

MINUTES OF ORAL EVIDENCE

taken before

HIGH SPEED RAIL COMMITTEE

On the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Wednesday, 1 July 2015 (Morning)

In Committee Room 5

PRESENT:

Mr Robert Syms (Chair)

Sir Peter Bottomley

Mr Henry Bellingham

Ian Mearns

IN ATTENDANCE:

Mr Timothy Mould QC, Lead Counsel, Department for Transport

Mr Nick Hurd MP

Boris Johnson MP

Ms Nathalie Lieven QC

IN PUBLIC SESSION

INDEX

Subject	Page
Statement by Mr Mould regarding ground settlement	3
 <u>Mr Nick Hurd MP</u>	
Statement by Mr Hurd	4
Statement by Mr Johnson	14
Mr Mould's response	17
Mr Hurd's closing comments	21
 <u>The Mayor of London Acting on behalf of The Greater London Authority</u>	
Statement by Ms Lieven	21

(At 09.31)

1. CHAIR: Order, order. Good morning. Welcome to the HS2 Select Committee. I hope the room isn't too warm today. Normally it's a smell of either cabbage, chicken or paint we get in this committee room and we've put up with for the last 12 months, but I hope you'll bear with us. Mr Mould, you want to make a short statement.

2. MR MOULD QC (DfT): I do indeed. Thank you. The Committee will recall hearing the petition of Mrs Brennan. During the course of that petition I showed the Committee as an exhibit a cross-section which gave a dimension between the running tunnel closest to her property and the surface of the ground. As a result of further consideration of that exhibit yesterday prompted by the evidence of Mr Shirley, an exchange that you and I had yesterday, and an email from Mrs Brennan, who had also heard the petition of Mr Shirley, we have, I regret to say, discovered that that dimension as shown on that exhibit was incorrect, and it exaggerated the distance between the running tunnel and the surface of the ground. The reason why that has happened is because the surface of the ground has been shown at a higher level AOD than is in fact the case.

3. We have written to Mrs Brennan and she has responded overnight. We wish to apologise unreservedly to Mrs Brennan for that error, which clearly was unfortunate given the concerns that she raised before the Committee. We wish also to apologise to the Committee for the fact that that error has taken place. I have asked that we investigate fully the evidence and the assessment in relation to Mrs Brennan and, indeed, to others who have appeared before you, such as Mrs Jones and Mrs Leonard, who have also raised concerns about ground settlement and who have been shown similar exhibits. I've asked that that work be given the highest priority and the greatest urgency, and we will report both to those petitioners and to any other petitioners who have yet to be heard who are in a similar position, and also report back to the Committee. We will also check that the settlement assessment which you'll recall was shown on the contour plans is correct. We believe it to be correct. We will also check the ground-borne noise and vibration assessments. We believe those to be correct, but we will double check that. We will offer to meet with the affected petitioners as soon as possible and within the next fortnight in order to ensure that we have gone through any concerns that they may have arising out of this unfortunate mistake in the exhibit, and

we will report back to the Committee in relation to that as well. I have also asked the project to accelerate consideration of the matter that you and I discussed yesterday as to the provision of a plain-speaking guide to settlement, with a view to having such a guide in place before the Committee rises for the summer recess.

4. CHAIR: Okay. Thank you, Mr Mould. I understand emails have been flying around in Hillingdon, certainly last night, causing a lack of sleep and some concern.

5. MR MOULD QC (DfT): Yes, indeed. And I do apologise, as I say, for the fact that this has happened.

6. CHAIR: Okay. Thank you, Mr Mould. We now move to petition 1773, Nick Hurd. Welcome, and welcome to your chief witness.

7. MR HURD: Thank you, Chairman. Just to clarify process, what I propose is that I speak first on behalf of my constituents in Ruislip, Northwood and Pinner and then I call on my star witness, in the form of Boris Johnson, to speak, strictly in his capacity as the newly-elected Member of Parliament for Uxbridge and South Ruislip, if that is okay.

8. CHAIR: That's perfect.

9. MR HURD: You've heard from many of my constituents. You're aware that behind community heroes like Brian Adams in Ickenham and Doreen McIntyre in Harefield and Lottie Jones in Ruislip stand thousands of people who feel angry, dismayed, insecure and incredulous about what is being proposed by HS2 in their area. You have heard from other MPs about failings in the way that HS2 have engaged with residents. Of course those failings are real. They're not all of their own making; some of them are driven by a process and timetable they do not control, but the failings are real and it is worth mentioning, because it does leave us with a problem, which is a very low residue of trust as we go forward. And it's in that context, Chairman, that I would, on their behalf, like to thank you and the Committee and the Clerk for the way that you have listened to them. They genuinely feel that in this David and Goliath struggle you are the first people who have listened to them properly and shown them the respect that their predicament deserves, and so a genuine thank you for that.

