regional service, which we wanted to build upon and, in fact, our aspiration still remains to this day to ensure that that service exists, is extended to Birmingham and runs every half an hour at least every day and we are still pushing for that. And that's why we welcome HS2, because HS2 will, we hope, relieve enough pressure, at least on the West Coast Main Line, to allow paths for that service to be looked at again in more detail. Is that helpful, sir?

129. CHAIR: Very helpful. I almost regret asking the question. Could you explain why you have locus standi in this Bill?

130. MR BALAAM: Certainly. If I could go to the questions and give our answers to each of them in turn, or rather group them together. Looking at the first two, this is our case in response: 'Old Oak Common is firmly within the West London Line Group's area of primary concern between Clapham Junction and Willesden Junction. It's therefore appropriate that upon proposing the confluence of a well-established traffic artery such as the Great Western Main Line with Britain's two most prominent rail projects in Crossrail and HS2 at a point less than 300 metres from their intersections with the West London Line, the latter's support group should comment upon the proposal and seek physical connections and proximate comprehensive interchanges.

That's why I've left those pictures up there, sir, because both of them, from different angles, show the view –

131. SIR PETER BOTTOMLEY: They should be in front of you.

132. MR BALAAM: Oh yes. Show the view from the West London Line into the area of the Old Oak Common, in which these new stations will be provided. And presently, the DfT plans to make no link between these two railways, one of which I've already demonstrated has an interregional possibility. To do otherwise would fly in the face of accepted wisdom and TfL's aspirations for greater connectivity and general common sense in relation to securing better interchanges and links between London's fragmented rail networks. In terms of loss, if the West London Line does not act as a feeder for HS2 and Crossrail and the Great Western Main Line, it is likely to suffer from the significantly poorer rolling stock deployment, in terms of quantity and quality, and less emphasis on infrastructure, including new stations, on the West London Line to the benefit of its existing and future users.

133. Given the above, the West London Line would contend that it has more than sufficient interest in railway development in the Old Oak Common area. The group also believes it is in order, as the primary transport group dedicated to rail in the area, for it not only to comment on the local rail proposals, but also indicate where these could be improved and to object when its suggestions may not be taken on board, to the detriment of rail users and others in the West London Line corridor and farther afield. Others may go further and say that we would be failing in our purpose and expected obligations as a rail user group if we did not take such action. The group's reputation as a proactive campaigning organisation, with its continuing interactions with a number of key figures in local and central government, would be damaged, as well as its credibility amongst West London Line users, many transport and local authority bodies, and – of practical importance to this group – our financial sponsors. Lack of action on our part at this point is also likely to diminish other groups and their work, especially in the field of rail campaigning.

134. We would contend that due to the present deficiencies of this Bill, this group could be injuriously affected in relation to both its standing among a swathe of different parties across London – and even the country – and its financial security. Both the group and those whom the group represents would be materially disadvantaged when, due to this event here today, the presence of the opportunity for the interchange has been brought to the attention of so many of its users – about 6,500 West London Line users have been alerted to this in the past 48 hours – it will remain with them today. Throughout the period of the interchange’s development and forever after, their lack of access to it will be a standing reproach to us and to them, and a constant reminder that this organisation, whose formation was advocated by the rail industry, cannot deliver in a very big way. It cannot deliver on securing a key interchange, not just with the well-established rail artery of the Great Western Main Line, right across the cities, towns and countryside of England and Wales to the far coast of Cornwall and Pembroke, but also with not one, but two of the country’s foremost new rail projects.

135. This group cannot deliver on direct connection to the country’s premier airport at Heathrow, plus a rapid interregional service to important centres such as Reading, the West End, the City, Docklands, but also the new Swift links, for the first time, from West London into Southeast London and deep into Essex. And it cannot deliver on the fast connections to the rest of the country, with the first of two new major traffic objectives of the NEC and Birmingham Airport, only 31 minutes away. This is failure on a massive scale. It will almost certainly mean that we shall be unable to regain the 50% loss to our small but vital annual funding.

