



House of Commons

High Speed Rail
(West Midlands – Crewe) Bill
Select Committee

First Special Report of Session 2017–2019

*Special Report, together with formal minutes
relating to the report*

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High Speed Rail (West Midlands – Crewe) Bill

The Select Committee on the High Speed Rail (West Midlands – Crewe) Bill provides individuals and bodies directly and specially affected by the Bill with the opportunity to object to the Bill's specific provisions and to seek its amendment, although not to object to the principle of the Bill.

Current membership

James Duddridge MP (*Conservative, Rochford and Southend East*) (Chair)

Sandy Martin MP (*Labour, Ipswich*)

Mrs Sheryll Murray MP (*Conservative, South East Cornwall*)

Martin Whitfield MP (*Labour, East Lothian*)

Bill Wiggin MP (*Conservative, North Herefordshire*)

Publications

Committee reports and evidence relating to this report are published on the Committee's website and in print by Order of the House.

Committee staff

The current staff of the Committee are Lis Gerhold (Clerk) and Natalie Flanagan (Committee Assistant).

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Summary

The Committee has made a decision “in principle” to reject the proposal for a single tunnel between Whitmore Heath to Madeley. It has also rejected the proposal for the Infrastructure Maintenance Base-Railhead to be built at Aldersey’s Rough.

Both options are costly and the Committee would prefer to see resources redirected to the affected and wider communities in the form of road network improvements, environmental and community benefits.

The height of the viaduct at Kings Bromley was a concern of petitioners and we welcome the assurance given by given by HS2 to Staffordshire County Council and Lichfield District Council that discussions are underway.

Background

Background

1. The High Speed Rail (West Midlands-Crewe) Bill is a Hybrid Bill which is intended to provide the legislative powers needed for the building of Phase 2a of the high speed rail line between Fradley Wood in Staffordshire and the junction with the West Coast Main Line near Crewe in Cheshire. A Hybrid Bill is a public bill which is “considered to affect specific private or local interests”.¹
2. The Bill authorises the construction and operation of a new high speed railway line 36 miles (58 km) long.²

The Committee’s task

3. The Bill had its second reading in the House of Commons on 30 January 2018 and was referred to the select committee. The Committee’s role is to consider petitions against the Bill and “Additional Provisions”. Additional Provisions are changes to the Bill that potentially may affect other specific and private interests.
4. The Committee does not have powers to reject the principle of the Bill.
5. At Second Reading on the floor of the House of Commons, the Bill was committed to a Select Committee and the House passed the following motion:

“That there shall stand referred to the Committee

- a) Any petition against the Bill submitted to the Private Bill Office between 30 January 2018 and 26 February 2018, and
- b) Any petition which has been submitted to the Private Bill Office and in which the petitioners complain of any amendment as proposed in the filled-up Bill or of any matter which has arisen during the progress of the Bill before the Select Committee.”³

6. The Committee’s role is to hear petitioners who wish to petition against the scheme contained in either the Bill or Additional Provisions or both. The Committee may also invite the Secretary of State for Transport, represented by Counsel to respond to the petitioners’ points. The Committee will then make decisions based on the evidence heard, which may mitigate or compensate for the adverse impact of the Bill’s provisions on petitioners.

1 Erskine May. Twenty-fourth edition, p. 652

2 HC 927, Minutes of Evidence, 19th March 2018, Q6

3 For full text of the Motion see the following website: [https://hansard.parliament.uk/Commons/2018-01-30/debates/DFB17084-CBF7-4618-9E12-6252FE0DE218/HighSpeedRail\(WestMidlands-Crewe\)Bill](https://hansard.parliament.uk/Commons/2018-01-30/debates/DFB17084-CBF7-4618-9E12-6252FE0DE218/HighSpeedRail(WestMidlands-Crewe)Bill)

7. There were 187 petitions against the Bill. The Secretary of State has challenged the right to be heard of 26 of those petitioners.⁴ Only those who are directly and specially affected by the Bill are allowed to put their case to the Committee.⁵ The decisions made about challenging the right to appear can be seen in the Annex at the end of this report.

Committee programme and decision making

8. The Committee is aware that there are many people whose lives are affected by the proposal in the Bill. They will be interested in following the outcome of petitions against the Bill.⁶ The Committee will regularly make announcements and issue short reports containing its decisions.

9. The Committee announced on 7 March 2018 that it would consider, in the following order,

- challenges to the right to appear,
- three major “in principle” cases:
 - the Whitmore Heath-Madeley tunnel proposal;
 - the Aldersey’s Rough alternative to the Stone Infrastructure Maintenance Base-Railhead, and
 - the King’s Bromley viaduct lowering.
- wider issues:
 - route-wide agricultural and rural issues;
 - main petition hearings (running south to north, i.e. West Midlands to Crewe);
 - compulsory acquisition cases;
 - other petitions (including multi-site organisations and utilities).

