

MINUTES OF ORAL EVIDENCE

taken before

HIGH SPEED RAIL COMMITTEE

on the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Wednesday 16 September 2015 (Morning)

In Committee Room 5

PRESENT:

Mr Robert Syms (Chair)
Sir Peter Bottomley
Geoffrey Clifton-Brown
Mr David Crausby
Mr Mark Hendrick

IN ATTENDANCE:

Mr James Strachan QC, Counsel, Department for Transport
Ms Lisa Busch, Counsel, Department for Transport

Witnesses:

Mrs Emma Crane
Mr Peter Jones
Ms Hilary Wharf
Mr Jonathan Brooke
Mrs Tessa Dalton-Morris
Ms Vivien Salisbury

IN PUBLIC SESSION

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(At 9.29 a.m.)

1. CHAIR: Order, order. Welcome, good morning to the HS2 Select Committee. We start off today with petitions 1046, 1047, 1053, 30, 436, with Emma Crane. It doesn't seem that long ago we were on a coach going around Buckinghamshire.

Emma Crane, William Crane and others

2. MRS CRANE: That's correct. Good morning, Mr Chairman and good morning to the rest of you. I come at this from a perhaps slightly unusual perspective, different to possibly many other petitioners, in that I've been involved with the HS2 project in a number of different capacities over the last five years.

3. First of all, I've seen it from the perspective of a resident of South Heath and I've lived through that initial shock that everybody felt when they found out that HS2 was coming through the AONB protected area. I've seen and felt firsthand the anxiety and the stress and the anger this has caused everybody living in the area – not just in the Chilterns but up and down the whole line. I have also seen how hard the local community and many local people have worked to try to get a better deal for their area, often to the detriment of their jobs and their personal lives.

4. Second, I've seen it from the perspective of HS2 Action Alliance, which I've been a part of for five years now. It was my background as a lawyer that led me to get involved initially, because I felt there were a lot of significant flaws with not only the project but the process – and the process of public engagement, in particular, was severely lacking. Now, whilst HS2AA have always hoped to see this project cancelled, we recognise that we've got to be realistic and we've been pushing for a fairer process, better mitigation and fairer compensation. As part of that role, I've helped an awful lot of people over the last five years, so I have come across many different situations in the way it has affected people.

5. Thirdly, I work as an advisor to The Right Honourable Cheryl Gillan, who you all know very well, and I've seen how it affects MPs along the route as well, the pressures it puts on their offices and the numerous things they have to deal with, the consultations, the very large case load and, often, the lack of proper answers to any of her questions and correspondence with HS2.

6. CHAIR: Most of the MPs I've come across have almost a full-time member of staff to deal with HS2 issues, so it is a big issue.

7. MRS CRANE: That's right, absolutely. And the other factor I should just mention at the beginning is that I have now moved away from South Heath. It was a job opportunity for my husband in Coventry which gave us the impetus to move, but it was with much regret that we moved our family away from the area. I've got two children, William and Rachel. They're now aged 11 and 8, and I'm representing them today. They wrote their own petitions. They actually wanted to come today, but I said they had to go to school. They weren't very happy about that. We all absolutely loved the area of the Chilterns AONB.

8. We moved there from London to try to have a better quality of life and we loved the tranquillity and the beauty of the area. My children grew up playing in the ancient woodland and cycling in the area. Frankly, they didn't know how lucky they were. But HS2 and our involvement in it put our family under an awful lot of pressure. Whilst we do continue to do all we can to protect the area, we do feel that a significant burden has lifted from us and a freedom to make decisions about our house and our area has been return to us. But I just want to make the point that that is not the case for a very large number of people, who I know – because I have spoken to and dealt with so many of them – feel very frustrated and trapped and they just simply don't know where to turn. If we could go to the next slide, please.

9. I did want to start my petition by saying thank you to the Select Committee for recommending the further C6 tunnelling, which formed part of the AP4 provisions. You all saw the passion and strength of feeling in Buckinghamshire when you came to visit, and the strength of feeling people have for their area. To have saved three of the ancient woodlands is fantastic. It's a huge environmental gain and the reduction in construction disruption and traffic to South Heath as a result of losing the green tunnel is very, very welcome.

10. But – and of course there is always a 'but' – there is still more to do. The C6 tunnel proposal that was put forward by HS2 wasn't actually one of the proposals put forward by any of the local groups, as you're aware. The councils, the local people and the local MP are all of the view that the C6 tunnelling proposal doesn't go far enough. It still leaves many properties exposed and it still leaves 8.8 kilometres of the HS2

through the AONB above ground or on a viaduct or in a green tunnel. I'm not going to go into the detail of the tunnel cases because many other people have been doing that, but I just wanted to urge the Select Committee to look at this again and see whether a fully bored tunnel can be built through the AONB to give it the fullest protection it possibly can.

11. And then I also want to raise in my petition continuing ongoing concerns about the compensation schemes. Again, I have given a great deal of help and assistance to a great number of people. Whilst some improvements have definitely been made since the introduction of the Need to Sell scheme, there is, again, some way still to go there. Lastly, I wanted to cover concerns around the process and, in particular, around the public participation elements and the access to environmental and the lack of balance there is between the petitioners and the promoter. I also want to suggest some solutions which the Select Committee could consider. If we could go to the next slide, please.

12. Starting off with compensation, I wanted to highlight a number of concerns with the Need to Sell scheme. The Chair commented on 7 September that we need to have another look at the Need to Sell scheme at some point to see whether it's working in the way in which it's intended, and I welcomed those comments.

13. SIR PETER BOTTOMLEY: Forgive me, it's more than that. It is not just the way it's intended: it is the way we think it ought to work, which I think is slightly different.

14. MRS CRANE: Absolutely, yes, understood. First – I'm sure you've heard this many time in the Select Committee process – is the complex application process itself. People do struggle greatly with fulfilling the five different criteria, what they need to show, the myriad of documentation they need to provide. And particularly older people feel it's a real intrusion into their lives, particularly to have to give so many financial documents and reveal their financial affairs, their health affairs.

15. CHAIR: Have you helped anybody fill out any of the forms?

16. MRS CRANE: I have, yes.

17. CHAIR: And, as a lawyer, would you say it's easy?

18. MRS CRANE: For me, with legal training, I found it not too bad – but I don't

find it fully straightforward. But I can completely see how ordinary people struggle with it. I asked people to give me descriptions of what people who'd already applied for the Need to Sell scheme would say about the process and they mentioned words such as 'horrendous', 'arbitrary', 'no transparency', 'stressful' and 'inaccessible'. I think that kind of sums up how people feel about it.

19. I think the other big concern that I've seen through helping people is the element of the compelling reason to sell and having to prove that an unreasonable burden would occur during the next three years. I know the Need to Sell scheme was introduced to try to take away the idea of hardship, but by having those two criteria in there it is still tying it into some kind of hardship. A lot of people feel they do want to downsize or they do want to move nearer their children or they want to move to the seaside – whatever they want to do in their lives – but they look at the criteria and they think, 'Well, I'm not going to be able to fulfil those criteria, so there's no point in me even applying to the "need to sell" scheme,' but the fact is they're still trapped in their houses. They can't sell them; they don't know what to do; they feel powerless.

20. I know in the Select Committee's reports on 26 March it said, 'We want the scheme to extend in practice to those having a justifiable reason to move.' And I know that has been talked about many times. The problem is the people on the ground who are trying to apply don't know they possibly might be able to qualify, because when they read the application form and the guidance it's simply not clear.

21. CHAIR: Most people make up their own mind that they won't qualify and then don't apply and moan about it. We say, 'Well, apply.' I think the guidance is a bit wider than people think. If you look down and go down the reasons, it says 'any other reason'. It's a question of making a case.

22. MRS CRANE: I think that's right, but I think people, unless they happen to come before the Select Committee and hear what you say, or they have access to somebody like lawyer who can actually help them, they just don't know that that's available. If there could be some kind of change of mindset within HS2 to approach compensation from a different way in order to try to help people rather than this feeling that people are being stopped from getting compensation.

23. SIR PETER BOTTOMLEY: Much of what you're saying has been said to us by other people. Much of what I'll say I've said before – and I'm going to say it again. It's

clearly desirable that communities stay together as much as possible. A number of people are much more likely to stay where they are if they can know for certain that, if they triggered a Need to Sell at some stage whilst this is being constructed, they could.

24. I think there is a deficiency in the present scheme that if someone says, 'I have a need to sell but I'm not sure if it's actually going to be fully triggered, but I want you to approve my application so I can stay – not approve my application so I can go.' I have not seen any evidence that the way the scheme works particularly allows for Someone might say, 'I have a problem' – for example an elderly parent they have to go and live with or whatever else; now is not the time to rehearse all of the examples – and that is one of the areas in the scheme which I don't expect Mr Strachan to answer today, but I do think he ought to go back and say, 'This has being put by the Committee, with witnesses. There is widespread understanding by the communities affected. How are we going to deal with it?' It would effectively mean giving a tick to many more people, but probably having many fewer actually go.

25. MRS CRANE: I think that's right, and I think many people would ideally like to stay. As you say, they feel so uncertain about the future, particularly if they're elderly or coming up to retirement. If we could move onto the next slide, please.

26. Just in terms of how the Need to Sell scheme is actually working, the most recent figures that HS2 have published show that, of 99 Need to Sell applications, 38 have been successful so far, with 20 rejected and 31 pending a decision. In comparison to the EHS it does look as if it is starting to work more effectively. However, there is still the issue of people not being able to appeal a decision against them and they have to go through the whole process again of submitting more documentation. I think that is something that could be looked at, whether people could appeal in the way they would appeal a planning decision.

27. The other point I wanted to raise was around valuations. The issue was covered, again, in the Select Committee report from 26 March where a report from Government was requested looking into the alleged defects in the valuations procedure. I don't know whether that report was forthcoming, but I haven't seen that. I just wanted to raise the concern because, again, a number of people have come to me with issues about valuations. Whereas a lot of the time the valuation process does work and people are happy with the valuations, often it doesn't and people are being given very low

valuations for their properties. And it's often been that their house has been compared to, say, a house in a different county. It just hasn't been done properly, but they've then had to enter into a very long and protracted series of correspondence with HS2, almost battling it to try to get a fair valuation for their property.

28. Again, that doesn't seem right. Something should be done to ensure a consistent process for valuation. People shouldn't have to try to fight against the system to get fair value for their property. I know, again, this has been raised many times, but it does cause an awful lot of stress and anxiety, particularly for older people, who feel very strongly that they shouldn't have to take a hit on the value of their property just because they're unfortunate enough to live near HS2.

29. I wanted to touch, as well, on the idea of the 'sold and lost' scheme. Again, the Select Committee requested in their 26 March report that the promoter find an equitable way to deal with people who had not applied under any scheme but who had sold their property, which has been blighted, and then moved away and never claimed anything. You could say that this applies to my own situation. We had to move quickly because of jobs and we needed to get our children into schools, so we chose not to go through the compensation process, because I, more than anyone else, knew how fraught it could be and what a long period of time it could take. We also thought it would be simpler to sell the house on the open market, if we could.

30. When we came to sell our house, I asked three local estate agents to value the house. I asked them to value it at the price it would have been worth, had HS2 not been coming through South Heath and then I asked them to value it at the price to sell. Now, the average difference over the three different valuations was £108,000. We put it on the market at a price to sell and, of course, we were very lucky: we were able to sell it. But it was at a substantial discount to what the house should have been worth. Now, I don't know whether there's anything that can be done for us. Perhaps we should apply to the Need to Sell scheme retrospectively, but I don't know whether that option is open to us or other people who find themselves in that situation.

31. SIR PETER BOTTOMLEY: I'm pretty sure it's not, because the Need to Sell scheme, like the exceptional hardship scheme, is for when you can't sell without it.

32. MRS CRANE: But I think the point is that people can sell – just at a big discount, which again is not fair.

33. SIR PETER BOTTOMLEY: Sorry, you asked a question; I gave an answer. Can I ask two things? The price that houses sell for is a matter of public record. I'm not going to ask you that. First of all, the three estate agents came to a difference – it's not surprising; it's not a criticism – of perhaps 15-20% on the valuations.

34. MRS CRANE: There was a bit of a variation, but not a huge amount between each of their different prices when you averaged it out, of course, across three valuations.