136. By ensuring that our petition is heard, we were hopeful of securing from our principal sponsor this year’s lost £1,000. If we are unable to secure funding from them, because of this lack of success, for a further 12 years, say, until phase 1 of HS2 opens, we would have lost £25,000 – even more if inflation increases could have been agreed. This is not small money for anyone, let alone for a group like ours that only wishes to do well for those whom it represents. Lack of these connections will undermine the case for better rolling stock development in quantity, quality and frequency of service, and for infrastructure developments on the West London Line, to the detriment of these people. More than that, it is the effect on the group’s reputation and its purpose. If it

cannot deliver on this, what is it doing anyway? This failure will be remembered from each day from now on, by everyone on this group's executive. It will also be remembered by at least some of the line's estimated daily 10,000 users. They, and especially the 5,000 of them who will be passing this interchange, which will be fully visible only 300 metres from their train windows, twice a day, would be entirely justified in laying the blame for that at our door. According to the London and South East Route Utilisation Strategy, these numbers may have increased by the year 2031 by up to another 185%.

137. The damage to the group's reputation may stretch wider still, across the whole of the rail campaigning movement in London and the rest of the country. The principle of locus standi, as we understand it, is that those seeking to lay a petition must show that they will suffer significant loss, usually financial. Here we have shown that not only will we suffer, for us, very grave financial loss, we will also have the additional burden of: one, being continually aware of our direct failure towards those whose interests we are trying to improve; twice daily reminders of this for up to 5,000 of them passing the site and then the developed interchange; and thirdly, lasting damage to our reputation in the eyes of many community and rail groups in London and across the country.

138. An entirely reasonable outcome of this lack of future support and demoralisation would be that this group decides to terminate its activities. This, I believe, given the depth and quality of the work we have produced over the past 15 years – and I would draw your attention to the pages that you have received, from page 7 all the way through and including page 46 – and speaking as dispassionately as I can, would be a very regrettable loss to the rail industry and ultimately the travelling public. This is the possible scale of loss for the group, those it represents and those involved in rail development. This would not just occur if the Bill is not changed in line with the group's proposals, but also if the group is not allowed to put the points in its petition to the Select Committee in the first place.

139. CHAIR: Thank you.

140. MR BALAAM: Shall I move on to answers to the next three points, sir?

141. CHAIR: Please.

142. MR BALAAM: It would not be completely accurate to say that that which is raised in the petition are matters of general interest to the public at large. As these issues involve the detailed design of a small number – that's 11 – of pieces of rail infrastructure and will be of little, if any, concern beyond this group and those whose interests it represents. However, we are concerned with the state of existing networks and the opportunities for their enhancement to provide greater ease and choice of movement by rail in the catchments of the West London Line and its connections. Despite the continuing growth in the number of rail users in these catchments, they will remain a very small percentage of their own area's populations and of the UK population as a whole. Briefly, sir, we don't think that anybody in the general public, of a line drawn between roughly Great Yarmouth and Fishguard, would directly be affected by these proposals. That must be at least three-quarters of the country's land mass and about at least, I would say, 40% of its population.

143. The changes that the group is seeking through its petition are relatively minor, do not undermine the principle of HS2, lie almost wholly within the broad alignment of the route as agreed by Parliament, and appear to fall within the proper scope and decision-making capabilities of this Select Committee this afternoon. Moreover, according to the information to which this group's attention has been specifically drawn by the Private Bill Office, the group is strongly advised to put its case on such matters to the Select Committee during the Committee's deliberations on petitions. Advice given on the Parliament web page, entitled 'Frequently Asked Questions on the High Speed Two Hybrid Bill', under the question, 'Can I petition for a change to the route?' clearly states, and I quote, 'The Committee will have some discretion to consider changes to the route. Therefore if you (that is, the petitioner) wish to argue for changes to the route, or what could be described as the "broad alignment" of the route, you (the petitioner) should do so.' We do so wish to propose relatively minor changes to the overall specification of the route in terms of incorporation of intermediate stations with passing loops, within the broad alignment of the railway, in the areas of North Warwickshire, Claydon for the East-West rail link, Chiltern Ridge and Denham

Parkway; accommodation of the railway of double-deck and continental gauge freight trains; an accommodation of effective single-line working during times of disruption through adequate track spacing, crossovers and bi-direction signalling.