10. To be clear, I support all the petitions you've heard, but I'm not going to speak to them all, you'll be delighted to hear. In fact, I'm going to do my utmost to try to avoid

restating problems, firstly because I don't think I can do it any better than my constituents; secondly because I don't think I need to, because I think you understand the problems and I think you understand, as Members of Parliament yourselves, the human emotions that flow from them. Furthermore, I think most of the petitions lead us to the same conversation about the need to substantially change the current plans, and that's what I want to focus on.

11. Before doing so, I do want to try to make sure that one issue remains on your radar screen, because it's there whether we tunnel or not, and that is the issue of the large power feeder station planned to be constructed on Harefield Moor. It is causing real distress to the residents of South Harefield and I know from following the exchanges that the Committee were sympathetic to this and asked HS2 and National Grid to go away and see if a relocation option was workable. My reading of HS2's response is that it is undesirable on their part but not impossible, and therefore what I would ask is that when you do get that response you push them hard to come up with a mitigation solution that satisfies residents, because it is a real problem.

12. With that, Mr Chairman, I'd like to address the central issue. HS2 want to focus your minds on one question: does the Hillingdon tunnel proposal offer value for money? What I'd like to suggest is that is not the primary question. The question that needs to be answered first is: can this part of Greater London and the Colne Valley reasonably bear what HS2 are proposing? Could I have slide 3, please? What we've argued is that this cannot be a judgment based just on the impact it will have on people's lives once it is up and running, although, as you've heard, these are considerable for those living closest to the line and for the many more who enjoy the beauty, peace and integrity of the Colne Valley. I think this slide, kindly provided by the London Borough of Hillingdon, which I think you've seen before, just illustrates the point. It may be very attractive to those in power in the Department or in HS2 to contemplate a shiny new viaduct across these lakes, but we must never forget what cost comes with it to those who have enjoyed that area for so long. What this illustrates is the noise impact of this line up and running: akin to noise levels at Heathrow airport currently and the kind of levels where Heathrow airport was dishing out noise insulation to residents. This is the future that we are being asked to contemplate in the Colne Valley. Obviously terminal and disastrous for HOAC; obviously terminal and disastrous for the marina.

13. Could I pass to slide 2? But what we will argue and have argued is that any judgment about whether these proposals are reasonable must take into account the construction phase, because it lasts for so long – 10 years – and because it’s going to be on a scale and intensity that will be seismic – could I have slide 1, please? – in this area. You’re familiar with this map. It shows what has been described as the exit wound of HS2 as it emerges from West Ruislip. Its footprint is massive in an area combining, as it does, high-density housing; highly-valued recreational and educational places, not least the much-loved HOAC, used by many people outside the borough; open spaces and views which a lot of people value very highly, as you’ve heard; a tranquillity which is hard to express but which goes to the heart of why people have chosen to live here; and, last but not least, a local road network that is already struggling to carry the existing traffic. It doesn’t surprise me but perhaps surprised HS2 that so many of the petitions you received – something like 25% – came from this area. I cannot think of any other section of the line where so many people are being asked to give up so much in return for so little: no benefits at all from HS2 and a compensation offer that we managed to improve a little for those living closest to the line but which frankly represents the absolute bare minimum that the Government feels it can get away with and which, as you’ve heard, has left people feeling unprotected from the blight associated with a 10-year construction period.

14. The main point, Mr Chairman, I want to stress is this. Other areas may claim to be more beautiful, but in this area the sense of loss goes far beyond the destruction of landscape that is precious. We are talking about condemning thousands of people of all ages – pensioners and schoolchildren – to a reduced quality of life, through adding noise pollution in an area known for its peace, through wilfully adding to air pollution in an area where levels are already too high, new light pollution, loss of recreational facilities, public amenity lost that is enjoyed by thousands, and, of course, drastically increased traffic.

15. Could I have the next slide? You’ve heard a lot about traffic – in fact, I suggest that few people know more about road conditions in Ickenham than this Committee – but I am grateful to Brian Adams of the Ickenham Residents Association for updating a schematic that I found useful in showing the latest HS2 projections and the phasing that we’ve heard so much about on key roads and junctions that are fundamental to how

people in this area and beyond move north and south. I do think this is the Achilles heel of the current HS2 plans. Even at this late hour, the only assurance that HS2 can give is that they will do more modelling and consider further mitigation at junctions. The truth that is clear to me, at least, is they do not know if this will work. They do not know. The people who use these roads every day are telling you that it can't work, whatever the HS2 model says. Hillingdon Council have made their view clear that the roads are struggling to cope with existing demand. TfL have expressed serious concerns and suggest that HS2 have not been using the most appropriate model. We all know the truth about models – and I paraphrase to avoid using unparliamentary language, but what you get out is only as good as what you put in. The peak periods are far longer than HS2 estimate; new developments have not been factored in; their theories of displacement are misplaced; the rat runs are already full of rats. My point that I wish to emphasise here is there is no resilience. Thanks to Mr Philip Taylor, you saw the impact of one period of utility works on Ickenham High Road. The fact that we don't know yet what utility work will be required by HS2 is not the point. The point is that there is no resilience. If they are required on these key roads, there will be chaos.