35. SIR PETER BOTTOMLEY: No, but there were differences in the valuations.

36. MRS CRANE: Yes.

37. SIR PETER BOTTOMLEY: All I'm trying to say is that it's perfectly reasonable, if someone makes an application for Need to Sell, for the promoter or Department's valuers to have a different view from the expectation of the potential seller. There are times when you need to have a discussion to see what the appropriate price is.

38. The second thing: you haven't told us that the agents would only put your house on the market if you put them up front.

39. MRS CRANE: I did have to.

40. SIR PETER BOTTOMLEY: You did have to do that.

41. MRS CRANE: That's what everybody has to do.

42. SIR PETER BOTTOMLEY: I just didn't want to have it left out, in case it was the case.

43. MRS CRANE: But, of course, we were able to sell, so they deduct that.

44. SIR PETER BOTTOMLEY: The other difference is that if the Department for Transport buys your house, at whatever the value – let's say its market value and that's higher than you would get with HS2, then they rent it out for a period of time and they sell it in the future, probably there may be a profit or a small loss, but, actually, in terms of the public accounts, it probably won't be a big hit, whereas if somebody has crystallised a loss that, actually, is a real loss to the Department for Transport. They're slightly different situations.

45. MRS CRANE: We were fortunate because we moved somewhere where the house prices were actually less than Buckinghamshire, but people who want to move within the area it is a big problem. If we could go to the next slide, please.

46. Looking at solutions to some of these problems, my view and the view of other people as well is that there should be a change of approach and mindset at HS2 towards compensation. There is this element where people feel they're fighting to get their property purchased.

47. SIR PETER BOTTOMLEY: 'Compensation' is a dangerous word. Compensation is for people who are very close to the line who get a compensation payment. You're talking about buying out the house, are you?

48. MRS CRANE: Not necessarily, because actually some of these issues apply to people who are going through the compulsory purchase process.

49. SIR PETER BOTTOMLEY: I think we're not going to spend much time on compensation to those who don't sell who are significantly far away from the line. It's not a very great use of your time.

50. MRS CRANE: But I think most people don't even try to apply for the compensation unless they are close to the line. If they are far enough away, they can sell their house anyway. Yes, it is generally people who are close to the line.

51. I just wondered whether there was a way that HS2 could work more proactively with people to actually try to help them get compensation and navigate their way through the process instead of this feeling. I have seen all the correspondence people have to go through. It's extremely onerous and people find it very, very hard to deal with, which is why they come to people who can help them. The other irony of it is that people who do have access to either a lawyer or approach their MP to help them often tend to be the people who do then get the compensation, whereas it's all the other people – who, for whatever reason, don't have access to those means – who don't get it. I wondered whether there could be a change of approach and mindset.

52. Also, let's see the removal of the 'compelling reason' criteria and the 'unreasonable burden'. It should be for those who want to sell and are able to demonstrate that they are unable to sell because of HS2. They would have to give a reason, I appreciate, but it doesn't necessarily have to be an 'unreasonable burden'

reason.

53. Then this was mentioned yesterday by Hilary Wharf: the idea of compensation clinics where you'd have independent people helping people to make applications and helping them navigate the process. Now, whilst a residents' commissioner has been appointed, her remit doesn't actually stretch to helping on individual cases. Cheryl Gillan has been unable to meet with her since her appointment in January, despite requesting a meeting. We need someone who's genuinely able to help individuals rather than some box-ticking exercise.

54. Finally – we've touched on this already – another thing that concerns people a lot is the need to demonstrate that no offer has been received within 15% of the non-blighted asking price. People feel that's very, very unfair, that they should have to accept an offer that's, say, 14% below the asking price, because that can be tens of thousands – but we have touched on that always, so I'm not going to dwell on that.

55. Then another idea which could be considered to make Need to Sell more accessible could be to link the qualification for the Need to Sell scheme with the peak noise levels for HS2 in a particular area. For example, if the peak noise level were to exceed a certain lower limit – I think it's 60 dB max – you could say that could be a reason for people to qualify for the Need to Sell scheme and it would be a neat way of linking that problem to the ability for people to move if they wanted to.

56. CHAIR: That would exclude quite a lot of people who are quite long way away from the line who qualify under Need to Sell. I know that they're approval some people 1-2 kilometres away from the line.

57. MRS CRANE: But I don't think that should be the only criteria. It could just be an additional criterion. If we can go on to the next slide, please.

58. Moving away from compensation and just coming on to environmental, as I said earlier, I'm going to leave the detail on the tunnel arguments to the various tunnel groups, but I did just want to say that I have followed the development of the tunnel arguments very closely and I did prepare a guide on the tunnelling for the Select Committee. Although, as I said, we do welcome the additional tunnelling, I think everyone was very surprised that a tunnel which hadn't been proposed by any of the local groups was chosen as the option. It still does leave a great number of properties

very exposed and, not only that, there is the landscape and the devastation that's going to be caused to the rest of the area.

59. I would urge the Committee to take the tunnelling further. If it can't be a fully bored tunnel, which is the absolute best environmental solution, then at least there is the REPA C5 scheme. The REPA scheme itself protects 123 more homes as opposed to 4, at the moment, with the C6, that are exposed to the noise.

60. SIR PETER BOTTOMLEY: Not particularly you, but, for those around, we are told the promoters are not doing enough to protect people and then we're told they're only concerned about the people and not the environment. I think you must recognise that we will recognise that you will come in saying, '123 homes versus four,' and others will say, 'What about the environment?' Having things in the open is a good idea.

61. MRS CRANE: Yes – I guess it's both, isn't it? I guess we've got to try to protect both.

62. CHAIR: All the way down the line, people have been saying, 'X number of people live near the line,' until we get to the Chilterns, when people stop mentioning people and start mentioning the AONB. I kept on asking Buckinghamshire, 'How many people are affected?' and they didn't actually answer me.

63. MRS CRANE: Well, I guess because it is a protected area it should be treated differently. Again, I just wanted to talk about the transparency around the environmental impacts. As a general point, the entire process of environmental consultation and decision-making is just so complex and difficult, even for experts, let alone ordinary people. I don't know whether I could ask a question of the Select Committee. Have any of you actually read the environmental statement or the supplementary environmental statement?

64. CHAIR: We have waded through most of these documents, but I must admit I've forgotten more than I've remembered on some of these things because there is so much paperwork. We are all swimming in paperwork.

65. MRS CRANE: Did you find it easy to navigate around it?

66. CHAIR: No.

67. MRS CRANE: Because I found it incredibly difficult and I know most people

simply cannot access it. It was 50,000 pages and 8,000 pages in the supplementary environmental statement. It is virtually impossible for someone to understand fully how HS2 will impact their area, because you have to jump between so many different documents. A lot of the important stuff is hidden in the appendices as well, which most people wouldn't actually get to.

68. Just as well, petitioning itself is a very difficult and complicated process, which is actually best suited to lawyers. There was a 124-page petition response document. Most people in the Chilterns just cannot wade their way through it. It just puts people off from appearing. I'm sure that's part of the intention.

69. CHAIR: To be fair to HS2, you get one complaint that people don't get enough information and then another complaint that they get too much information. It isn't always the easiest thing to judge. There are a variety of people, of course, from business and lawyers all the way down to ordinary citizens.

70. MRS CRANE: I guess it is the quality of the information and the way it's presented that is what I have struggled with. I know lots of other people have as well. Anyway, what I'd just like to conclude on is that I hope this Select Committee will continue to listen to all the people not just from the Chilterns AONB but up and down the line and continue to make some of the positive changes that you are making. Can I go to the next slide please?

71. I just want to finish up with this. These are my children, Rachel and William. As I said, they wanted to be here today but they couldn't be. This is just to appeal to you to make the right decision for the next generation. My son William has actually written a letter, which I promised that I would read out to the Committee. He's 11. Now, please forgive him for not understanding the full remit of the Select Committee, because he assumes you have the power to cancel HS2, so please take what he says at the end of his letter lightly.

72. He says, 'Dear Select Committee, I feel that HS2 is not the way forward in our country. Yes, it may be an improvement in speed, but only by 20 minutes. The environmental impact is huge. Hundreds of animals will be displaced or killed by the building work. Badgers, for example, follow a specific route every day to hunt. They will be killed when crossing the line. Otters will have to live in polluted rivers. Ancient woodland will have to be sacrificed for HS2 – 800 years of growing ended. I sent a

letter to the Prime Minister and I am very pleased that Mantle's Wood, Sibley's Coppice and a tree in the Domesday Book were saved. I loved trees and hope to preserve more of them in the future. It is also very important we save the environmental for future generations so my children and grandchildren can see for themselves the beauty of the English countryside. It will also affect them getting to school, therefore affecting their jobs later on.

73. 'My mum and dad have worked hard for years campaigning against HS2. I, for a period of time, hardly saw my parents as they were in their office. Everyone around there was fighting HS2 and I'm sure they would all be extremely sad if it went ahead and their time had been wasted. Lots of their time and effort has gone into the campaign. Money we fundraised would be wasted if this project is not abolished. There is just no sense in HS2. Yours sincerely, William Crane, 11 years old.' Thank you for listening to that.

74. CHAIR: That's alright. Thank you very much. I think the points you made, certainly about Need to Sell are very useful and we will be coming back to that, as Sir Peter said. I'm not sure there's much to pick up, no, Mr Strachan. Okay, it's been a pleasure to hear from you this morning and thank you very much for your contribution.

75. MRS CRANE: Thank you.

Ballinger Road Residents Association et al.

76. CHAIR: Right, we now move onto Peter Jones, who's representing petition 1017, Ballinger Road residents, 115, 119, 120, 125, 1038, 1853, 1868, 1907, 214, 1568, 150, 152, 1190 and, I think, 147 and 158. Clearly, you've got a lot of friends, Mr Jones. Are you a Councillor?

77. MR JONES: Yes, good morning, Chairman. Sir Peter, nice to you again. Mr Crausby, Mr Hendrick, we haven't met. I'm the councillor for the area which includes South Heath on Chiltern District Council.

78. CHAIR: Chiltern District Council, yes.

79. MR JONES: I'm joined this morning by Jonathan Brooke, who is a local resident who will be a witness for me and, also, by Hilary Wharf, who you know, who I think has been asked to come back following her presentation yesterday. Maybe we should

start with what Hilary has to say. Would that be okay?

80. CHAIR: Yes, fine.

81. MS WHARF: Thank you. Could we put the slides which are the presentation up? Sorry, I don't have the numbers, but I know you've got them. Thank you, yes. Thank you very much.

82. Various issues to do with cost have been raised. And what REPA had done, which we're very much part of as South Heath – and Ballinger Road is part of that – is raised some issues that occurred at our presentation on 21 July. And there is a letter that was written following that which is actually at A1368(17), which set out what the process concern was, which essentially was that facts were introduced during the course of our proceedings and they related to the cost of tunnelling, basically.

83. That evidence only appeared on the day. The actual figures only appeared on the day. They were referred to six times on the day and they represented, effectively, the sole tunnel on which the promoter was basing their costs. And it very much clouded the issues on the day, and indeed Sir Peter Bottomley at one stage drew conclusions from looking at this spreadsheet that was put on the screen and concluded – quite rightly from looking at the figure there and what the promoter had said – that slurry-based TBMs in chalk were significantly more expensive.

84. SIR PETER BOTTOMLEY: I may appear to have come to a conclusion.

85. MS WHARF: You summed up.

86. SIR PETER BOTTOMLEY: I may have done that. I come to conclusions at the end of a process and we're only partway through.

87. MS WHARF: As a result of that, we basically raised a formal objection, because we felt that wasn't the appropriate process for how we have to exchange information, 48 hours before. There were also some omitted facts, and I would like to go through those because, basically, there are some implications, if we go back to the first slide, for the tunnel unit costs that we used, for the rates and, crucially, for the cost of C5 over C6, which was an issue that was raised yesterday. It impacts on the £53 million, which is the figure the promoter is now putting forward, and we have presented alternative data where we are saying that C5 over C6 in fact saves £18 million.

88. There is a detailed report which I have and I know you have also got on the screen, but perhaps it is better not to switch to them until those particular points, because it gets a bit confusing. But, basically, this was all about Exhibit 535. Exhibit 535 was a data table, and it was introduced, as I said, at the hearing. In it, it had this one particular tunnel on which the promoter said they were relying, which was called UK2, which was actually a CTRL – Channel Tunnel Rail Link – Contract 320.