144. On this point, I am very concerned, sir. I will briefly move from my text. The West London Line has been bi-direction signalling on both lines for years. The reason it is often out at weekends is because the lines are put far enough apart. With a railway like this, where the speeds will be higher, even more should be allowed for that, but we would submit that it would still be within the broad alignment of the route. At Old Oak Common, for HS2 just two on-site connections: one between HS2 west and Crossrail east, so that trains from Denham, where a lot of the opposition towards HS2 could very well come as a park-and-ride station, as far north as Aylesbury, could then take a fast train from there through to the West End, the City and Docklands, where I suggest there is a significant amount of unexpressed demand presently having to use the Underground system. I believe there is also capacity at the west end of Crossrail at the moment. Some people are advocating Watford Junction; we're suggesting Denham as an alternative, using the access of HS2 to do so.

145. The second connection at Old Oak Common for HS2 is between HS2 west and the West London Line south. This would be in order to create what is presently now missing from the Bill, sir, which is a link between HS2 and HS1. Putting in the connection between HS2 and the West London Line at Old Oak Common would allow, at least in theory, train paths possibly later allowing, for trains to come down the West London Line through Clapham Junction, the Brighton Main Line to East Croydon, to Redhill, and then east towards Tonbridge and Ashford for HS1. That brings both high-speed networks closer to more people in the country, especially the long wedge of the South West as far as Cornwall, as well as bringing it close to Gatwick Airport. And not just one high-speed network, both high-speed networks; both domestic and also international. Yes, there will be some costs involved. Yes, there will be disruption if you actually wanted to make sure all this worked during the day with existing train paths, but that would also benefit things like the total capacity being reached on the Brighton Main Line by 2019, due to its present-day traffics.

146. At Old Oak Common, for the other routes, minimum alterations to track alignments. If we go back to page 39, that would be extremely helpful. New platforms and new rail connections. Can somebody take that to page 39 on the screen? Thank you. I do apologise again, as I say, for getting the alignments not quite right with the annotations. What I was talking about before, sir, is that A4, which would be the link between the HS2 and the West London Line, and A5 between HS2 and Crossrail. So again, all within the present track pattern. And again, if you look at the diagram you will see that very little of this actually goes outside the present railway lands and should in fact cause less disruption to local residents, which even the TfL present plan's options are liable to do. We've thoroughly commended to this Committee and all other authorities to take on board and take forward. This will be to ensure that Old Oak Common becomes a world-class rail interchange, built to accommodate actual rather than forecast demand over the next 50 years.

147. My previous pages have mentioned places like Alloa, Southeast Wales, and even the South London Line of the London Overground, where within a month – or even on opening, I think it was – they found the passenger levels three times as high as they had actually predicted. Getting this wrong is twice as important, because on top of this presently is the plan for the Mayor to build a city. Once you start building on top of railway lines, let alone around them, it becomes very difficult to make sure you then have the right platform lengths as and when your services start increasing, wanting more people travelling. We're also advocating that all of the above and any associated work should be fully funded from the HS2 phase one budgets.

148. Now, it might not be a direct concern of this Committee, sir, but I want to raise it now because we feel that the contingency amount is right and sufficiently flexible enough to allow such money to be spent and a good story coming out of it, to benefit the public in general, although there is additional expenditure being incurred. They are needed for the efficient functioning from the outset of the HS2 network, to generate the maximum benefit for users of the UK's rail networks. We have taken the Private Bill office advice to look to Standing Orders of the House of Commons Private Business 2005 and believe that Standing Order 95(2) is relevant here. We believe that our group sufficiently represents travel interests that would be adversely affected to a material

extent by the provisions contained in the Bill and needlessly so, given the proximity of the West London Line to the other lines in the Old Oak Common complex. And I mentioned the figure of £10,000. Perhaps it would be an idea just to confirm with Mr Caulfield. He already, in the last few hours, has got 22 responses at least from a campaign that we launched the night before last. In two five-hour sessions, we distributed 1,336 flyers and we have responses to 22 of them.