10. The Committee received 187 petitions against the Bill: HS2 challenged 26 of these. The period for petitioning against the first Additional Provision ran from 29th March until 27th April 2018. The Committee received 33 petitions against the Additional Provision and has programmed, where possible, petitioners’ appearances on both the Bill and Additional Provision matters in a single hearing in order to minimise the necessity for petitioners to travel from the West Midlands. Of those, eight petitioners had not previously submitted a petition against the Bill: these petitioners will be programmed to appear over the next few weeks.

4 HC 927, Minutes of Evidence, 19 March 2018, Q2

5 The Committee’s “Should I Petition guide” available on the Committee’s website: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-west-midlands-crewe-bill-select-committee-commons/petitioning-guidance-17-19/should-i-petition-17-19/>

6 Mr Smith (witness) of the Whitmore2Madeley Action Group highlighted the impact that the proposal was having on people’s lives.

11. We are grateful to our colleagues from the HS2 Phase 1 Committee who advised us so that we have been able to incorporate some lessons learned from Phase 1 into our approach to Phase 2a.

12. The Committee’s hearings began with the opening statement by HS2 (the Promoter) setting out the case for the scheme. Members of the Committee visited the proposed route. The Committee then received a series of informal briefing sessions about the control of environmental impacts, ecology, tunnels, traffic, compensation and noise.⁷ Copies of the presentations given to the Committee were published online in advance of these sessions.⁸

13. To complement the informal briefings and to ensure the Committee understood the areas, the Committee also met Members of Parliament. This gave us valuable background information on the constituencies affected. We met Sir William Cash MP, Antoinette Sandbach MP, Laura Smith MP, Jack Brereton MP, Michael Fabricant MP, and Rt Hon Owen Paterson MP.

14. Ms Sandbach, Mr Brereton, Sir William Cash, and Mr Jeremy Lefroy formally petitioned the Committee⁹ and we are grateful to HS2 for not challenging their right as Members to do so.

15. Following the hearings on the right to petition, the Committee heard the following petitioners in relation to the Whitmore–Madeley Heath tunnel: Staffordshire County Council,¹⁰ Lichfield District Council,¹¹ Newcastle-under-Lyme Borough Council,¹² Sir William Cash MP;¹³ Whitmore Parish Council;¹⁴ Madeley Parish Council;¹⁵ Graham Hutton;¹⁶ and the Woodland Trust.¹⁷ We would like to thank everyone for their attendance and for participating in the process.

7 The transcripts of these sessions can be viewed on the Committee’s website: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-west-midlands-crewe-bill-select-committee-commons/>

8 <https://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-west-midlands-crewe-bill-select-committee-commons/>

9 HC 927, Minutes of Evidence 23rd April, 15th May and 4th June 2018

10 Petition No. 130

11 Petition No. 108

12 Petition No. 141

13 Petition No. 187

14 Petition No. 90

15 Petition No. 104

16 On behalf of Joanna Hutton and 238 others; Petition No. 44

17 Petition No. 99

Decisions of the Committee

Decision: tunnel options—Whitmore to Madeley Heath

16. The Committee has considered all the arguments carefully and recognises that the proposals under consideration will have a direct and substantial effect on those living alongside the proposed route. The announcement of this decision is being made in the interest of transparency as the Committee takes very seriously the need to maintain public confidence in the fairness of the hybrid bill process.

17. The Committee has made several ‘in principle’ decisions to enable it to focus on consequential issues of the scheme and the mitigations that can be made to support those affected. We bear in mind not only whether the proposed mitigation would reduce the impact on the petitioners but also whether the costs imposed on HS2 to achieve that mitigation would be necessary and proportionate.

18. The Committee has made an “in principle” decision to reject petitioners’ preferences to put the whole Whitmore to Madeley Heath section in tunnel (the single tunnel) but reserves the right to review this decision later if any representations made by petitioners (from whom the Committee has not yet heard) indicate any further relevant information. This report reflects decisions made on the preliminary weeks of petitioning.

19. The proposal for the single tunnel is a costly option and the Committee would like to see an undertaking from HS2 to direct its resources instead toward improvements for the local and wider community.

20. Following the request from the Committee to look at the potential for lowering the River Lea viaduct HS2 undertook further work on the scheme. HS2 has found a solution for lowering the height of the viaduct through extending the southern portal and thus lowering the entry point of the tunnel. With this additional work a better and less costly engineering solution has been found for crossing the West Coast Main Line. This will save £12.8m compared with the Bill scheme. The Committee had suggested exploring this option on 27th March and we welcome this proposal and are pleased that HS2 has listened to us.

Decision: the Stone Infrastructure Maintenance Base-Railhead/ Aldersey’s Rough alternative

21. We were impressed by the detailed research conducted by the petitioners who proposed siting the railhead at Aldersey’s Rough.¹⁸ Aldersey’s Rough is located close to Stone, and is a rural non-residential area. However, the amount of additional work that the proposal would require in order to make it a viable solution would be too costly and too disruptive and the Committee was not convinced as to its proposed merits.