89. It was the sole one because it was a slurry one and because it was in chalk, and it was the only UK one that there was. The promoter went through how the pressure on the sheet, which is actually £38 million, actually becomes £95 million, a very large figure, when you do the necessary adjustments to the diameter and tuning it onto a route basis. This particular figure got referred to six times. We had our expert witness here, Rodney Craig, and Rodney was aware that, actually, there was something adrift with this particular figure and he did mention it on several occasions in the evidence, but, basically, it was set aside and Sir Peter, as I said, summed up at one point, which was in paragraph 402 of that day's proceedings, in which he said he could see that not only UK2 was higher, but, actually, there was a European one that was higher.

90. The last point to do with the cost – we'll come to the figures in a minute – is that we would say that the tunnel guide two actually overestimates the cost compared to the actual benchmark comparators. We recognise that, whilst the promoter was saying, 'Actually, it was this one tunnel,' this UK2, they were also referring quite closely to the tunnel guide.

91. If we go to the next slide and you just have a look at UK2, the spreadsheet for us had the headline number £38.95. You make the OD and the route adjustments – and I don't know really have any problem with that. If the figures were right, it's £95 million. Actually, we make it £99 million, but we're not going to argue about that. What we then discovered and what Rodney did actually say on the day is that there were substantial additional works in that contract. The value of that contract was £165 million and those additional works were to do with cut and cover and to do two cut and cover tunnels and also to do with retained wall structures. They amounted to 1,100-1,200 metres.

92. The reason why there is vagueness – it is not vagueness; it is all set out in the report we have done – is there are two different conflicting sets of data, from Murphy's,

which was the contractor, and somebody else, where they actually specify the lengths of the cut and cover slightly differently. One adds to 1,150 and the other adds to about 1,100. But there are two separate independent references which say that two thirds of that contract cost was to do with the additional works and not to do with the bored tunnelling. As a result of that, that 95 or 99 goes down to £33 million per kilometre, which of course is a massive difference.

93. To flip to the right-hand side, there, too, to look just at the E3 one, which Sir Peter identified when looking at the spreadsheet – and I can well understand why he said, ‘Well, that’s a high one, too,’ because the headline figure is very high; it’s £55 million – it was an extremely large tunnel and it actually had an outside diameter of over 14. When you adjust it, it comes down to 30 – and it was a single bore. Very coincidentally, we have the references that it also included additional works in the 426 million. When you adjust it for those works, you’re down to a surprisingly low figure of 19 million.

94. Certainly, given my own background in my own business, it’s really important, with numbers, to ensure that you’re comparing like with like and you’ve got a way of looking at it, a way of benchmarking it, you might say. We looked at it in a different way and we said, ‘How can we compare it with the tunnel guide? How can we get a tunnel-guide-derived figure for this?’ We processed it through how many portals there were – in the case of UK2 there weren’t any – and shafts. You come out with a figure, using the tunnel guide, of £76 million for one and for the Brian Hart, which was the Netherlands one, you come out with £28 million.

95. The next thing we also said on the day – and we have checked – is that, actually, UK2 one was excluded from the infrastructure study. Now, I’m presuming it was excluded from the infrastructure study because of this particular cost issue, because it was clear that it wasn’t going to be comparable to put it in at £95 million when, actually, the figure was £33 million. But we weren’t comfortable with just looking at those two tunnels, if we could go to the next slide.

96. What we did was we said, ‘Okay, let’s take all the benchmark tunnels that we have got in this study.’ Actually, that doesn’t come down to a huge number, because you need to take out the short ones and you need to take out those ones with outside diameters which are quite small, because otherwise when you include the scaling factor it doesn’t work well. We did it on two bases – and you’ve got pairs of columns for each

of the six benchmark tunnels. The left-hand one was on the same basis as we just had on the previous sheet. On that first one you can see UK2 and the 33 or 33.70, which was what you actually got from the actual costs. The total figure there is the 76 when you effectively plug it in to the tunnel guide and say, what would it produce in respect of the tunnel guide? You read the bars. The blue bit is the actual and then the red bit on top of the left one is the extra that you get when you put it through the tunnel guide. You finish with a 76 on the top of there.

97. What you are actually saying, just on that first one, is that if you used the tunnel guide it would overestimate very substantially, if you took the specifics of that UK2. The left-hand bar goes all the way through how you can look at it through the tunnel guide as well. The right-hand bar looked at it differently. It said, 'Okay, let's do it actually on the tunnel guide basis,' and the tunnel guide basis has two portals and so many shafts every three kilometres. You can look at the figures through those eyes. In both cases, every benchmark comparator came out as 20-50% lower than the tunnel guide.

98. Now, the advantage of the second one is, if you go to the next slide, you can show it in a graphical way that helps on understand what's going on. If we look at the red line, you can see there the HS2 tunnel guide costs. And they obviously vary as you go across with broad distance. Up the side, we have the cost, which has always been adjusted to 9.6 diameter. Now, you have the 66 HS2 reference tunnel in the middle there and one of the first things that's worth noting is off on the right-hand side: if you use the tunnel guide for a 17.4 kilometres tunnel, which was what REPA's was, you actually do see a lower cost: you see it at £56. Even the tunnel guide is saying you have a 15% reduction for extending from 7 kilometres to 17.4 kilometres.

99. But what the graph is then saying is, 'Okay, let's look at the incremental cost.' The incremental cost is the dotted line. That's what you get from the tunnel guide. Now, let's plot those individual actuals. You plot the individual actuals. You can see UK2, UK3, 8, 4 and 13 – and in the little triangles you can see the incremental rates. Now, you then say, 'What are the rates we're all using?' HS2 Ltd argued for 44 million per kilometres. That was what they said the figure was and it's the figure you see in their very latest costings that have come out. Now, the 44, yes, aligns with their tunnel guide; it's the purple dots, which in the last couple of days has just gone up to 49 – but nevertheless it does align with the tunnel guide. However, that incremental rate is very

substantially above the incremental rate of the actuals, but the incremental rate of the actuals is down lower at about 25 – in fact, 24. And the REPA one aligns very well with it, because REPA were using 25.

100. What this is doing is saying that the tunnel guide costs are actually not supported by the benchmark comparators. We put all of the benchmark comparators in to be able to do that exchange. You can see UK2, which is very much in line with the others when it gets adjusted, and we also put the E3 in, which is also very much in line when it gets adjusted.

101. If we turn to the next slide, we can say, ‘What happened?’ Just to sum up on those costs, evidence on a single UK comparator tunnel was provided and it only came, actually, at the hearing, when we sat here. That rate was said to be 95 and it was defended as 95 and despite the evidence of our witness it was said on the promoter’s side, ‘No, no, there is only a very small adjustment there might be, if there were cut and cover works,’ and the answer is the evidence isn’t that and we have provided it.

102. Actually, those very high figures that led to the summing-up point from Sir Peter are actually much, much lower. They were just 19 and 33 instead of the 95 and the 58 that were in the table. We would also say that we have identified that the tunnel guide actually overestimates the costs. You can directly plug that in to the implications for C5 over C6. There is a table of the costs, which I have later, but you will see that HS2 Ltd are now using 49 million per kilometres, so for C5 over C6 they’re saying that’s another £73.5 million; we say that we have evidence that it’s £25 million.

103. You can see that for that extra 1.5 kilometres you have about £35 million difference. There is a big difference when we come to this C5 over C6, which stems just from this one item – this one item of tunnel cost. Much of the evidence and, indeed, a very strong part of the evidence came from that single tunnel that was put forward and the tunnel guide, about both of which we would hope we’re able to say the figures were not correct on the day.

104. That’s the bit on costs. If I can just move, then, very briefly to rates, I will come back to the big table at the end. On rates, we would say – and it is set out in our detailed evidence – that there were special factors that, actually, we would argue, with the three tunnels that were put forward, are not typical to a Chiltern extension. There was some discussion at the time of the Lee Tunnel in Beckton. We’ve investigated it further. In

year one it went 1 kilometre and in year two it went 6 kilometres. There were reasons why it only went 1 kilometre for the first year.

105. What you can do is recalculate it as if it were a 17.4 kilometres tunnel, which is the REPA length one. Actually, that takes that 83 metres per week average – the crucial 80 which is the promoter is relying on – and take it up to fractionally short of 100. For the whole of year two, it was going at 110 metres per week. On the Crossrail Thames crossing, one discovers it was actually constrained by swell disposal and lack of power and water so that both TBMs couldn't operate together. I have actually found, on Crossrail's own website, higher figures than the ones that were being quoted, where it was being quoted as 100 metres on average per week. On the CTRL Thames crossing, apparently there was only one backup.

106. SIR PETER BOTTOMLEY: If you get the opportunity, spell Kuala Lumpur right; the Malaysians will be happier.

107. MS WHARF: Yes, sorry. There are particular issues with Seattle. We might be thinking that our TBM is going to be buried for two years and stuck because it ran into a pipe and then overheated and then caused a viaduct a sink, but I don't really think that's a typical one. Regarding E3, interestingly, our expert Rodney Craig actually wrote a detailed paper on the Brian Hart one and it went at 119 metres a week. That is a slurry-based TBM.

108. Onto the next slide. I will just say the point about that is it shows that averages rates of progress keep increasing however long you get. And that's got the Channel Tunnel ones in; it's got the Lee Tunnel in Beckton, which is the red one; and it's got both of the Channel Tunnel ones in there.

109. Finally on the rates point, which is the next slide, Sir Peter pointed out to us that we should be scaling down when it was longer than 17.4 metres, because it is the incremental rates that are important when we're important. We have now scaled down the Channel Tunnel bits, where they were longer, and scaled up. Basically, what you've got here is, in the red bars, the learning curve. We have said, 'How long is the learning curve on each of those when you can examine the particular tunnel?' And you can see the red bars are very short and they go slowly.

110. SIR PETER BOTTOMLEY: I'm not sure you could call them red.

111. MS WHARF: Did they not come out red on yours?

112. SIR PETER BOTTOMLEY: I am afraid not.

113. MS WHARF: Is it pink or brown?

114. SIR PETER BOTTOMLEY: Ochre.

115. MS WHARF: Dark ochre is the learning curve. It is incredible. You look across all of those tunnels and there is not a vast difference between them, except for the one on the right. You then get what happens afterwards, the post-learning, which we would argue is the appropriate incremental rate; it is what happens when you are familiar with it. Then, of course, you can just do the arithmetic to say what it would be if you were to normalise it for a 17.4 kilometres tunnel. Obviously, if the tunnel was actually longer, then you have to scale it down, which is the case for the Chanel Tunnel marine ones. For the others, you're scaling it up.

116. You might just note here, yes, on the far left we didn't have the detail, but you've got the Brian Hart one, which is coming in at 120 there. You have the slurry ones marked on here now. We would say that it's the incremental rates that are appropriate, that you look at when you want to extend the tunnel, and there is good evidence there to say that the answer is greater than the red line going across the page, which is 80.

117. If I now, on the next slide, effectively conclude on the costs table, you have the costs table in detail. You can't read much from the slide there. This is a table which sets out the various different cost figures that we've had. First, I would just say that in 2014 we had a sift and that sift told us how much C5 would cost and it told us how much C6 would cost. We were told – this is dated April 2014 – that C5 would cost £72 million, less land and property. Land and property we know now, so it would have come out at £39.3 million. And we were told that C6 would cost £37.4 million, less taking account of land and property, which would be £17.8 million.

118. In effect, the difference between C5 and C6 back in 2014 without the property was £35 million and with the property was just £20 million. When we got the data in July, the figures changed and we had a £50 million difference. There were then various debates in which we pointed out figures we thought were wrong. The position we now have here is that in the middle section you have C5 and C6, as we had it in front of the Select Committee, which had a difference of £50.7 million. Over on the left-hand side,

you've got the very latest data that's just come out, where C5 and C6 have both gone up and the difference is now almost £53 million. And you've got our estimates over on the right-hand side, where we're saying it's a saving of £18.5 million.

119. Now, the red bits indicate, if we just work down briefly, why we've got a big difference. The first one is land and property. If you move from C6 to C5, that's another 1.5 kilometres. When the Committee came out, you stood in Mulberry Park. Mulberry Park is one which will go. They've said so. There are other houses which I know – but perhaps it's not pertinent to name here – have been bought along that section of the 1.5 kilometres by HS2 Ltd. Indeed, when we were here, they had two different figures. You'll see that C5 was £32.7 million and C6 was £19.6 million. There was an addition of £13.1 million on the difference. That has vanished now, and we're now saying it's nought. We don't understand that. That's the first one: we would say that should come back in again, that 13 million. The next one is the tunnelling, which we've been though, where there's a big difference between us. We've got 13 million on the land and property; we've got 35 million between us, where we believe the rate is lower.