149. CHAIR: Unfortunately, we are not allowed to consider anything that comes in after a particular date. All the petitions and things this Committee has considered were date-limited. So if you're running a petition at the moment or getting people to –

150. MR BALAAM: No, I'm not running a petition at the moment. No, this is in line with this petition. It goes back to the statement on page 1.

151. CHAIR: Mr Balaam, you are terribly enthusiastic about transport policy and that comes across to the Committee.

152. MR BALAAM: Thank you.

153. CHAIR: Are you nearly at your peroration?

154. MR BALAAM: Yes. I want to talk though about this Committee as opposed to the Standing Orders Committee though, which might be convened later. We've only been recently advised that might be happening, to which our proposals may also be properly addressed. However, this group is anxious to communicate its concerns to Parliament at the earliest possible moment. Other developments outside the Bill but in the area of the proposed railway may be proceeded with and, as far as I know, they are being proceeded with in the interim; for example, the building of the two railway depots at Old Oak Common. And this may imperil or prevent implementation of our proposals. On the 16th of June this year, on a visit to Old Oak Common I saw posters advising that work would start the next day on the south side of the canal, presumably for the Crossrail depot. We've not yet checked on the programme of that, but either this depot or the IEP depot to the south. They may significantly imperil our proposals being

able to be put in. One other piece I would like to briefly mention here in relation to getting this solution right is a new station, not on HS2, on the West London Line at Westway Circus –

155. CHAIR: In that case, we cannot discuss it, if it's not on HS2, I'm afraid.

156. MR BALAAM: In that case, I think you might find that it is enough references to it and you will hopefully be able to draw your own conclusion about the benefits of it, sir, being able to happen. But it can be most expeditiously achieved if the group's proposal for the interchange at Old Oak Common were to be adopted by aligning running lines and platforms as straight as possible, not taking the TfL solution of going around the houses, to minimise the overall time spent on West London Line journeys calling at Westway Circus and Old Oak Common. This would be to avoid further inconvenience to existing and future West London Line users.

157. We've mentioned the link to HS1 via the North Downs. The group continues to seek better connections between the West London Line and nearby existing and proposed new rail networks, such as Crossrail and HS2, for the benefit of those it represents. This could be undertaken even now under section 2(1)(i) of the Bill. However, it is not made clear here – it is a rather general provision – that our proposals are to be implemented. Lack of such implementation is to the disadvantage of the existing West London Line users and of others in the corridor and elsewhere whom the group expects to use the West London Line in the future.

158. I'm just coming to the last point that we were challenged upon. The group would seriously refute the assertion that it has no interest in the subject matter of the Bill. We have been advocating railway development and its use in general, and in particular in relation to the West London Line, including all services at its stations and its hinterland, continually for the past 15 years. It would contend that it has a more than ordinary level of sufficient interest in railway development in the Old Oak Common area. And linking the West London Line with the Great Western Main line, Crossrail, HS2 and Heathrow at Old Oak Common, plus the new opportunity areas planned around the interchange, would provide an unparalleled set of enormous opportunities for

the group and for those whom it represents, plus the regeneration sites, opportunity areas, commercial centres, and exhibition facilities at White City, Shepherds Bush, Olympia, Hammersmith, Kensington, North West Warwick Road, Earls Court and West Kensington, Stamford Bridge, Imperial Wharf, Lots Road Power Station, and Chelsea Harbour. The group is extremely interested in these opportunities and intends to do all that it can to realise them for the benefit of West London Line users and others in the corridor. Before summarising, I would like to quote a passage from Hansard during the recent debate.