16. These are the problems, and we I think have expressed very clearly that we don't feel that after four long, tough years we have heard credible solutions. I do think the right question for us as politicians is: are we acting reasonably in imposing these plans on thousands of people? Our answer is 'no'. We think that the Government and HS2 need to think again. Could I have the next slide? I stress the word 'again', because we must never forget this is not Plan A. It's not even Plan B. On my count, we got to Plan D by the time the music stopped with the publication of the Hybrid Bill. Plan A, March 2010, contemplated everything being built and running above ground through Ruislip. Two years later, January 2012, Plan B, with the decision to extend the tunnel from Northolt to West Ruislip. This was followed by plans to move the excavated soil by road, which were met with local incredulity. By April/May 2013 we were on to Plan C, with more tunnelling announced this time from Old Oak Common and a draft Environmental Statement which introduced the idea of a railhead at Harvil Road for the first time, but again with soil being brought in and out by road. Finally, by November 2013 when the music stopped, we were on to Plan D and the ES, complete with soil dumps.

17. I think, Mr Chairman, there are three messages from this timeline. The first is that there has been growing recognition over time of the need to do more tunnelling to protect residents in Greater London from the impacts of both construction and operation. I think this is important, because if you are concerned about precedent, the Government has set precedent. Since 2010, they've not stopped adding tunnelling in recognition of the fact that constructing any railway line in areas where people live is complicated, and they have set the precedent of protecting residents through tunnelling not once but twice; they've just stopped in the wrong place.

18. Second – and this is important – what this timeline also shows is that the foundations of the plans by HS2 are weak and misplaced. The fact that their first plans had all the soil being taken out of the area by road betrayed a truth, which is they do not understand this area. They did not understand the roads, otherwise they would not have come up with something quite so daft. Secondly – not on this timeline – it's worth considering that even in June 2013 I was having meetings with Alison Munro saying, 'HOAC cannot co-exist with HS2 on the current site'. Three years of conversations to move them off that point. That partly explains why we're in the mess that we are on HOAC at the moment. They didn't understand the roads; they didn't understand HOAC; they don't understand the area.

19. The last point is the current plan was put together in a hurry. HS2 got it wrong from the start, and what we see in the Bill is a rushed job not done by the people responsible to Sir David Higgins for delivering the project, so it should be challenged. We think it's quite wrong to force it through without proper consideration of the alternatives, and my argument is that those alternatives have not been properly considered.

20. And so I come to my asks. As you know, local MPs, councillors and residents are united in calling for a tunnel extension as the best solution to all the problems that we have stated. TfL support that and believe that their depot at West Ruislip could help that scheme, and I will leave them to talk to that. They've also raised in principle a compromise option that they believe could improve the viaduct scheme, and that is to move the main construction logistics base from the Harvil Road site – perhaps slide 6 might be helpful – to an expanded West Ruislip site. There are, on the face of it, clearly some benefits to this proposal: legacy benefit for TfL; construction concentrated on

fewer sites; significantly less traffic and air pollution because you don't have to import soil for the railhead; no soil dumps; and the whole thing may be operationally quicker. But it is a compromise and certainly it does not solve the HOAC problem, which must be solved, or the destruction of so much that is valued in the Colne Valley. There's clearly a difference of opinion between TfL and HS2 on some important points of operability, and I don't underestimate – not least as the MP that used to represent that area – that there will be concerns that some local residents will have, even though the overall impact on the broad area could be significantly reduced. So, some potentially valuable benefits, but plenty of challenges.

21. But my main point is this. If, having heard the evidence from TfL, you believe this is in principle an option – and for us it would be a poor compromise – then let's see it worked up properly, because you haven't seen it worked up properly. Ask HS2 to move off the ostrich position. Tell them to work with TfL, to come back with something that tells us how it could work and how it stacks up against other options, because you don't have that information today. But it is – I can't stress enough – a compromise option as far as we're concerned.

22. And so I come to my main ask. If you agree that the current HS2 plans need to be revised, then please keep the idea of a tunnel extension open. I've listened carefully to the arguments on the tunnel. A lot of smoke has been blown and as it clears I'm left with two impressions. The first is that neither the Peter Brett Associates report nor the proposed scheme takes into account all the elements that need to be weighed. The House of Lords Economic Affairs Committee was right in making the point that the Government should make clear the full cost of disruption as a result of HS2 – and they haven't. Secondly, we just don't know enough about what an HS2-designed and costed tunnel looks like. If their orders were changed – if they were told, 'Actually, we want you to look at this seriously rather than just dump as much manure as you can on Hillingdon Council's proposal' – and that leads me to suggest that none of us have good enough information on which to base a judgment about the value for money of a tunnel extension.