120. The next one I'd identify is noise barriers. If you look at the figures there, noise barriers are unchanged. When we sat here on 17 July, when we didn't have 6 metres noise barriers; now we have the new figures, where we have the 6 metre noise barriers, but the figures haven't changed. Again, to us that doesn't look right. There are other ones where we have been talking about the pylons. I have sent I don't know how many emails about with C6 we are still going to have to move the pylons and with C5, they won't. But the numbers didn't change. They persistently didn't change. They didn't change on 17 July, when we came in front of the Committee. Finally, they have now changed in the very latest ones.

121. The last big number is cuttings. For the cuttings one, I'd just like to go to the next slide, please, which is the last of the issues. I found myself drawing this picture at the top here, because it's actually not easy to understand, perhaps, what's going on. If you imagine that the surface is dead flat, you'll see that I've drawn an AP2 depth there and then I've drawn the C6 depth. As we know, C6 is deeper where the portal comes out. And there's an additional amount of cubic metres that gets cut out over and above AP2 – and that's 880,801 cubic metres. Now, if we had had C5, off on the left there, we know what the figure is, because HS2 Ltd told us: it would have been another 450,000 cubic metres. You can see that, actually, the extra amount that C5 needs to cut

out after the portal is less than the amount at C6.

122. It is perfectly possible to do a calculation to look at what the cutting as a cross-check of C5 over C6 is. It is simply, what would you save? You would save the South Heath cutting from South Heath to Leather Lane. We know the figures, because they were given to the conservation board and HS2 Ltd told us they were correct. The second number is what I call the 'wider and deeper difference', because instead of 880 it's only 450 – so you can add that in. And you get just over 1 million cubic metres. Even if I multiplied it by the £22, which is what HS2 Ltd say the appropriate rate is, you would come up with a saving of about £24 million. But if we went back to the very latest sheet, just the previous slide, you will see that the figure, if we go back to there, has been revised. It had been a saving of only £9 million, but it has now gone up to £14 million – but it hasn't gone up to £24 million. Now, we would question the £22, because we believe it's more like £30 plus transport, but just on the numbers of £22, it simply doesn't look right on the left-hand side.

123. The last one I'd mention on here is a green tunnel. For many months, we suggested the saving being put against the green tunnel was too small and it had been shown, in the middle column there, at 57. Actually, it's just now gone up and it's been increased, the green tunnel saving. It doesn't affect C5 over C6, but you can see the costs on the left and, actually, it's gone up to the figure we've been claiming it was for a long time. Because we never understand what's underneath the figures, we have to do our own in our own spreadsheets to try to work out what's going on.

124. I would say, in summary, on that sheet there, that the numbers have moved about enormously for what HS2 Ltd have said it costs, right from £20 million in the first days. We would argue that there are still some very substantial issues with those numbers: £35 million just coming from the tunnel rates, another chunk coming from the cuttings, something still in the wash which still isn't right with the noise barriers and we cannot possibly see how a land and property can be right.

125. We have put the numbers together on what we think are the best estimates, using, where we can, HS2 Ltd's own figures, where we believe they look reasonable, and we would say it is a £50 million cost but it's more like an £18 million saving. There is a last slide, but in effect it's a summary of the points. We think the implications of what happened, putting this data in front of you on the day, was that a wrong rate was put up

and that when that's corrected it supports our own evidence and our own figure of £25 million rather than what's now almost double that, £49 million. There is evidence that rates are greater than 80 metres a week, and it should be based on the incremental rates. And there is, we think, very substantial evidence that C5 over C6 actually represents a saving – and certainly not a £53 million cost – for the points I've said and the points that are on the slide.

126. SIR PETER BOTTOMLEY: Can I ask a question, Chairman?

127. CHAIR: Yes.

128. SIR PETER BOTTOMLEY: I don't know whether this has been available to the promoters, but it's the kind of issue where it might be sensible for them to be able to give some detailed consideration to all the points and then compliance back on another day to talk to us, rather than just accept or splash it all around.

129. CHAIR: If it would help, you're assuming that we gave any weight to what the promoter said in their figures. And, in the study that was introduced, the petitioners' expert raised the point that there were differences in contract, differences in length, differences in cut and cover. Personally I didn't give great weight to it, because I don't see how you can take three different tunnel options and then work out what it means for the Chilterns.

130. MS WHARF: I think it was partly Sir Peter's point on 404 which concerned us, because he drew the conclusion, quite rightly from looking at those figures, and we thought, 'That's wrong.'

131. CHAIR: I've made the point before that we don't necessarily believe figures that are produced by petitioners, but we don't necessarily believe figures produced by the promoter – and we do come to judgments. And an element of that may be the judgment of Solomon. I think there was probably a more productive discussion from the petitioners and the promoter on drilling rates, which you've mentioned in your thing, about whether you go from both ends and maintenance and all the other things. That probably weighed a little bit higher, but I'd just make the point that I know you're coming to try and debunk what HS2 have said but the reality is we're not, you know...

132. MS WHARF: I think our particular concern is that it's become a game of 1.5 kilometres for £50 million, and that was our concern, because we feel that it isn't

1.5 kilometres for £50 million. It's actually, we would say, 1.5 kilometres for a saving. And if it's a saving, it goes without saying.

133. CHAIR: And it may be that Mr Strachan says he wants to deal with it all now, but given the amount of detail –

134. MR STRACHAN QC (DfT): What I was proposing to do was – I'll be guided by the Committee as to what's most helpful – just give a very brief response on one or two points, because the way the hearing in July has been described doesn't accord with our analysis of it. And I just wanted to highlight one or two points without becoming too argumentative about it. Then we were going to respond in writing to Ms Wharf in relation to her latest document with the costs analysis.

135. I don't think it'll be any surprise to the Committee to know that we don't agree with Ms Wharf's cost analysis and, as before and no doubt will continue, there's going to be a disagreement – and I don't suppose we're ever going to reach resolution on it. I was going to explain on or two points, but I'm entirely in the Committee's hands. If it's not going to be helpful, I won't do it; if it would be helpful to have a brief response on some of the key points, I'll do it.

136. CHAIR: If you want to respond briefly to pick up some points from your perspective as the promoter and if you give a written response to the points that Hilary Wharf has raised and copy it to the Committee as well, then if there are further points we want to pick up, we have that. Because, actually, there's quite a lot of technical stuff you've got in here and I'm not sure we could do justice if Mr Strachan spoke for 10 minutes on it.

137. MR STRACHAN QC (DfT): I'll follow that course, then, but can I just flag up one or two overview points which may assist your thinking? The first is that I do contend that, if this debate continues, the Committee revisits the transcripts of the 21 July, both in the morning and the afternoon. The reason I say that is you will see, when you read through them, the nature of the respective cases that were being put and, also, what I say is the care that Mr Smart gave to the evidence of taking you through costs. It's all set out in some detail, and I advise you to do that rather than necessarily assume that Ms Wharf's summary is the one we would accept – because we don't.

138. The second point I'd make is there is a misunderstanding or mischaracterisation of

our position on costs. And I emphasise this. You'll see it from the transcript. We have never costed these tunnel extensions on the basis of the tunnel guide. We made that clear from day on. The tunnel guide was a document produced at the request of the Committee to give a broad indication of how tunnel costs might turn out, but we have made the point on many occasions that, when it comes to costing pieces of work in specific locations, we approach it in a much more detailed way. Colloquially, it is a 'bottom-up' approach, costing each element and adding it into the equation – rather than taking any benchmark guide figure from any other document. We approach it in a much more structured way, and that's what we did in the cost analysis we presented.

139. CHAIR: From memory, it was more to do with the tunnel boring speed, maintenance and whether the machine would break down – and length.

140. MR STRACHAN QC (DfT): Yes. And there were two live issues. One was tunnelling costs and then one was tunnel-drive rates. You're absolutely right: in relation to tunnel-drive rates there were some comparators that were looked at and then there was common agreement from the witnesses that the most important thing to do was consider what kind of ground you're going through, what kind of machine you need and then make some prudent or robust assumptions as to what rate you're going to achieve.

141. CHAIR: And there was some complicated chalk in there, as I understand it, at certain points.

142. MR STRACHAN QC (DfT): Yes. You can get a flavour of this, because the Committee will know that on other petitions we have faced the opposite challenge to our engineering, which was to say, 'No, it's much more complex than you're saying. You're going through very difficult chalk. You're going to encounter holes or fissures; you're going to have to do pre-grouting; you're going through aquifers; you're going through a SPZ, a source-protection zone. It's all going to be much more difficult.'

143. Now, I appreciate, from REPA's perspective, they see it as being a much more speedy process. Others see it as being a much more lengthy process. Mr Smart explained that, when you take all of those factors together, the 80 metre average rate – it is a hard-drive average – is the sensible and prudent rate for these conditions with this machine. There will be times when the machine goes much faster and there will be times when the machine goes much slower – and there may be times when particular

technical difficulties are encountered which either stop it altogether or slow it down very considerably. And he gave some examples of where that might be the case. I'm going to get the technical term wrong, but pre-grouting is where you're dealing with particularly watery chalk under and you're concerned about aquifers. You have to go more slowly in potential cases.

144. All of that is in the evidence and the transcript records it. There's going to be a difference of view, because we know Mr Craig took a different view. He says, 'You can do better than that.' We say we have to assume 80 metres a week and that's a prudent rate by reference to what's been achieved. And that's what the nature of that debate concerns.

145. On tunnel costs, the broad response I want to make now is that Ms Wharf is wrong to suggest that we presented costs based on the tunnelling guide or that we based our costs on what she refers as UK2 in that annex to the tunnelling infrastructure costs. We did not, and we made that clear. When Mr Craig and REPA came along to criticise the tunnel guide costs and to refer to other tunnels, UK1, 2, 3, 4 and 8 – you will see all of this in the transcript – all we did was point out what even on his own evidence he admitted was UK2, which appeared to have higher costs.

146. And then Mr Craig – it's in the evidence – qualified it by saying, 'Well, some of that is due to cut and cover.' And I would point out that that occurred after the extract Ms Wharf refers to, where Sir Peter was summarising what appeared to be, on the face of it, more expensive costs. Mr Craig then made his intervention afterwards – so it was an ongoing process, as Sir Peter anticipated. You will see all that in the transcript.

147. All we pointed out was that on the basis of his own material, which isn't an approach we follow, if he was going to do comparators, there appear to be other comparators which showed a rather different perspective. What it appears, at highest, is now being said is that the very material REPA relied upon can't be taken at face value, because there are hidden complications to the benchmark costs; there may be hidden elements which don't show a true cost figure.

148. All that illustrates is the dangers of trying to cost a tunnel by reference to another tunnel in different locations and different conditions, where there may have been different hidden costs or non-hidden costs. It's not an approach we follow. We don't recommend it. Our approach is, as I say, to take a 'bottom-up' approach – and we stick

by it. Whether or not the costs of UK2 are cheaper than what is shown in the graph, in the table, which one would take ordinarily at face value or not, it doesn't particularly matter.

149. The other headline point I want to make is what we did do is we took our figure for tunnel costs in our table and we showed, if you were to go down a comparator exercise, our tunnel exercise were coming out at about £44 million per kilometre – just the tunnel bits, not all the other bits, just the tunnel drive. Again, we don't recommend this comparator approach, but that's what it was coming out like, which is way below the tunnel guide, which was 66. Our true costing for this particular element was coming out below our tunnel guide, which indicates we weren't using the tunnel guide.

150. If you just put up Ms Wharf's slide again, which is A1363(4) – I emphasise this because it never appears to be understood: I'm not recommending this approach. I'm just testing her approach – it has £44 million per kilometre. If you look at UK3, which isn't actually a wet chalk slurry TBM machine, so it hasn't got the complexities that we have, even on her own analysis the infrastructure guide was suggesting £41.4 million per kilometre. Now, ours is £44 per kilometre, if you do that comparative exercise. All you can see is that ours is well within the range of costs for a less complex tunnel than the one we're contemplating.