159. CHAIR: How long is the passage?

160. MR BALAAM: Pardon?

161. CHAIR: How long is the passage?

162. MR WOOLVEN: One paragraph.

163. MR BALAAM: The passage is one paragraph.

164. CHAIR: Okay.

165. MR BALAAM: During the debate, Andrew Slaughter, the elected MP for Hammersmith, whose constituency covers Old Oak Common, was not only kind enough to refer to our group by name, but that in that context he addressed the Bill's Promoter directly as follows: 'I urge the Secretary of State to listen to organisations such as the West London Line Group,' and we were the only such group to be mentioned in the debate, sir, 'which have huge experience in railways, particularly in West London, and have designed a much better scheme for the operation of Old Oak; not to use compulsory powers, not to take local areas out of the hands of local people, but to allow this excellent project in the UK to go ahead with the maximum possible support from across the country by bringing people with it, not imposing decisions from outside.' We were delighted, of course, that Mr Slaughter was able to mention us and that he urged the Secretary of State to take note of us and our proposals, but most importantly

that he should ask him to ensure that this excellent project proceeds with the maximum possible support from those across the country by bringing people with it.

166. The West London Line Group stands ready to work positively with others to secure the best solution for HS2 and its connections with the surrounding networks at Old Oak Common. A couple of comments on the position of the Promoter in relation to this, sir. The Promoter has been urged in the parliamentary debate on HS2 by the relevant MP to listen to us and consider our proposals for Old Oak Common. The Promoter, upon meeting us, instructed HS2 Limited to undertake a feasibility study into our proposals, the results of which are expected imminently. The Promoter asked HS2 to investigate the feasibility of implementing our proposals for Old Oak Common. HS2 have put these to their design consultants and DfT have now instructed HS2 to contact us when they have an update from the design consultants.

167. We have also told the DfT that we have another, less satisfactory from the interchange point of view, but simpler solution for Old Oak Common not yet with papers prepared. The key concern from HS2's point of view is that the present scheme involves construction of a double viaduct in a relatively confined space, with both elements on similar axes as those planned for Crossrail and HS2. Our secondary solution would involve only a single viaduct for the realigned West London Line and platforms, with the North London Line having separate platforms on its existing alignment in the northwest area of the site, as advocated by Transport for London.

168. Therefore, there is every reason, for those four or five points I've just made, to suppose the Promoter of this Bill, who is objecting to our petition, should be and appears to be very interested in the viability of our proposals which are included in the petition. Good interchanges are essential for an efficient rail environment that is attractive enough for most people to use. Those having to change trains are prepared to do so once per journey, but become extremely reluctant to travel if more than one change is involved. London has been a particular area of concern in this regard, as many cross-London journeys have up to now involved at least two changes when having to take the Underground between two rail terminals. While such projects as Thameslink and Crosslink may start to minimise this double-changing, such reductions

will not yet be universal across London. Attention should therefore be paid to realise the potential of key interchanges such as Old Oak Common to become as inclusive as possible, so that their ability and the return on investment can be maximised.

169. CHAIR: Pretty comprehensive. Thank you very much indeed, Mr Balaam. Do you want to make any brief comments, Mr Mould?

170. MR MOULD QC (DfT): Very briefly. I don't doubt for a minute and I commend, if I may say so, the enthusiasm and the industry with which this group promotes the interests of the users of the West London Line. And it is completely correct to say that the Department for Transport is interested in hearing their views on proposals for a variety of suburban and metropolitan initiatives that have just been mentioned to you. But we are concerned with the impact of a Bill which proposes a railway line, a dedicated railway line, between London, the West Midlands and Birmingham. It is not intended to be a Bill which provides a panacea to the perceived shortcomings and room for improvement of other railway lines within the suburban and metropolitan area of London and indeed, moving forwards, moving into other parts of the country. And so the simple point here, in our submission, is that for all the good things that these petitioners have to say more generally about the improvement of the railway network, they do not fall within the scope of this Bill. Or, put another way, the points that are made go to principle of this Bill. The principle has been set by this House at second reading and these matters are not matters that fall within the scope of the work of this Committee, in our submission.