23. Could I have slide 8, please? The next two slides have been prepared with the help of Hillingdon Council. I show you them not to start a debate about the specific numbers in each line but just to reinforce the point that there have been some key

omissions in preparing and comparing the value-for-money case, and perhaps to show a path to a more accurate and meaningful comparison. Slide 8 looks at the proposed viaduct scheme and accepts at face value the HS2 base cost but adds back in some costs that we think are real. There's no dispute about the land and property costs – £70 million-odd – but the others have been ignored by HS2. The numbers there are the assessments of London Borough of Hillingdon and their advisers and clearly they're open to challenge, but the point is that the answer in these lines is not zero, which is the HS2 position. We argue that the HS2 number understates the real cost of the proposed scheme. The other point of this slide is to remind us that there are other elements in this judgment where numbers are just not possible – where we don't have the means to reduce the issue to a monetary value in terms of environmental harm, lost ecology, impacts on quality of life. I'm sure in 15 years' time we will have the methodologies to measure these in an appropriate way, but we don't at the moment. But they're there and they feel very real to us. We think, as is argued there, that actually a more accurate total for the proposed viaduct scheme is closer to £800 million than the £500 million broadly that we are being asked to accept.

24. The next slide, please. This looks at the tunnel scheme, but I wish to make it quite clear that the starting point is not the Hillingdon Council proposal; the starting point is the cost of HS2. It's their own numbers for their own scheme, which exists in what detail I don't know, but we can reasonably assume that it's a worst-case scenario. So, this is their number, not the Hillingdon number.

25. MR BELLINGHAM: Can we just go back to the other one, Nick, just very briefly?

26. MR HURD: Yes, of course, Henry.

27. MR BELLINGHAM: I just want to have a very quick look at that. Perhaps I can come back to it at some stage, but one of the figures you could probably put in would be the blight on residences in the locality, because that could be costed.

28. MR HURD: Yes, you're right; it could be costed. We just don't have a number for it at the moment.

29. MR BELLINGHAM: Perhaps we could come back to that when we –

30. MR HURD: Thank you for that correction. But here, Henry, we're talking about – the ecology mitigation will need to be maintained, and what's been put in here is a number that I think is based on one-twentieth of the cost of maintaining the Olympic Park. Who knows if that is the most relevant benchmark, but the point is there's going to be a maintenance cost that has not been accounted for. Socioeconomic impacts. You've been through this; the range from the Regeneris report was £100 million to £400 million. It's not zero. I am personally indignant that we're being asked to contemplate a business case for HS2 a major premise of which is that when we travel by train we're doing nothing more than playing Candy Crush all the way north and that every minute and every hour that we save on that journey can be valued in terms of enhanced productivity, but the hours that me and my constituents will spend in traffic, lost, have no value at all in this calculation. There will be a cost to moving HOAC. HOAC estimates it at £7 million. The golf courses use some numbers that HS2 have already provided. As Ray Puddifoot articulated so powerfully yesterday, there's a whole list of stuff we just don't know the cost of today, but they're real, but they've just not been factored in to the numbers that have been presented to you by HS2. Whatever the properly assessed real numbers are, they're not zero. Henry, can I move on back to my next slide?

31. MR BELLINGHAM: Yes, of course. Sorry to interrupt you.

32. MR HURD: Not at all. Again, just to restate the point, our starting point here is HS2's own number. It's worth noting here, Mr Chairman, that the original starting HS2 number in March – this is a June number – was actually £100 million less than this, but it was revised upwards in light of the Peter Brett Associates reports and further consideration of the so-called interval gap. Again, Hillingdon have suggested some adjustments to that upwardly-revised number in order to get a more accurate number, to give you a genuine comparison with the viaduct scheme, and the slide also lists some other factors which we think should be relevant to a judgment but where we don't have any sensible analysis of benefits and costs. Will there be some local socioeconomic costs attached to a tunnelling scheme? Yes, but we don't know what they are. We believe they're going to be on a much reduced scale but we don't know. Is it likely that no value will be generated by the so-called arisings, as the HS2 number assumes in allocating disposal costs that I think are around £40 million? I doubt it, given that 97%

of Crossrail arisings have found a home, given that RSPB have confirmed to me that they have planning permission for another 3 million tons of soil at Wallasea, including planning permission for chalk. So I doubt it, but even if HS2 are right on this presentation of the numbers, we come to a very small number indeed in terms of the difference between the cost of a viaduct and an extended tunnel, a number that is more or less what the taxpayer has spent on the Howard Airports Commission, and obviously in Hillingdon we would suggest that a tunnel offers better value than that.