151. I emphasise again: we don't recommend doing this comparative exercise. We recommend working up, as we have with our engineers, the true cost, which is the cost represented. If you were to go down this exercise, however, you can see there is a range. Our range is not significantly different from at least UK3.

152. That's the headline point. I ought to update the Committee just on costs so that you know. In July, we costed C6 at approximately £26 million over the hybrid bill scheme plus the costs of dealing with the delay to the scheme. And we emphasise that; it's in the transcript. There would be another cost to accelerate the programme so that you didn't impact on the critical part of the programme. I think a figure of about £15 million or up to £15 million was identified. The same would be for the REPA proposal, which was £76 million plus.

153. We have been working on the tunnel costs, as you'd expect, in bringing forward C6. The current costs of that, taking out the extension I think for C6 results in approximately a £46 million figure and our current costs for C5 on the same basis would

be around £86 million. We are still within the ballpark figure of difference of £40-50 million difference between the two proposals and we gave detailed evidence, which the Committee has considered, on why expenditure at that level didn't justify the environmental changes of going from C6 to C5. The key environmental benefits were actually achieved by tunnelling, as we were suggesting, to C6, including the effects on the ancient woodland, noise, visual effects and the construction routing, which you've heard much about this week.

154. That balance, therefore, remains the same. I recognise, as you pointed out, that the Committee looks within a degree of scepticism at all costs presented on all sides, so there may be a range which is in the Committee's mind as to how to treat those figures, but we are very much in the same area we were in July on our cost figures. We will write to Ms Wharf, though.

155. CHAIR: Okay, if you write to Ms Wharf, copy it to the Clerk and then we can put your response to the detailed points up on the website. I'm now going to let Ms Wharf have a few final brief comments and then we'll go back to Councillor Jones to continue with the rest of the petitions.

156. MS WHARF: Thank you. Could I have the next slide, please, for my next comment? I think it's the very next one. Mr Strachan just said £40 for his £44 lay on the range of what was on the previous slide. I obviously didn't quite make the point, but the £44 is the purple dots on that. Now, the previous slide was about total costs. The whole point about this is it's incremental costs, because you already have the sunk costs. You already have the sunk costs of having the TBMs. We haven't got another two TBMs for this one; we're just going that much further.

157. It's sort of basic economics: you've got fixed costs and variable costs, incremental costs or marginal costs – whatever you want to call the second part. Yes, it's 44 – brilliantly. It's line not with the total costs; it's in line with what I would expect for the tunnel guide: the tunnel cost, which is the dashed line.

158. I would say that this is *par excellence* evidence that the £44 is indeed in line with the tunnel guide, but it's in line with the incremental costs of the tunnel guide. In effect, HS2 Ltd themselves, not surprisingly, because they did say it in meetings to us, accept that it is the incremental cost that is relevant for extending a tunnel. And that is an acceptance REPA had in our meetings with HS2 Ltd. I am surprised that somebody

should actually now suggest it's actually the total cost figures.

159. I would say we actually want to try to get the right figures. It's something that REPA have tried to do throughout. Indeed, last time, we even put some figures up against us, because we felt the numbers had been done wrong. In my own professional capacity, I want to see the figures done correctly. We would very much welcome something that was actually more than just a letter, but something that was actually a debate about the figures so one actually understood the sets of figures – and we will stand by the figures if we can understand how they have been constructed. We want to be constructive on it, and we just would like to see the correct figures being done for a particular extension scheme. We look forward to the letter, but we would like it even more if, actually, there could be a debate about the two sets of numbers with HS2 Ltd that was an open-book policy.

160. CHAIR: Thank you very much indeed, Hilary.

161. MR CLIFTON-BROWN: Chairman, can I just ask Mr Strachan for a response to that? It does seem to me a fundamental point between the total costs and the incremental costs.

162. CHAIR: Yes – and then you have the costs of the delayed project.

163. MR STRACHAN QC (DfT): Yes, I think this was dealt with on the last occasion. First of all, as a matter of principle, in terms of costs, it's not right, in principle, to treat costing of an extension as merely an add-on cost to the project without taking a proper proportion of the costs of setting up the TBMs and all of the preliminaries which come with going a certain distance – because otherwise it's not a true cost analysis of the cost of the project. I think that was dealt with on the last occasion.

164. Secondly, there was a discussion on the last occasion – again, it's in the evidence – about working out the percentages of fixed costs and additional costs – 80 versus 20 – and there was acceptance of that principle but disagreement as to the figures. The £44 million per kilometre that we have worked out as the cost of the additional tunnelling, as I've indicated, as we've worked out, is the true additional cost of that tunnelling and I was drawing attention to the fact that it's below the 66 figure which would come from the tunnel guide.

165. And that's the point I'm making. I don't accept that these comparative analyses

that have been put forward are right. £44 million per kilometre for this additional section they're talking about is, as Mr Smart explained, a cost figure which, to his more experienced eye, seems the correct figure, bearing in mind the nature of the machines one is using and, more importantly, it's the figure which the engineers at HS2 have identified through the bottom-up approach rather than a comparator approach.

166. If it is more expensive, I don't know because we don't know. Can I hasten to add that these figures make the same mistake and assumption of taking the cost benchmarks from non-comparable tunnels that I've been through? The UK1, 4 and 8 had different types of soils, different types of machines, which we went through on the last occasion. Even if it's true that £44 million per kilometre is expensive than other tunnels, so be it – but it's the cost that we've identified.

167. MR HENDRICK: If you don't know what the cost is going to be, you're only really making a prudent estimate, I think as you made clear in July. It could be a few million one way or a few million the other way. I think the argument being put forward by Ms Wharf is that it could possibly be a lot cheaper and therefore you can go further, but what you're saying is you don't really know because of the examples shown are not necessarily good comparators. The conditions may vary and who knows what you're going to find when you're going to start tunnelling for HS2?

168. MR STRACHAN QC (DfT): I agree with that analysis entirely. Mr Smart made that point on the last occasion and what he has sought to do in building up the costs is factor in prudence – but not over-prudence. He has factored in a prudent rate which allows margins either way. Of course, yes, it could be cheaper; it could be quicker; it could be slower.

169. MR HENDRICK: What Ms Wharf is effectively saying is they think, because it could be cheaper, you should go much further. Obviously, you're being a lot more guarded and cautious about how far you can go on the amount of money it's likely to cost.

170. MR STRACHAN QC (DfT): What we're doing is trying to adopt an objective, reasonable analysis of the costs. Can I just put it in this way? HS2, at this stage, is trying, obviously, to present the most objective, balanced costs. There's nothing to gain from our perspective if there were a cheaper option. If there truly were, on analysis, cheaper options out there, no doubt the engineers would say, 'This is the cheaper

option.’ The point is to get to a realistic figure which reflects a true analysis of what we understand now and our best assumptions as to the approach.

171. MR HENDRICK: Exactly. Could I ask Ms Wharf that question? Are you saying, then, that HS2 are going out of their way to make this sound more expensive than it really is because, even though they could go further with it, they’re just being bloody minded?

172. CHAIR: I think the answer’s yes or no.

173. MS WHARF: Yes.

174. CHAIR: Thank you. Thank you very much for your contribution yesterday and today – and I hope your husband is getting on okay.

175. MS WHARF: I’m afraid not at the moment.

176. CHAIR: Okay, well, we’re thinking of you. Right, Councillor Jones.

177. MR JONES: Actually you could help me. When I ask for the next slide, who’s actually pressing the button?

178. CHAIR: No, you don’t press the button, no.

179. MR JONES: Or whatever you do. Thank you. And I don’t know, sir, to what extent you’ve had a preview of these slides, but some I’m intending to skip over. If I’m going too fast, just say and we’ll slow down.

180. CHAIR: We will never say slow down, given how slow this process is. We can normally read slides, and we’re generally given copies of the slides as well. It’s more important to make punchy, salient points, which is more likely to leave an impression on the committee. Can you introduce who you’re with?

181. MR JONES: Yes, this is Jonathan Brooke, who is a resident of Frith Hill, South Heath. I will bring him in halfway through the presentation, if that’s okay.

182. CHAIR: No, that’s fine.

183. MR JONES: We’ve listened to what you’ve said. And there are 20 petitions here. I’m just doing it as one to save everybody’s time. Can I start with three apologies, if

you like? I am not engineer; I don't do technical; I'm just trying to tell you what local people are saying.

184. CHAIR: It hasn't stopped anybody else.

185. MR JONES: Secondly, I salute your indefatigability, as it were. I realise you probably think, 'I've heard all this before.' I shall try to be brief and interesting. Thirdly, as you know, we are all arguing for a longer tunnel. I appreciate there is no silver bullet, where you're going to say, 'Yes, that's the key to the longer tunnel.' What we're hoping is this and that and the other will add up to a compelling case. Next slide, please.

186. You're aware that in the environmental statement South Heath was the only one in Buckinghamshire which was significantly affected. Next slide. This is your press release or the DfT press release, I think, from July. The people from South Heath are not convinced that even what is proposed now has adequate beneficial effects. That's an interesting use of the word 'benefit': 'benefit' defined as an absence of cost and upset. There are no benefits to South Heath from HS2 at all. We believe that the effect on the South Heath area and Ballinger Road in particular would be significantly improved by a longer tunnel.

187. Our petition, as you know, mentioned all of the following things. Next slide. Some of them have already been addressed – thank you – by the proposed C6 extension. Next slide. I'm not proposing to comment on many of them, because I believe that that's been covered by other people. Today, I just want to talk about the seven things that I think are of most concern to the people who I am speaking for today. Next slide, please.

188. I can see that there was going to be a tunnel portal at Bury Farm anyway. That's not necessarily a good thing, because the people in Bailey's Hatch, Ballinger Road, Frith Hill and Potter Row were, in my view, seriously inconvenienced by the green tunnel portal. What is currently proposed would be 30 metres wider either side.

189. CHAIR: And lower.

190. MR JONES: And lower, yes. I have no idea what there is at the bottom of your gardens, but if you had a green field at the bottom of your garden and you were offered, 'Do you want to have a green field or a tunnel portal or a railway cutting?' actually you

would have the green field. I know you are all dying to say, 'No, I'd have the railway cutting,' but you wouldn't.

191. MR CLIFTON-BROWN: It depends if it's lower or higher.

192. MR JONES: It's 17 metres when it comes out of the hole. It clearly goes back up in a fairly short space of time to where it was to start with. When we come to noise, which I don't plan to say too much about, I don't think anyone's going to deny that people are going to hear these trains.

193. It's good that Sir Peter's here, because I bet that he knows the answer to this anyway, but I'm fairly sure that this train line, as proposed, is going to be one of if not the steepest bits of mainline tracks in the UK. Currently Lickey Incline in Birmingham is 1-in-37.7 and I think this is proposed to be even steeper. I'm astonished that in the 21st century we're having a tunnel that starts, basically, below Shardeloes Lake and goes to the top of the hill. That doesn't seem, to me, to make any sense and will probably add to the costs of running the trains because, as we know, trains tend to run flat rather than running up and down hills. We have a serious concern about the tunnel portal as proposed.

194. I wanted to dwell, if I may, for a moment, Chairman, on the traffic congestion during construction, which is a serious concern for the residents of Ballinger Road and actually affects many others in this area. If you go onto the next slide, I'll show you a Google map which has the major towns on it and the approximation, the red line, is where the HS2 line is going to go. If you go onto the next slide, which I have to say I thought was rather wonderful, you've got the B485, the yellow line at the bottom; the A413, the yellow line at the left which you know; and what I'll call Chartridge Lane, which becomes Rocky Lane, at the yellow line at the top.

195. The point is, if you live inside that triangle, you have to use one of those three roads to get out to the rest of the world. And we think there is going to be a big problem with construction traffic and with the diversion of normal traffic. Most people, if they were coming from Aylesbury to Chesham, for instance, would go to Great Missenden and turn left up the 413. If you know that that roundabout is going to be clogged up with construction traffic, you will turn left and go down Rocky Lane – hence much more traffic on those lines.

196. If you go to the next slide, please, that's a picture of Church Street where the B485 hits the oldest part of Chesham. That's a bit of a bottleneck at the best of times. I had to take that picture quickly before the traffic started turning up, because essentially that road is one-way the whole day. Within five minutes, you had traffic queuing in both directions and clearly any lorries just make it worst. Believe me, it only took me five minutes to get those pictures at 11 o'clock in the morning. It wasn't a rush hour or anything like that. That's just what happens.