171. CHAIR: Peter, yes.

172. SIR PETER BOTTOMLEY: Two questions. One, perhaps a simple an answer as you can give me –

173. MR BALAAM: Yes.

174. SIR PETER BOTTOMELY: Were there to be a link with the West London Line and were it possible to get across to Ashford, roughly what do you think the train journey time would be?

175. MR BALAAM: Depends on what time of day it would be. One could imagine, for example, night services where time would be less of the essence and where there would be space on the path. I'm talking about the present day. If you're talking about the future, there is obviously demand for services between say Manchester and Brussels, and not being able to build through Euston, also with the added requirement for capacity on the Brighton Main Line, avoiding the expense of building a tunnel between Coulsdon and Clapham Junction, which sounds an awful long way in anybody's language, putting it on stilts, with only one building at Thornton Heath apparently presently in the way, apart from the other overbridge, which is two, would seem to be the way forward and could very well generate the sort of numbers that would indicate a return on that investment.

176. SIR PETER BOTTOMLEY: If I turn to the promoters, there's one point in their submission which seems to raise an interesting question. Who is the tsar for Old Oak Common station?

177. MR MOULD QC (DfT): The tsar?

178. SIR PETER BOTTOMLEY: Somebody needs to be in charge of saying, 'Is it conceivable?'

179. MR MOULD QC (DfT): It's presently Network Rail, at the moment.

180. SIR PETER BOTTOMLEY: A tsar is a person, not normally a body. I think it would be useful if at some stage you can let us know, not necessarily directly in relation to the decision that we have to make on standing on this petition, but if sensible people want to talk about whether being within 300 yards of another station makes it sensible to think about having a link, at least for passengers if not for rail –

181. MR MOULD QC (DfT): Yes.

182. SIR PETER BOTTOMLEY: When I came back from somewhere yesterday, I made the mistake of trying to get from one line to another at Waterloo. I reckon I went more than 300 yards on foot, which with my bad leg is not easy. I think it would be useful for outsiders to know if there is to be someone with whom they can communicate, even without using this Committee, over Old Oak Common station.

183. MR MOULD QC (DfT): It may shed some light on that, if we just put up a page from the petitioner's exhibit. It's A4, page 47. I don't know whether that goes a little way towards shedding some light on this.

184. SIR PETER BOTTOMLEY: Hardly.

185. MR MOULD QC (DfT): Hardly. Right, okay. I'll follow that up for you and get you an answer.

186. MR BALAAM: Sir, there is a comment I would like to make to that, if I may. The first is that the projects presently being proceeded with have already been given permission and probably got building plans and everything else sorted out. They're also definitely outside the scope of this Bill and they're also probably being done by independent agencies, not necessarily in a direct relationship with Network Rail or DfT. I'm talking about here Hitachi, who are building an IEP depot, and also TfL are building a Crossrail depot, which apparently has already started. If those depots go in and there's not enough space to get these proposals in, then the subsidiary elements of the railway will be obstructing the primary element of the railway, which is to move people. We need to get this right now. That is why we have asked for the tsar to look at not just the future projects, but also the ones going on now, to say, 'Hang on a minute. Let's stop this and have a look. Can all of this fit together?' If it can, the advantages are enormous. If it can't, the shame that would fall on this country – and possibly may I say the Promoter – would also be of the same sort of magnitude.

187. CHAIR: Okay. Thank you.

188. MR BALAAM: May I say one other thing in terms of the connection point you made at Waterloo. For the Olympics, we were given an international passenger station at Stratford. As far as I'm aware, no trains stopping at that now?

189. MR MOULD QC (DfT): Apart from the Javelin service.

190. MR BALAAM: Apart from the Javelin service. But in order to service it, and it's further away than 300 metres, and get into the main centre again, they built an extension of the DLR. And we're not even going to be allowed a walkway and possibly two narrow platforms on this particular part of the West London Line to get into the station, is a total disgrace.

191. SIR PETER BOTTOMLEY: It may be outside our responsibility. I think we can see that Old Oak Common may have the capability of being equivalent to Stratford in terms of connecting things. And you have said to us, whether or not you've got any standing, that there may be a possibility that an opportunity has not been taken.