33. MR JOHNSON: Hear, hear.

34. MR HURD: But I don't want to stir up my leader too much at this stage. Even if this is out by a factor of five, it represents a miniscule percentage of the money spent on HS2 already, before any track has been laid – almost £1 billion – let alone the contingency budget, which we know runs into billions of pounds. The point here is that we think the difference is very unlikely to run into the kind of £500 million that HS2 have tried to argue, I think with zero credibility. The point is not to argue the individual numbers but to suggest that we are not yet at a point where we can make value comparisons between the three options: a viaduct; the poor compromise as we see it of consolidating construction activity on the West Ruislip depot; and the tunnel extension that Hillingdon and Bucks are united in wanting to see. I just think that work needs to be done properly given what is at stake here.

35. In conclusion, Mr Chairman, I oppose the current HS2 plans. I don't think they work. After all this time, we still have no solution for HOAC. We have no solution for the roads. I think the plans impose unreasonable cost and loss. I think they compromise us on safety in an irresponsible way. I do not consider the compensation arrangements to be fair, and we see no benefits to the area at all. I support all the petitions of my constituents and congratulate them sincerely on the way that they were presented. My specific asks for you are: firstly to press HS2 and National Grid to protect South Harefield from the electricity station. Secondly, to press the Government for maximum flexibility in the Need to Sell compensation scheme and to champion the principle that no one should suffer financial loss as a result of HS2. Thirdly, please make sure that you have a proper basis of comparing the costs and benefits of the different alternatives presented to you. I put it to you – some of you have been Ministers – I don't think any Minister would ever, or should ever, take a decision based on the quality of information

that you've been presented with. Last but by no means least, please keep the tunnel option open, because it provides the most complete solution to a set of problems that are chronic and are causing real distress to thousands of people in this section of the route. Since 2010, the Government has recognised this by adding tunnelling to protect people. They've given you the precedent. Please follow it.

36. CHAIR: Okay. Thank you very much, Nick, for that, and you kept pretty much to time as well, which we like. A couple of things. I'm not sure how far the airports review has taken us, but, taking a pessimistic point of view, that could be going on at the same time as this, so I presume the arguments have just strengthened somewhat for a tunnel.

37. MR HURD: They have.

38. CHAIR: West Ruislip – clearly there's a difficulty getting in and out – one way getting in and out – but it's right next to RAF Northolt. I wouldn't have thought it beyond the wit of man to get better access via a large RAF base onto the A40.

39. MR HURD: You only have to look at a map and you see the land, and you have to ask yourself the question, 'Is this possible?' I think the question needs to be asked by HS2/TfL of the RAF, because, as I'm sure Mr Mould will point out and as Boris knows very well and as I know, being the past MP for that area, West End Road is complicated.

40. CHAIR: Yes. Any further questions before we move to the witness?

41. MR BELLINGHAM: I have another question, Nick. I wish I'd pushed Peter Brett Associates on it at the time, but there was, I think, a suggestion that a viaduct, because it's, obviously, above ground and subject to the elements, etc., requires more maintenance than a tunnel. Do you have any thoughts on that?

42. MR HURD: I'm not an engineer, Henry; I'm a simple Member of Parliament. I read it; it instinctively made sense to me, as did the other arguments that there may be some operational benefits to HS2 of a tunnel scheme as opposed to a viaduct, but this is a conversation between engineers that I'm afraid I can add no value to. My point is, just looking at it as objectively as I can, I don't think the Committee has been presented with good enough evidence about the relative costs of the options before you in order to form a reasonable and final judgment.

43. MR BELLINGHAM: I think that's a very powerful point that you've made there about having the proper basis for a comparison, but I think it'd be fair to say that looking at schemes more generally, if they're above ground they're going to be more expensive to maintain – perhaps easier to get at. I see HS2 shaking their heads, but –

44. MR MOULD QC (DfT): That's just not right, I'm afraid. You've heard our evidence on that.

45. MR BELLINGHAM: It would be good to have some proper facts before us.

46. MR HURD: The Committee has the power, I think, to get better information on that if you feel that you need more information. I'm just not the right person to give it to you; I'd be wandering off my –

47. MR BELLINGHAM: Fair enough.

48. CHAIR: We'd better move to your witness. We try to put witnesses at ease before the Committee.

49. MR HURD: I can tell he's nervous.

50. MR JOHNSON: Thank you very much. Robert, can I thank you very much for allowing me to appear? And Nick, thank you very much for the invitation to appear as your witness. I should say that obviously everything I say today is not only in my capacity as MP for Uxbridge and South Ruislip but also, actually, as Chairman of TfL, because the two views are indivisible. TfL holds exactly the same views as the ones I'm about to –

51. MR BELLINGHAM: Because you told them to.

52. MR JOHNSON: It doesn't work like that. It's simply because it happens to be the right approach. I think Nick has set out absolutely brilliantly the case, passionately and powerfully. I know that you speak for huge numbers of people in our area, Nick, and you are giving voice to their very real alarm and anxiety about what is going to happen to their lives. I have to say that the feeling of distrust has been intensified just in the last 24 hours by this revelation that the existing proposed tunnel will turn out to be only half as deep, if I understand it correctly, as was first understood to be the case.