197. If I can move on to another place that I'm concerned about? That's the lane going through Chartridge Village – what I'm calling Chartridge Lane. You look at that picture and you think, 'Well, what's wrong with that?' Next slide? That's what's wrong with it. Twice a day, at term time, that becomes a one-way street and – next slide? – it very quickly becomes completely snarled up. You've got stationary traffic in both directions. Now, that, Chairman is, 'So what?' – well, that is partly why people are concerned about this locally. It's also a word to the wise: HS2 may wish to take note of this and ensure that their construction traffic misses those two points as much as possible.

198. MR HENDRICK: May I ask, why is there so much unrestricted parking?

199. MR JONES: Thank you Mr Hendrick, that's a very good point. That's the entrance to Chartridge School, and all the mums and dads in their cars who come and take their children away, park on the road there because in common with every other school in Buckinghamshire, there isn't really enough on-site parking or way of getting to it. So everybody parks on the road, and it becomes a –

200. MR HENDRICK: So is that when people are picking up their kids or dropping off their kids mainly?

201. MR JONES: Both of them. Those pictures are actually taken at 3.15 in the afternoon, but if I'd got there at nine o'clock in the morning, it would've been the same.

202. MR HENDRICK: So it's those two peak periods that are the problem?

203. MR JONES: It's the two peak periods of picking up and dropping off that are the concern. As I say, Chairman, word to the wise –

204. MR HENDRICK: So is it the case, apart from at those two peak periods, it's quite possible to drive in both directions without too much problems?

205. MR JONES: Yes.

206. CHAIR: Presumably your point is that if people are parked and there's a lorry coming the other way, then it just becomes absolutely chaotic?

207. MR JONES: Absolutely, yes. Unfortunately there wasn't a lorry at the right times, which is a bit annoying but never mind. The concern here is that people won't go A413, B485; they'll go this way, which means there'll be more traffic at the bad times.

208. I've suggested some possible remedies for that. One is through the Code of Construction for local contractors, HS2 advise people which roads to go on and I'm aware that there is a draft Code of Construction, Chairman, but living in the real world, if you're a contractor in Berkhamsted and you want to get to the site at Frith Hill, you're going to go through Chesham. That needs to be avoided as much as possible. I think it stands to reason that a longer tunnel would relieve the obvious pressure points, because I'm seriously concerned about that junction on the A413 so – next slide please? – at the risk of over-egging the pudding, that is a very typical picture of traffic in Great Missenden queuing to join the A413, and – next one? – that's traffic queuing from Chesham towards Great Missenden. Again, I know from experience, that's what happens.

209. MR HENDRICK: Is that rush hour traffic?

210. MR JONES: That would be rush hour traffic, yes, which is quite a long time in this area of the Chilterns because the A413 from Aylesbury towards London is a solid line of traffic for the best part of an hour in the morning, and ditto coming back the other way for two hours in the evening; so much that if you don't – I tend at those times to go down to that roundabout; I've even waited five minutes there, it's quicker than trying to cross the road at a regular T-junction. I think what it would do there – as an aside, sticking to the cost-justified extending the tunnel, on the same numbers that HS2 started with, if you just saved just five minutes commuter time each way a day, for 1,000 commuters, which is entirely reasonable, that comes to £10 million over seven years. There's a lot of cost which hasn't been recognised in what's been going down.

211. I think if I may, Chairman, can I bring in Jonathan Brooke at this point not least because he lives where that car coming up the hill is on the picture.

212. CHAIR: So is that his drive coming in there?

213. MR JONES: Exactly.

214. CHAIR: Yes, absolutely.

215. MR BROOKE: Yes, that traffic is typical during peak hours, term-time; and that happens frequently. When the A413 Wendover-Amersham, if there's a hold-up, car accident and so on, the whole road system is gridlocked; and that's an existing situation and it's commonplace. With a haul road coming into the link road roundabout, approximate construction period, seven, eight years, it's only going to add to the problems of traffic and all the local rat-runs, as Peter has alluded to, are overloaded. It's going to last many years, and yes, that car's just outside my house. I tend to that hedge on the right hand side.

216. CHAIR: Okay, and presumably you have difficulty getting out of your own house sometimes. Thank you very much.

217. MR BROOKE: Yes, I'm a local resident, I've been there 34 years, and so on; so I'm accustomed – I'm fearful of the future. The other thing I really want to bring to this committee: I'm also a chartered surveyor. For the last 10 years or so, I've been involved with compulsory purchase and compensation matters on behalf of those acquiring authorities. So I have an idea how the system works. The actual people on the route, dare I say it, are the lucky ones. They're going to be compensated; and those who are successful in obtaining blight notices, they're going to be fortunate, because their compensation, so far as money allows, will be compensated sooner rather than later.

218. Where I take very big issue is those claimants, potential claimants, who just fall outside the narrow parameters of compensation. They would be entitled to compensation for loss, devaluation of properties under the Part 1 of the Land Compensation Act 1973, and I don't suppose many people are familiar with that. But basically, if you believe you've suffered a loss, you can put in a claim, but the catch is, you're only able to do it 12 months after such a scheme has opened. Now, if HS2 is reckoned to be opening to the public around about 2026, 2027, add another couple of years or so for the claims to be met and paid, we're talking the best part of 2030 for many Part 1 claimants to receive any compensation. The problem is, is that the current legislation is just not designed, it's not fit for purpose, to look after those who fall into this trap. The statutory legislation – sorry, property legislation, is just not fit for purpose

for something of this scale, magnitude and duration which is what HS2 is all about. Most infrastructure schemes that I've been involved with tend to have a construction period of between two and three years. HS2 is seven, eight years. It's far longer; it's just not equitable for people to have to wait for so long so far as Part 1 is concerned.

219. Tunnel it, extend the tunnel beyond what has already been put forward by this committee, you will just remove that to a big extent. Never mind those on the route, where the compensation claim would already would be substantial, injurious affection, disturbance, never mind the expensive land, cost values and so on. So that's the plea that I'm making, on behalf of potential Part 1 claimants, which I'll be one of, definitely. I do have concerns about the portal just outside Bailey Farm. You've made the point that it may be deeper, but from my experience with green tunnels and so on, the 'whooshing' effect of trains entering and exiting trains, particularly at high speed, express, I have great doubts about it. It's too close to existing settlements; it should be moved further away. So, that's really why I'm here: is to plead and petition for an extended tunnel by another kilometre or whatever it is. I think it would make a big difference to those of us living in the Chilterns.

220. MR HENDRICK: Can I ask you how far you are from the line?

221. MR BROOKE: Between quarter and half a mile.

222. MR HENDRICK: Okay.

223. CHAIR: Okay.

224. MR CLIFTON-BROWN: It's not only the fact that you have to make a Part 1 claim, one year after the scheme has been completed. I have had cases in my constituency where they're still arguing about the quantum five years later. That delays the payment even more.

225. MR BROOKE: I said two years; it could be much longer yes. I am semi-retired but I've been brought back by our local authority for the moment purely to deal with Part 1 claims, on behalf of the client, probably some – but it will probably take another 12 months or so just to consider, and this is a much smaller scheme than HS2.

226. MR CLIFTON-BROWN: And there's no interest on that payment when it's delayed?

227. MR BROOKE: Well there is statutory interest on that payment, but very low interest rates at the moment, it's effectively 0.

228. CHAIR: Maybe by the time the project's completed, interest rates will be at a reasonable level.

229. MR BROOKE: I will be in my late-70s, I have a long time to wait. I am only one person; age doesn't matter, but it's a very long time to wait.

230. CHAIR: It's an interesting point to make, and it has been made before, and your fellow chartered surveyor here no doubt will jump up on that, so it's something we will consider when we do our final report.

231. MR BROOKE: I want to hammer it home, thank you.

232. CHAIR: Thank you, Councillor Jones?

233. MR JONES: Concern to main people who live in Ballinger Road but also in the wider area is the footpath network which is obviously being seriously affected by the trace of the line. Not just the footpaths that link Potter Row and by extension, the rest of the southeast to Great Missenden, which I'll come to, but they are part of the extensive network of footpaths that people come to the Chilterns for. I dug up a visitor survey from eight years ago: 44% cite walking as the single biggest reason for visiting the Chilterns. I've also discovered that of those 55 million visits, the average spend is £8.54 – that's in 2007 prices. So, something like £450 million is spent each year by visitors to the Chilterns. Again, if I was seeking to cost justify the longer tunnel, even 1% of that is £4.5 million – the VAT on that is £750,000. I sincerely feel that a lot of that would be lost to the local economy and the government with this scheme as currently proposed.

234. If I can move to the next slide, there's evidence of that? That's actually a picture that I took last year in Sibley's Coppice when it was planned to be, basically, wrecked. The point of this photograph is two-fold: first of all, sincere thanks from the local community for not wrecking that coppice, because it is a very much loved area of ground. The other thing, which I realised after I'd taken the photograph is, look how wide the footpath is: that really is a very well-used part of the network.

235. If you go onto the next photograph, which I can see is appalling, but you can see the path of that footpath, and that's the one that leads down from Potter Row to Great

Missenden. I thought of bringing a photograph of a footpath you could see, but I thought that was probably fairly pointless. The footpath network is very, very important to people and has a value and if you go onto the next slide, you can see down at the bottom left-hand corner of the slide, I've shown you the footpaths which are particularly affected, the ones in blue. Clearly a longer tunnel would preserve more of that footpath network and encourage visitors to stay, come into the Chilterns. Does that make sense?

236. CHAIR: Yes. You're doing very well, by the way. You're moving through the slides.

237. MR JONES: We try to help here. This one we've done already, so we can move through the next one. I went around, talking to the people that I'm representing today and I said to them all, 'What's the single biggest problem that you have with this?' I was astonished that noise was the one that most people mentioned first, not everybody, which wasn't what I was expecting at all, to be honest. I don't want to go into any great detail on this, if we can just skip through the next two slides and that one, thank you. As you will know from hearing Hillary Wharf yesterday, there is serious concern about the noise levels and the adequacy or otherwise of the information that's been provided. So I'm not going to dwell on that.

238. The only thing that I would say, Chairman, if I can get away with this, noise as I said, is seriously important to everyone; everybody is concerned about it. The trouble with the sort of figures that were coming up here, is that we all know what 70mph looks like and we all know what 70°F feels like. But I haven't got a clue what 70 decibels sounds like. I think what people are saying is, 'Never mind the numbers' – I apologise, I realise this cuts both ways, Mr Strachan – we are going to hear these trains aren't we. I don't think anyone's going to deny that the answer is yes. And hearing those trains all day is going to be a serious dis-benefit to people. Can I get away with that.

239. CHAIR: Of course, you've just done it! The reality is –

240. MR BROOKE: All those properties will be eligible, I'm convinced for Part 1 claims; and they have to wait 15 years, plus.

241. CHAIR: All I would pick up is the example you've used, as an additional provision. There'll be further work on noise for the updated Environmental Statement. People will have further opportunity for petition, so we might even see you coming back

again –

242. MR JONES: Something for you to look forward to.

243. CHAIR: It is.

244. MR JONES: I would almost say, ‘Don’t bother doing it around the C6’. Extend the tunnel to Leather Lane and you’ll find there are far fewer properties that are going to be affected by any noise at all. I noticed in the most recent exhibit, it was considered at Potter Road, ‘No longer considered significant...when assessed on a community basis’. That suggests to me that it probably was on an individual basis, but I’ll –

245. CHAIR: I think what isn’t in dispute is that the extension, the lowering of the line, has improved the situation. It’s arguable how much, but it’s improved the situation, from what it would have been.

246. MR JONES: Depends what your starting point is: if your starting point is, as now, then, no it doesn’t. You know, as in green field, which there would be if you extended the tunnel. Yes, I concede that C6 is better than what was previously proposed. I don’t know, 17 metres deep, tapering to where it was. 17 metres is less than a cricket pitch and about the same as a football penalty area line. I suspect that more noise will come out of it than we’re hoping. Like how much it costs, nobody really knows.