192. MR BALAAM: Yes.

193. CHAIR: We're pleased to hear you're in discussion and correspondence with HS2, so I'm sure that you'll be able to pursue that. Mr Mould?

194. MR MOULD QC (DfT): To Peter's question, I said Network Rail were responsible for the station, but I think actually the correct body in relation to interchanges and so forth is Transport for London. I will find out if there is a particular person whose name I can give you in answer to your specific question.

195. SIR PETER BOTTOMLEY: Not for me, but people outside may be interested. One of the really key things about the redevelopment of Waterloo and some other station, I can't remember which it is, is that people are actually working together and they know who is the person who coordinates.

196. MR MOULD QC (DfT): Yes.

197. MR BALAAM: Our contact, in the meeting that we had with DfT and HS2 was – I hope it's okay to give his name – Peter Moth of Transport for London. He seems to be leading on developing their particular focus. The concern we have is that if the HS2 proposals – if they're positive – come out too late, they then cannot be put into the TfL consultation –

198. MR MOULD QC (DfT): In September.

199. MR BALAAM: For that to be considered by this Committee, when TfL come to you in September, as a set of options. Therefore, the general public – unless we go out there – will not know about these proposals. So we'd very much welcome, again, coordination on timing, if they are feasible. We've got a second set of solutions here. We're very much happy to speak to Mr Blaine or anybody else at DfT on our second plan, which will be simpler. They should both be in with the three present options. Old Oak interchange is being put forward by TfL. Not saying anything against TfL, but TfL is a bit of a strange animal for us in relation to the West London Line. TfL not only looks after transport in London, it also is a transport operator of the London Overground network. It is therefore more likely to put emphasis, almost entirely emphasis, and possibly even forget about other parts of the inner London rail network, such as the southern service that could possibly run between Brighton and Birmingham every two hours, every day.

200. MR MOULD QC (DfT): I'm very happy to talk.

201. MR BALAAM: Thank you very much.

202. CHAIR: Can I thank you, Mr Balaam, and your colleague for coming in and imparting so much enthusiasm about the rail network, from which I have learnt a lot. We will give the decision on Thursday the 17th about whether you're in or whether you're out. And we now move on to Mr Graeme Phillips. Thank you very much for coming in, Mr Phillips. I will give you a few minutes to find a space. Thank you very much. As you know, your locus standi has been challenged. Would you like to explain why you should remain within the process?

203. MR PHILLIPS: Well, I've read the objection things and I think possibly there's some scope for saying that technically, my means of making my position known is not the optimum one, but the situation I was left in – or my area, so to speak – is that we were led to believe, up until very recently, that there was going to be an HS1/HS2 link and the decision was made to pull it very, very recently, long after the consultation process had closed. There were very few other means of making objections known to the fact that it was being dropped.

204. CHAIR: Okay. That is your main concern, which is the link?

205. MR PHILLIPS: Yes. There's, as I've also alluded to in my petition, the lack of properly joined up interfaces that exist on the HS1 route at a couple of the stations: Stratford International and Ebbsfleet International. I hope that one way or another, whether it is directly through the Bill or later on, some provision's going to be made so that we don't make similar mistakes there. So that's a secondary thing I raise in my petition. But as I say, the primary thing I raise was my displeasure with the fact that the HS2/HS1 link has been dropped, with no apparent sign to consider other options, no sign that they've been looked into in any great detail, and all after the consultation process has closed.

206. CHAIR: Okay. Thank you very much indeed. Whether a link is a good or a bad thing, unfortunately, we can't consider because Parliament, when it passed the second reading, gave us strict instructions about what to do. That is really the problem that we have got, in that you're basically trying to get us to discuss an item which we are excluded from actually considering, whether it's a good idea or not. I think the process at the moment is we have to ensure there is a passive link. We couldn't close off options for a link-up with HS1, but at the moment, I'm afraid, Parliament is very clear about what it wants. Do you want to add anything, Mr Mould, to that?