That is a great, great pity, and I hope that matter, Mr Chairman, can be speedily resolved and a proper understanding of what exactly this tunnel will deliver by way of protection to those residents can be reached.

53. I think you've been totally right, Nick, in your description of the exit wound. A .44 magnum exit wound it will be in West London where that tunnel comes out. The impact will be very, very severe. It's short term and it's long term. It's short term in the movement of lorries, the destruction of way of life, the massive inconvenience that will be experienced by people in the area; but it's long term in terms of the destruction of amenity, the loss of views, the irreversible damage to a part of London that is much loved, that is the green lungs of that part of the city, that is valued by kids. HOAC is a fantastic resource for the whole of London, not just for west London, and I do not see any adequate proposal for the replacement of that amenity – except the tunnel.

54. I do think that the tunnel offers the best way forward. I think that the argument about cost must be properly examined. I was very interested in what Nick had to say about moving the railhead. I know that that's something that you're actively considering. I think that we need to dig into that, so to speak, once we've dug into the tunnel, and see how that works in terms of cost and the benefits to the neighbourhoods, but clearly a tunnel is the long-term solution. There are huge numbers of people living in this area. It is part of suburban west London. The damage would be very, very considerable. And I don't think that the costs are anything like as great as HS2 currently have implied. As Nick said, I don't think we have the granularity, I don't think we have the detail, and – I would just like to end on that point – I think that's where we need to get to. I think we need to have a full investigation of the costs – the non-costs – of this tunnel, and I hope very much that your Committee will be supporting that.

55. CHAIR: Thank you. Any further comments? Any questions from members of the Committee of the witness?

56. MR MEARNES: I suppose one question would be: if we're to have a proper cross-examination of the evidence from HS2, the promoter, as to the costs, how are we going to facilitate that? That needs to be conducted by a third-party body. Have you any suggestions?

57. MR JOHNSON: I think that's a very good idea. It might well be possible to find

an independent consultant or expert who could give an evaluation of those costs. Obviously TfL will have their view and HS2 will have their view. I see that Nick has already thought of the answer to this question, but it can't be beyond the wit of man to find somebody who can. Clearly it's in HS2's interests to deny that any such thing is possible or deliverable. I don't think that's the case; TfL don't think that's the case. Nick, what's your solution?

58. MR HURD: My suggestion is this, Ian. HS2 need their orders changed. There's a huge amount of engineering talent inside HS2. I would like to hear and see more detail of what an HS2-designed tunnel scheme would look like and cost, but very much with the direction: 'Do this as if it's your orders – as if it is likely to be what you're going to do' rather than what they've been told at the moment, which is: 'Dump as much manure as you can on what the other side have been proposing'. That organisation is full of engineering talent; just change the orders. But, critically, if they come forward with the detail of the plan and the cost, then it should be transparent and should be scrutinised by whatever independent firm the Committee and other stakeholders think are the right people to scrutinise HS2's plans, otherwise I fear we might just get another re-tread of what we had and manure dumping.

59. MR MEARNS: I think the problem is we do need technical expertise to properly cross-examine that evidence from HS2. That's the problem I think that we have.

60. MR HURD: Yes. I made the point – and I do believe it – these plans have not been put together by the people who are going to deliver the project for Sir David Higgins. I would like those people to have the chance to input into this process and to design a better plan, not least because I think the road problem is chronic for them.

61. SIR PETER BOTTOMLEY: Can I comment just before Mr Mould? First of all, Nick, thank you for the way you've put what you've put. I wish I could have done it as well. If we start taking the questions as to how we can have a better understanding of what's agreed and what's disagreed and what's uncertain, I think any kind of major re-examination by other people is going to take far too long and will leave too many things, in my view, undetermined. What I think might be a practical thought – and I don't want an instant answer from HS2 or the Government on this – is whether someone could get together the Peter Brett people, the Hillingdon people and the HS2 people and

see how much is actually agreed and disagreed as a pretty rough job and where the areas of uncertainty are, and where people are willing to accept there's a range of options. If you take the traffic issues around Hillingdon, where some would argue it's super-saturated already; others would argue that Crossrail will make a difference to what's going to happen in the situation as and when the scheme takes place. The question of whether you could use the London depot as an alternative to most of the Harvil Road or whether, in fact, Harvil Road will be needed quite as much. If you take the issue of whether the electricity substation needs to be where it is. Some of these things which are practical; others which are financial – which is very practical as well. We might then be able to hear what it is that is known, what is unknown, and what that sort of movement is. If you start looking at the figures you've kindly put together, or somebody's put together, they're imprecisely precise, but if you start taking the range for each one of them, you end up with a sort of noise contour map or a substance map. I think there might be something that could be said for seeing whether the parties would voluntarily agree to get together over a couple of days and see how far they can get and then let us know what is agreed, what's disagreed and what's uncertain.