247. The other concerns that people had, particularly: South Heath, as you know – you’ve all been there. Nothing in there at all really: no pub, no post office, no shops. Not even a football pitch. So, essentially everybody has to get out of South Heath to go to anywhere. I think that is why the road network concern is so important, particularly to the people. The next slide – I’m glad I put this up actually because if you go back to the presentation by Mrs Crane earlier – you were asking earlier how many people were affected – well, I would argue that many: that’s just in South Heath. Particularly, the roads Bayleys Hatch, Frith Hill, Potter Row, and a good chunk of Ballinger Road are seriously affected by this project, and not much helped by the C6 which is proposed. Sir Peter made the point earlier that there’s bound to be a difference between people and the environment; I see protecting the environment as being of benefit to the people who appreciate living in it. I think a longer tunnel would be much better for people for more people.

248. When you came round the Chilterns the first time, one of the HS2 people – I think

it was a Mr Hargreaves asked me, 'What sort of people live here?' Pretty much the same as everywhere else, really! The purpose of this slide is to point out how many people use the road network to get to work. It's quite a high proportion. If you go onto the next slide –

249. CHAIR: We haven't had many people worrying about buses.

250. MR JONES: That's probably because there aren't many.

251. CHAIR: We have in other areas – school buses yes, there's been a concern about school buses, but I don't think this is an area of the country where most people tend to get the bus?

252. MR JONES: I should know how many buses there are to and from South Heath each day. I think you could probably do each week on the fingers and thumbs of both hands. Partly, of course, because everybody has two or three cars. That's probably very different to many of the areas that you represent, but I'm sorry, this is the Chilterns and you have cars to get around. Those figures are for the whole ward; believe the Ballinger Road area is very typical of the whole road, so the vast majority use the road network to get to work. If I can move on?

253. CHAIR: Yes, he's Chilterns Council – he asked if this is your ward?

254. MR JONES: It is.

255. CHAIR: It is?

256. MR JONES: Yes, it's part of it. The south east is about a third of the electorate, as it were. When I was talking to people – and again, Chairman, rather than drag them down here to say the same, I hope you will accept the comments on the slide?

257. CHAIR: Yes.

258. MR JONES: Serious concern about them getting to local services and the time it's going to take; and as importantly, the time it's going to take services to get to them, particularly amongst people who had elderly relatives living with them or they have to go and see. Again, it would be helped by a longer tunnel, and I do hope you'll take into account this sort of personal comment, which is you can't attach a monetary value to that, but it has a personal value to the individuals.

259. So, in summary, the things I wanted to talk about this morning could all be assuaged by a longer tunnel. I concede immediately that everybody wants a tunnel. If you had a tunnel from Euston to Birmingham, you wouldn't have any petitioners at all probably; that would be silly. In the Chilterns, you can very easily mitigate some of these concerns, but by a longer tunnel. Next slide? Thank you very much indeed, gentlemen.

260. CHAIR: Thank you very much, Councillor Jones. Mr Strachan?

261. MR STRACHAN QC (DfT): Ms Busch is going to deal with some points, I'll just make an observation about compensation at the end.

262. MS BUSCH (DfT): Yes, I think most if not all of these points made are ones that have been made previously and undoubtedly will be made again, but just to touch on some of the points that Mr Jones and his colleague have made.

263. So far as C6 is concerned, obviously as you've observed, that will be subject to further detailed analysis in the form of Environmental Statement that will be produced. For present purposes, on the basis of the work that we have done so far, we are satisfied that there are environmental benefits that will directly benefit that residents of South Heath. Without going through all the detail, you'll have seen the tables that we produced, reference being P8132(1) etc. For present purposes I highlight – well, without going through it in detail – but I highlight in particular the ancient woodland lost going from Bill Scheme, nine hectares to zero. If you can move on to the next slide? You can see there the landscape and visual effects, in particular for the purposes of the petitioners, the sound noise and vibration, we say extensions northwest of South Heath, zero properties affected in terms of construction; and underneath that, no significant effects in terms of construction traffic. Operation: no significant effects, and again, I think matters of concern for the petitioners which you'll have seen but just to re-emphasise, very important, given all of the concerns expressed about construction traffic, the routes that were identified for the purposes of construction traffic in the Bill scheme will not be used; and we now limit ourselves to Rocky Lane, the A413 link road.

264. In that connection, a point that had been made, but I re-emphasise – just to say that the local roads that are dealt with in photographs that we have seen will not be used as construction traffic routes. I recognise the concerns that are expressed about traffic

diverting off the identified routes, but again, we have measures to deal with that in the form of traffic management plans. I think only yesterday, sir, you were taken to the relevant section of the Code of Construction Practice which deals with the management of localised traffic. You have seen an extensive list of measures which are put in place in order to deal with precisely the sorts of concerns by way of traffic management that the petitioners have expressed.

265. So far as the points that were made, as regards the tunnel portal, again, you'll have heard evidence concerning that only yesterday. Sir, Mr Syms, as you pointed out, on the C6 proposal, the cutting in which the train is located – in which the line is located as it comes out of the tunnel portal, is some 17 metres deeper than on the AP2 scheme. As regards the points that were made concerning the steepness of the incline, as it comes back to the original alignment, two points to make about that: first of all – in fact, it is less steep than the incline that was allowed for under the Hybrid Bill, which in itself is in accordance with Design Standards. So too is the proposal under the C6 scheme. You'll have seen that – again, I think evidence was touched on in terms of visual impacts of the tunnel portal and the line as it comes out – the depth of the cutting, the environmental mitigation that's proposed to be erected around it, no significant visual impact as a result; no significant noise impact as a result.

266. So far as the point that petitioners have repeatedly made about the so-called 'whoosh', porous portals are specifically designed to negate any 'whooshing' effect. So, as you'll have heard, for at least those reasons, we are satisfied that not only are these environment benefits significantly increased as a matter of the C6 scheme, as compared with the Hybrid Bill, but in fact, there are no significant effects as a result of the scheme. We anticipate that will be confirmed that will be forthcoming in connection with AP4.

267. Traffic, I think I have touched on already. And again, footpaths, you'll have heard extensive evidence concerning HS2's position regarding that. I don't propose to go into it in detail, save to say that, as we've made very clear, our policy is to have as limited impact as possible on footpaths during the course of construction as we can; but in particular, any footpaths that are diverted will only be diverted temporarily along the shortest diversion route possible, and will be reinstated so far as reasonably practicable, to their original route or something very close to it. So there will be effects on some footpaths, certainly, but they will be temporary and obviously the impacts on footpaths

has to be balanced in the overall proportionality balance that we have undertaken, as regards the costs of the scheme; and the overall environmental benefits that will accrue as a result of it, as compared with the alternatives that are put forward.

268. I don't think there is anything I need to add; Mr Strachan –

269. MR STRACHAN QC (DfT): I was just going to add a word about compensation because it cropped up again. Of course, until the line is operational, there won't be any noise effects from the trains – I suppose that's an obvious point – and that's why the Part 1 compensation schemes after the scheme comes into operation and then there's a year, 12 month, period for it to come into operation so that the effects can be understood. Prior to that, or up until that point, the Need to Sell scheme remains in place so there's the ability for those who have a need to sell to apply under that scheme.

270. As for the speed with which claims are dealt with, I of course accept that in all areas of litigation, and compensation being no exception, there are cases where parties have diametrically opposite views which then need to be adjudicated upon by an independent tribunal. I would anticipate that in compensation, as in many other areas, those are the exceptions. We can all think of cases where claims have gone on too long, but generally speaking, that's concealing the vast majority of claims which will be made and then accepted or rejected and the person accepts the rejection. So I would just caution against the idea that these claims are necessarily – if they're made they're justified would necessarily take long to process. One would anticipate if they were meritorious claims made, it's in the interests of the compensating party not to spin out the litigation because it's costly. I recognise there are exceptions, but they're not the rule. We only see – and perhaps you may see more of them, the exceptions rather than the rule – because of the nature of people being aggrieved by them.

271. MR BROOKE: I'd just like to make one quick response to that. Obviously I'm just referring to my patch in the Chilterns but if you take the whole HS2 – I believe it's been estimated there could be up to half a million properties that might fall within the Part 1, that being the case, the shared administration of collating all the surveyors, who all presumably will be advising HS2 on the Part 1 – the collations, the inspections, the assessments and so on, it will take years. It's already been pointed out that it won't be a quick fix. It will take a long time, just by the sheer scale of it.

272. MR CLIFTON-BROWN: I wonder if we can make a request? When the

committee goes to the particular noise laboratory, could we ask that they specifically give us examples of this noise emanating from the dampened portal at various distances from that portal, that we can actually hear that?

273. CHAIR: They haven't actually been designed yet, Geoffrey! I understand your point –

274. MR CLIFTON-BROWN: They're modelling, and they must have done exactly this.

275. CHAIR: Alright, I see what you mean.

276. MR STRACHAN QC (DfT): If I can come back to you about that. Obviously the porous portals are innovative in terms of their design, but I note the request and I'll let you know what the current state of play is on that. I will come back to you, if I may, about that.

277. CHAIR: Before we finish this, I will come back to you – Councillor Jones made a very important point about the people stacking up on the roads in cars. I know HS2 traffic doesn't go down these roads, but there will be displaced traffic which will do. Presumably, given the timescale, there ought to be some working between Buckinghamshire County Council and the schools, either to see whether some of those vehicles – whether farmers or whatever – to see if some of that could be dealt with, or travel plans could be organised for some of the schools? I know where there are, sometimes, construction projects, schools themselves get involved in trying to get parents sharing and things like that, because clearly if everybody is stacked up on the road, it's going to cause –

278. MR JONES: I'm a governor at a school that was mentioned; that's an idea that I can take forward, thank you.

279. CHAIR: And I think when the project talks with Buckinghamshire County Council, clearly the roads –

280. MR STRACHAN QC (DfT): I think that, certainly, we'd understand that Buckinghamshire, both as an education authority and a highway authority, one would assume – and I know they are almost certainly listening – will understand the implications for traffic, coupled with school drop-off time and peak hour rush hour, that

they need to be worked into transport management plans which ensure that the free-flow of traffic, so far as possible. I made the point before, it's not in our interests either to have delays along these roads.

281. CHAIR: Okay, Councillor Jones?

282. MR JONES: Just briefly, Chairman, to an extent, this is not an argument; this is just contradiction. So Mr Strachan is quite right when he talks about diametrically opposite views and HS2 Limited may wish to ask themselves why it is that they seem to be satisfied that there are no significant effects, but no one in South Heath is so satisfied.

283. Just picking up on the question, do you know how steep that line is going to be?

284. MR STRACHAN QC (DfT): Yes we do. I personally can't give it to you – I can find out if it's of interest, if you want to speak to one of the engineers?

285. MR JONES: And going completely off-piste, if I may, Chairman for a second – and people behind me won't like me for this – the footpaths that are going to be built over the line, will one be able to see the trains from the footpaths?

286. CHAIR: Yes.

287. MR JONES: Good, that's the right answer!

288. CHAIR: We had some debate about going over the line with horses and things like that, whether or not you need high parapets because horses might be spooked and things like that. But we may have to cater for the trainspotters as well.

289. MR JONES: Well, that is exactly the point I was going to make, Chairman! You get some of that tourism dollar back! I conclude, I do think HS2 Limited have to wonder why it is that they think everything's hunky dory but no one agrees with them.

290. CHAIR: Okay, thank you very much Councillor Jones for your comments today and representing your community, and thank you for being punchy and getting on with it. Thank you.

291. Right, we'll now go on to 134, Mrs Tessa Dalton-Morris? In person?

Tessa Dalton-Morris

292. MRS DALTON-MORRIS: Yes. I'm here just to represent myself and my family.

We have lived in Kings Lane, South Heath for 45 years, so this is just a personal point of view. I am thankful now we have a bored tunnel instead of the green tunnel, but now we find ourselves sandwiched between the vent at the south end of Kings Lane, and the construction site of the portal, of the north end. So therefore, we will get clouds of dust from both sides; noise, vibration, and that would not be very good for us as we are keen gardeners; we keep bees. The dust is not good for anyone's health or for occupations.

293. We also have a high water table, and our house, which was built over 100 years ago, has not got very deep foundations. My concern is that over time, if the ground water has gone and the ground settles, our house will subside. I would like to request that it is compensated for if our house suffers any damage from subsidence.

294. It would also be exacerbated by the noise and vibration from trains going through the tunnel nearby, the ground will settle even more. I would like to ask if there would be an independent body to help residents if any problems arise that could address these things and ensure that action is taken.

295. So consequently, for our future, it looks a bit bleak; a dusty environment, constant noise and vibration, our home may subside, it's already blighted, possible water contamination because of the construction, and local traffic congestion. So this is not just for one or two seasons, but many, many years. So very much life-changing.