207. MR MOULD QC (DfT): No, I have nothing to add.

208. SIR PETER BOTTOMLEY: Can I ask a question?

209. CHAIR: Yes, please.

210. SIR PETER BOTTOMLEY: You've given us the examples of Stratford and Ebbsfleet in paragraphs 14 and 15, of not having links which might have been possible if they'd been thought of at the time, which I think is your point. Will there be some way, during the process of our Committee, where that kind of issue can be discussed?

211. MR MOULD QC (DfT): Well, in a broad sense I think there will be. I put it in that way because as you will recall, the Secretary of State is engaged at the moment in some further work on assessing options for connections between HS1 and HS2, following the decision on the link that had previously been included in the Bill. Although I can't say precisely what form of public consultation and debate there will be in relation to that work and at what time, I apprehend that the Secretary of State would expect to seek the views of the public in relation to that. What I can do, again – if you'll allow me – is I can take that way and see if there is anything more I can tell you about that when we resume next week, or tomorrow.

212. SIR PETER BOTTOMLEY: The issue isn't just between HS1 and HS2; the issue might be, for example, the Old Oak Common issue we had just now, which is a similar one perhaps to the Ebbsfleet type of thing, where you've got stations not that far apart. I think we have to leave it with you, but it is an interesting point which may not be directly related to question of standing for Mr Phillips.

213. MR MOULD QC (DfT): Yes, but it touches on what I suppose is an obvious truth that wider work in relation to the opportunities presented by the Bill scheme has not ceased. It may be helpful, as and when points arise, if we try and keep the Committee informed of what is going on in that respect.

214. CHAIR: Do we have any update when we're likely to get the change plans for Euston at all?

215. MR MOULD QC (DfT): Nothing beyond what I said in opening on that, at the moment.

216. CHAIR: Okay.

217. MR MOULD QC (DfT): I'll see if we can give you an update certainly before you rise for the summer.

218. CHAIR: Clearly, because some of those concerned about the link, the non-link or the link, clearly would like to see what is proposed as soon as possible.

219. MR MOULD QC (DfT): Of course. We'll give a progress report on both the HS1/HS2 link issue and on Euston.

220. CHAIR: Is there any final point you'd like to make, Mr Phillips?

221. MR PHILLIPS: Not any final points. All I'd say is based on what's just been said there, if there's work going on it's not been discussed in public. And so my petition has been based on only what news is known in public. All I really know is that the Secretary of State has dropped it. There's no apparent sign, as far as the public knows, that there's any consideration of how a link solution could be achieved. If there's work going on, I'm very keen that it is proceeded with and that it properly considers options, both for the existing stations at Ebbsfleet and Stratford International, plus the new ones on the line to make sure they're integrated properly, because it can hinder you. I believe it will hinder use of future stations. As I say, I'm keen for work to continue to take place to examine possible solutions. And, as I say, possibly what I was saying is based on a lack of knowledge about stuff that's going on behind the scenes, but I'm keen that at the very least, there's passive provision for a solution made. I don't know whether that will be deliberately leaving space for a tunnel boring machine at Old Oak Common so that it can be, I don't know, done as part of phase two or even three. But my basic concern is that the issue of interchange is properly addressed in the stations and that, one way or another, they either build a link or leave some sort of passive provision for the link. I'm open to all views on how it might be done. I didn't

particularly like the first one, for various reasons which you are already aware of. I would personally have favoured the Euston Cross option, but I would say I'm very open to whatever solutions might exist. I'm not sure what's being looked into, but I support moves to examine further solutions and I hope that one way or another, we will at the very least have passive provision, or better still a link constructed, and the issue of interchange –

222. CHAIR: Thank you very much, Mr Phillips. Thank you for taking the trouble to come in. It's quite short notice, which we appreciate. We will let you know the decision on Thursday the 17th. Clearly, the Committee will be seeking further information as we go through the process, so if you follow the proceedings when we get further, more detailed plans about Euston, it will no doubt be of great interest to you. I think that's it.