62. MR HURD: I think that would be helpful. The only point I would add to that, Peter, is for this process to have meaning, HS2 and the Government need to receive a strong enough signal from the Committee that you are prepared to consider meaningful change to the plans for this work to be done properly. Secondly, because it will inevitably come back to relative costs, the framework for that discussion I would argue needs to be set by the Committee, in terms of what you would expect to see in and out of that estimate. We've argued that things have been omitted that need to be in it; you may disagree with it, but the framework for that consideration of costs and comparison of costs can only be set by you, otherwise we'd be back where we were before, with people arguing oranges and apples.

63. CHAIR: Okay. Mr Mould.

64. MR MOULD QC (DfT): Let me just remind ourselves of where we began with this. On 15 June, Hillingdon Borough Council, who took on the responsibility of preparing the detailed case for a tunnel through the Colne Valley, presented their case. They presented evidence on cost; I cross-examined them on that evidence. You have clear answers from their witness. They had the opportunity to ask questions of my

witnesses on that and they did so. That presentation was preceded over many weeks and months by the preparation of reports, which were shared with Hillingdon months before their appearance, which not only considered, in a critical and objective way, the merits, including costs, of their own tunnel proposal from Peter Brett but also put forward our own independent proposals for a tunnel through the Colne Valley, which was also costed. Those have been in the public domain for weeks, if not months, and certainly they've been available, for example, to Mr Hurd to read and to see not an attempt to rubbish the case for anything other than the Bill scheme but a careful and principled consideration – and Hillingdon Council's witnesses and barrister made no suggestion to the contrary.

65. I'm very happy indeed to continue that conversation. We have been having it hitherto. But I have never made any secret of that fact. I have been asking repeatedly over the past fortnight to know if there is an answer to the very real concerns that we have about the practical feasibility of using the TfL depot at Ruislip to build and fit out this railway. I have not yet had an answer to that question. I'm happy to receive that answer and to talk about it in the way that Sir Peter has suggested.

66. I wish to dispel, if I may, the narrative that has emerged over recent days that HS2 has been hunkered down in its bunker and has been ignoring any attempt to discuss these matters. Far from it. We have been engaging constructively where we have been given the opportunity to do so, and I made it clear yesterday when we had the Hillingdon councillors that we remain open to that conversation. Sir Peter's point, if I may say so, is very well made, with respect; we cannot allow this to drag on. This Committee will want to make a decision, and so, if we are to have further conversations, they need to take place quickly.

67. I do not recognise the costs that Mr Hurd has shown you, because I have not been shown them before. This is the first time that this council has produced them. They are different from the costs that they presented through their experts in evidence a fortnight ago. I make no criticism of that, but the suggestion that somehow we have failed to engage with the true costs of the scheme cannot stand against that simple fact.

68. So, let us have further conversations. If that is what the other interested parties would like us to do, we are ready to do it, but let us do so also on this recognition: that

both parties need to come to that table with a fair and objective approach and it may be that the position that we currently consider, on our deductive reasoning rather than our assumption as to a conclusion, to be the position – that there is not a case for a tunnel, on the basis of a careful assessment of value for money – and that includes the balance between environmental, engineering and operational costs and benefits. Other people need to be prepared to approach the matter on that basis, and if those discussions lead to the conclusion that that is, in fact, the position, then people will have to accept it. And we will focus on what we have been focusing on, which is doing the best we can to mitigate the construction and operation of this railway as it passes through the Colne Valley. We are not in any way in denial as to the impact of the scheme as it passes through the Colne Valley. We have done the best we reasonably can. If people say that there are ways that we could improve upon it, we are very happy to listen to them.

69. I'm sorry to emphasise this point, but I think it is important that people recognise, for all the criticism – and some of it has been fair and justified; I have acknowledged that there was a mistake made overnight – we have in fact been looking to understand the comparative case on a proper basis and we are ready in a timely fashion to continue that process.