296. CHAIR: Okay, thank you very much. Do you want to pick up that point?

297. MR STRACHAN QC (DfT): It may be very helpful if we speak to Mrs Dalton-Morris outside the committee but there is an information paper which deals with ground settlement and how it's approached, to ensure these effects either don't occur if, if they occur, any problems are addressed. I know the committee has had quite a long session on ground settlement issues and you've heard from Professor Robert Mair but you maybe haven't seen the information?

298. MRS DALTON-MORRIS: No.

299. MR STRACHAN QC (DfT): We can point you in the direction on that. On ground water, of course, you'll be aware of the protected provisions – the committee will be aware of the protected provisions in the Bill as to avoiding effects on ground water, which we touched on in relation to the Wendover tunnel, but of course, we're required not to have a detrimental effect on ground water, and we have to have anything

which might affect ground water approved through the Environment Agency. I think it may be more helpful, unless the committee wants me to go through the information paper, we can –

300. CHAIR: Provided the petitioner gets the information.

301. MRS DALTON-MORRIS: Thank you.

302. CHAIR: Thank you very much; thank you for being brief. I'm next going to take 1548 Vivien Salisbury? We're going to finish at about ten-to, so you've got about 10-12 minutes, if that's alright? Thank you for waiting patiently at the back. After we finish at about ten-to for Prime Minister's Questions, we'll be back at two o'clock, then I will call Gillian Williamson, and her petition.

Vivien Salisbury

303. MS SALISBURY: Thank you, I'm hoping to address very quickly, to how you're managing this. I think we can simply go through slide (1) shows who I am, slide (2) shows where I live. Like Tessa before us, we actually live in one of the 50 residents along Kings Lane, that was said to be significantly affected by the construction of the project; that things would be significantly affecting us in the future.

304. I want to say at this stage, that we recognise very much that the already agreed bored tunnel through the edge of South Heath will greatly improve that situation and we are very grateful for that. However, obviously, within South Heath, we are still – as you have heard – suffering many, many impacts. So if we can look at slide (3) –

305. CHAIR: Is that your cat?

306. MS SALISBURY: You'll get an impression of my cat! One of my cats, the other goes to visit Tessa regularly; and the beautiful kind of background that we have, leading onto the ancient woodland which we are so grateful will be preserved. If we look at slide (4) you'll get some sort of idea of the travelling that we undertake from South Heath. On your point of buses, we would love to see buses, but they don't last very long in our rural part of the country, sadly. We don't have them.

307. You'll see that for many, many reason, because my children live, now, in Wendover with their homes and families and further south, and because of the need to get to our hospital appointments – both my husband and I have a number of hospital

appointments, and doctors appointments and dentist appointments – for my work that continues in social research, and for other reasons, there are a great many journeys that we need to make, and those journeys are all greatly impacted by the construction and future with HS2.

308. I wanted just to say a little bit about the personal impact of HS2. We have been portrayed often in South Heath as ‘fat cats’ or people who are rich. That isn’t so, as Peter Jones has shown. Both my husband and I have worked for all of the money that we have, all of the time. My husband was born in Preston and brought up on a Council Estate; I was born in the back of Peckham in London. Both of us were fortunate to have good educations, being the first people to go to university and getting out into the world of work, and doing as everybody else does, or is wanting to do, being able to work hard; work hard through our professions, work on through our professions, and to reach really quite senior parts in our professions – my husband in private industry, myself in child protection and welfare, having been a medical and psychiatric social worker, and managing at a senior level for nationwide work with the courts. But not earning mega-bucks money for that, I can tell you. We never earned vast, mega-bucks for our money. We saved, like everybody saved and we moved into our house and we had our family there. We’ve been there 30 years. It’s an ideal location, and as you can see, absolutely beautiful: wonderful bringing up family.

309. We had at the time that the announcement was made of HS2 already been aware that at some stage, we would need to downsize, that we would – like so many people – realise some of the money from our larger house that we’d had for our family and for caring for others, and that we would need to move within the local area, because clearly our children have moved back to the area and are having children, and all the needs for help that they need; there is some ill-health amongst some of our younger generation and so we need to be able to get to them quickly and easily.

310. The day that the announcement was made, it felt like a hammer blow; it really felt as though we’d been pole-axed. It was unbelievable, the degree of stress and anxiety that has persisted for the last five and a half year has been huge. I know that I’m not alone in this. I know, from the small pilot study that we carried out and presented to you, that this is true of the vast majority of the population of South Heath and Wendover. The effects on our health and our mental health have been tremendous over this period of time. As was said, the effects of HS2 are truly life-changing; whereas we

had thought that we could downsize, live locally, keep our contacts with our community, now because of the effects on the house prices and the possibilities of selling reasonably, we now do not have that similar possibility. Things will change greatly.

311. The effects of the struggle to understand the huge amounts – voluminous amounts of paperwork that your poor souls have to go through all the time, has taken up so much of our time and our lives to try to understand what is happening and what is going on. I did give up work at an appropriate time for giving up work, but with caring responsibilities as well, in both directions – so down to the south and up towards Birmingham. And, it has had a significant effect on the amount of work I could've continued as a professional person in my own right. It has had an enormous impact on community and friendships: those who have the money to move and the ability to move in the community will often take the opportunity to move and we have seen a loss of friends, and people round about us. There remains a hub. As you have seen, there are impacts on local services and a huge impact on all of our families' future plans. We would have liked to have downsized earlier; we would have liked to have realised some money; we would have liked to have been able to give some money towards our children as they were marrying and as they were setting up their own homes. Unfortunately, we've been caught in the old compensation schemes, we didn't fit any of the criteria; we're not ill, we didn't have court orders against us. We had lived by the ways we had expected to live, and saved, and tried to provide for our retirements; and like many people, moving and downsizing which, of course, is what many people want us to do for the sake of families. That's not been possible.

312. I wanted to look at the current unknowns, so whilst we recognise that we will be much better off than we were by the previous plans, there are still many unknowns. We do not know the effects of noise that we've heard about and vibration; and we don't know the effects of not only the vibration on the houses – though I'm in a fortunate position of having a newer house and don't have the ground settlement issue – we have the issues about the beech trees and with vibration, whether they will come down with their shallow roots, and what effect that would have on our property; and we would like to know who would take responsibility for the effect on our property, if there is a major fall of trees in the area. This does happen with beech tree forestry areas of woodland.

313. We know that there will be many people that will be significantly disadvantaged

by the bored tunnel, which we've spoken about. But I also wanted to point out that we don't only live in our houses; we live and work and live our lives in the area. I did commute for many years, so I understand the issues of commuting. We link very closely with Great Missenden; we link very closely with all of the local villages because of geographies, schools, everything else that has brought us together. This means that we travel, and travelling is going to be significantly impacted as you've heard and as you've seen.

314. You will have seen that it currently is difficult already at the link road for getting on and off to the link road, between South Heath and Chesham and Great Missenden. People have spoken about the rush hour as we all appreciate in the southeast, the rush hour is actually two to three hours in either direction. There was a suggestion about schools, and I am grateful that people are looking at issues for schools. But of course, we are talking – and I know this from the social research work and other things that we do – not simply about schools but about managing and trying to balance taking children to school and managing work and life pressures. Given that the public transport is very, very difficult within our area if you're not actually on the train line itself – if you're not lodged in the two points on that train line, you need to use the car and to get to your different areas for childcare arrangements. This means that the school run, particularly in the afternoon, tends not to be just a school run to go and pick up your child from school, but to go and pick up other children from childcare arrangements and so forth. So you can take it that the rush hour extends from about 3.00 to 4.00 all the way through to 6.00 or 7.00 at night, being an area that's a commuter route out of London.

315. The continuing impacts due to proximity on the next slide: health. I think we are all extremely worried about the effects on our health in the area by HS2. There will be improvements, as I've said, with having the bored tunnel to where we are. But there can be no doubting that there will be increased traffic, even if it's not construction traffic, people will need to go to work; people will need to avoid areas that are congested heavily. And, we know that there will be an increase of airborne particles, diesel issues. Those with respiratory problems will have continuing problems. We always remember the effects of the air in April, May this year, that made it difficult for us to breathe. For many of us, this is a serious concern.

316. I've spoken about the stress and anxiety that people have had, and that this has led to many, many people in the area having seen their doctors for help with the stress and

anxiety. We don't like to admit to the fact that the sheer stress of all of this makes us break down from time to time, however resilient we are. But there is depression that goes underneath. I've worked in an extremely stressful areas for many, many years. Is nothing like the continuing stress and worry every time you move from your house, of thinking what the future will be like. It's had impact on people's marriages; it's had impacts on relationships all around. We know there are difficulties about being able to understand all of the information that we're given. I know that you were speaking about – and I'm very grateful for it – the Need to Sell scheme. But that's still extremely complex and difficult; and when you feel so stressed and so depressed over time, and you feel unable to manage your own life in the future, having managed it well in the past, it becomes to a point where you can't even discuss it from time to time.

317. CHAIR: We did touch on this in our interim report.

318. MS SALISBURY: You did –

319. CHAIR: There are mental health issues and there are a range of issues.

320. MS SALISBURY: And I am so grateful to you for that, and I hope that that will be followed through.

321. CHAIR: We need to keep moving through the slides, though.

322. MS SALISBURY: We do; the transport will be difficult; travel times will be difficult; I personally don't know how much I will be able to manage with the work that I do, with the amount of additional hours that will be taken in my travel. Recently when we had some work being done on the A413 going through to Wendover, the traffic was brought to an absolute stop for at least half an hour; and every time that one lane needed to be used and an ambulance came past, because it's a main route to the hospital, chaos emanated. There are not easy routes through on either side. I'm grateful that you've been out to see the area, but you will know the narrowness of the lanes; the lanes along Potter Row and so forth. You are not going to be able to get a lot of traffic through there, and displaced traffic will be a real issue.

323. We've spoken already about the future. I want to make a note about how run down places are becoming already around us in South Heath. We've lost our services. We do have a wonderful nursery – I'd recommend it to anybody for flowers and the like – but we have had enormous changes for us within our community, no longer having

pubs and the like, to be able to go and eat and drink and socialise with friends and visitors. There are issues for us already of crime that are happening. We do have major concerns about road accidents.

324. On all of these issues, a fully bored tunnel will greatly relieve the matter. The fully bored tunnel will not only help residents and people that go and have a lot of their lives along that route, all the way through to Wendover and to Aylesbury and to elsewhere, but it will also make it possible for businesses to continue, as you have heard and the many people that visit the area, need also the peace, the calm and the repose they can get in the area. I'm a Londoner; I had epilepsy as a young person. I had a number of ill health issues. My parents used to take me out to the countryside to help me to cope with those situations through the exams, through the other periods. I was in London for many years; I know how important to Londoners and to other people around and about, having an area of natural beauty is. I know you're wanting to know about population numbers, and I know that you asked about – well, we hear about the area of natural beauty a great deal. Those of us that live in this area of natural beauty recognise our need to conserve and to conserve areas in the country for people in urban areas, as well as for ourselves, for our health and our mental wellbeing. I know important it was to me; I know how many millions of people do come out to our part of the world for precisely that help.

325. Further local solutions: the fully bored tunnel would be the optimum. Many of the issues you've heard that will be problems for us will be helped by the fully-bored tunnel. The shorter tunnel will help considerably residents of South Heath. The issues around compensation are great. The issues for improving the property market are required. We need to include downsizing as a need to sell. We need to improve the traffic flow, if anything happens to the link road; we need to improve the traffic flow at the junction of Great Missenden and the roads to Chesham and to Aylesbury and to London.

326. We need to think seriously about what we do about issues for emergency and critical health support. With the major accident and emergency area at Stoke Mandeville, we really need to think about whether we can do other things to help during the process of construction. I would suggest that there is very little mitigation for the community in South Heath that is so badly hurt. I would suggest there are various ways we could add mitigation by helping local businesses, by helping community and

community-owned and commercial facilities in the villages, including local shops, places for eating and drinking and socialising for residents and visitors. I see that there are many ways that we could help the community in the future.

327. CHAIR: Final comment? Okay, you've covered a lot of ground very quickly. We're grateful for that and I can see how difficult this issue has been with you, and thank you very much for giving us your representations with all the others.

328. MS SALISBURY: Thank you.

329. CHAIR: Order, order. Prime Minister's Questions, back at two o'clock.