70. CHAIR: Okay. Thank you, Mr Mould. Do you want some brief comments before you go off to your meeting?

71. MR JOHNSON: I must apologise, Robert; I have to go in a second to a Cobra meeting.

72. CHAIR: Yes. Sorry to keep you.

73. MR JOHNSON: I just want to say how grateful I am to the counsel for HS2 for what he's just said about the willingness to engage. Clearly, we have a lot of work already done on the potential of changing the railhead in the construction of the tunnel and we are more than willing to work on those proposals and to try, as Sir Peter Bottomley was suggesting just now, to give life to the idea of the tunnel. It is certainly the view of TfL that it is the best option for that part of west London and we are confident we can make sense of it.

74. CHAIR: Okay. You'd better run.

75. MR JOHNSON: Thank you.

76. MR MEARNS: Just for the record, Mr Mould, is HS2's main or only objection to the extension of the tunnel through this part of west London the differential in costs? Is that it?

77. MR MOULD QC (DfT): HS2's reasons for not supporting the promotion of an Additional Provision to provide a tunnel through the Colne Valley is that we do not think the very substantial additional cost is justified by the benefits that would flow from it. It is a value-for-money judgment; it is not simply a question of cost, and we believe that that is the approach that the Committee will want to take in making its own decision on this matter. It may not take the same view as us, but we are confident that the Committee will approach it in that way.

78. MR BELLINGHAM: Certainly, if I might say, Chairman, the Committee of course will approach it in that way, and, looking at value for money and cost, obviously a key determinant is the differential figure. What we've seen this morning is a figure that, yes, is based on a number of variable additional considerations, but certainly I want to see more work done on this, because I'm not happy about the current situation.

79. MR MOULD QC (DfT): If you're unhappy about it, if I may say so, that is none of my doing, because we have not seen these costs before. I'm not saying we won't look at them –

80. MR HURD: They're your own.

81. MR MOULD QC (DfT): No. That's not right, with respect. There are a number of figures here. £100 million for some assessment of environmental impacts. That is not a figure that we recognise. It is a figure, I suspect, that is derived from the attempt to provide a cost for environmental effects which was explained to the Committee by a witness on behalf of Hillingdon. But the key flaw in that analysis, as the Committee will recall, as was freely acknowledged by that witness, was that there had been no corresponding attempt to provide a similar costing of any of the alternative tunnel schemes.

82. CHAIR: Thank you, Mr Mould. Brief final comments, Mr Hurd.

83. MR HURD: Very briefly, Chairman, the answer to your question, Ian, is the only objection is money. What I've tried to present to you today is that, actually, what has been presented to you to date doesn't allow you to make a full and final decision on this and there is a more nuanced and more balanced judgment to be made, which needs some work. I made it quite clear I'm not here to defend every single line, but I make it quite clear that the baseline here in terms of the tunnel scheme is not the Hillingdon Council scheme; it's HS2's own base cost of their scheme, and we've simply added some factors that have already been – most of them – discussed in this Committee. The point is the value for money consideration has not been done to the kind of standard I would expect and therefore more work needs to be done. You've heard from Hillingdon Council and I'm sure you'll hear from TfL that the willingness is here to work together to try to find some better solutions and to give you better information about the options.

84. I do have to end on this point to clarify. Some of us have been arguing for a tunnel extension since 2012. The only reason why we're actually having this debate is because Hillingdon Council commissioned a report from an independent consultant, not to provide a definitive solution but to flush the debate. That has happened recently. Mr Mould has given his interpretation of HS2's frustration with that. I can tell you that Hillingdon Council have been deeply frustrated with the difficulty of engaging HS2 with these proposals, and we've had the ding-dong in the Committee. And this is the conclusion that I have reached and tried to communicate: that we're not there yet in terms of a value comparison to allow a proper value-for-money consideration. We would just like to work with HS2 to get to a better place on that, but it does need a direction from you that suggests that this actually may be a probable outcome, otherwise we'll continue to struggle to get the joint working that Peter Bottomley was suggesting.

85. CHAIR: Okay. Thank you very much, Nick. Thank you for contribution today. We now move on to 491, Mayor of London Acting on behalf of the Greater London Authority.

86. MS LIEVEN QC: Sir, I appear this morning on behalf of the Mayor of London and Transport for London. Sir, we are in detailed discussions with the promoter over the outstanding issues in our petition in respect of Old Oak Common and mayoral powers. The Committee will be aware that issues that directly relate to Euston are not being dealt with today. Given where we are with negotiations, I'd like to ask the

Committee to adjourn hearing our petition until two o'clock, after the lunch adjournment, in the significant optimism from our side that it will be possible to reach an agreement. I can't put it higher than that, but it seemed to us that that was a sensible and efficient way to go forward today, if the Committee would agree.

87. CHAIR: It would seem sensible to find out what you agree on and what you disagree on before we have a discussion.

88. MS LIEVEN QC: Indeed.

89. CHAIR: Okay. Thank you very much. I adjourn until two o'clock. Order, order.