18 The petitioners argued that to move the base to Aldersey’s Rough, a rural piece of land located beside Madeley Heath, would be less disruptive to the residents of Stone compared with the proposed scheme to locate the base at Stone. The proposal involved the repair and re-use of the section of the disused Newcastle-under-Lyme to Market Drayton railway from the junction with the West Coast Main Line to the junction with the proposed maintenance base.

Assurance

22. We welcome the assurance given by HS2 to Sir William Cash MP that HS2 will seek to alleviate the impacts of the railway during both the construction and operation and will consider carefully whether there are things that the ‘nominated undertaker’ is able to change which are not already within the scheme in order to improve performance.¹⁹

Costs

23. The Committee heard about the relative costs associated with this project and was keen to understand how the proposed costings had been reached. HS2 gave us an illustrated cost breakdown for the two schemes as follows:

- i) Proposed Bill Scheme: £461 million
- ii) Single Tunnel: £608 million.

[Difference: £176m]²⁰

Following the Committee's suggestion for a revision:

- iii) Costs for a modified Proposed Bill Scheme, with the lowering of the viaduct and an extension of the southern portal: £448.2 million.

[Difference: £176m +£12.8m = £188.8m]

24. We understand that the costs are indicative and in line with HM Treasury guidelines but we welcomed the further note from HS2 clarifying the approach to optimism bias in line with these guidelines. This is published on the Committee's website.²¹ We were unconvinced by the methodology used for the optimism bias.

25. Staffordshire County Council, Lichfield District Council and Newcastle-under-Lyme Borough Council highlighted that HS2 had been unable to identify the earthwork costs for the Madeley to Whitmore Heath section, using instead a pro-rata figure which had been arrived at using a financial model based upon the whole line.²² Using the pro-rata figure and the alternative method of tunnelling they argued that the differential between the Proposed Bill scheme and the Single Tunnel scheme was £60m and not £176m as HS2 claimed.²³ Taking into account the Petitioners' costings, the tunnel would still be the more costly option. The evidence from HS2 was that the difficulty of passing under the River Lea, and the danger of water ingress, rendered the alternative tunnelling method unsafe. Even with the much lower cost differential claimed by the petitioners, the Committee felt, on balance, that the single tunnel was not the best option.

26. We were disappointed not to have had greater granularity of information about costings and throughout the process we will be looking to HS2 for better and more detailed financial information in order to assist the Committee in its decision-making. We look forward to seeing HS2 firm up its costings and plans for both the proposed scheme and the proposed scheme with the lowering of the viaduct and extension of the southern portal. We wish this information to be made publicly available. It will inform our decisions and give assurance to the committee in the House of Lords in due course. Included in such costings should be a significant additional sum of money allocated to traffic improvements for the areas affected by both options. We found the proposals for traffic management and routes inadequate and believe further work is needed from HS2 on impact and mitigation including multi-junction analysis of the totality of traffic flows.

20 Figure taken from HS2 Whitmore Heath to Madeley Tunnel Report: 15th March 2018, page 93

21 Published on the Parliamentary website at <https://www.parliament.uk/documents/Whitmore%20Madeley%20Tunnel%20Contingency%20Allocation%20180418.pdf>

22 HC 927, Minutes of Evidence, 24 April 2018 (afternoon) Q193

23 HC 927, Minutes of Evidence 24 April 2018 (afternoon) Q192

Whitmore Heath and Madeley tunnels

Proposals for the tunnels and viaduct

27. HS2 told us that there were two proposals for the Whitmore Heath to Madeley section of the railway:

- two short tunnels,²⁴ and
- one long tunnel (the single tunnel).²⁵

28. The proposal announced by the Secretary of State in November 2015 and taken forward into the “Proposed Scheme” was for two, twin-bored tunnels (each less than 0.6 miles (1km) long at Whitmore Heath and Madeley)²⁶ a cut and cover section of Whitmore tunnel, pumping stations, the construction of four tunnel portals and a section of retained cut. This includes the construction of a viaduct across the West Coast Main Line.²⁷

29. In the Second Reading debate on 30 January 2018 Sir William Cash MP (Stone) requested that the Secretary of State explore the possibility of one long tunnel (or single tunnel) rather than the two short tunnels of the Bill Scheme. The Secretary of State commissioned a report to explore and compare the options: “The Whitmore Heath to Madeley Tunnel Report” was published on 15th March 2018.

30. Following a familiarisation visit to the area the Committee questioned the height of the viaduct over the River Lea.²⁸ We noticed this was raised as a concern in some of the written petitions. HS2 was asked to review its plans. The result has been a proposal by HS2 for an adaption to the two short tunnels’ option by extending the tunnel at the southern portal thus enabling a lowering of the viaduct.²⁹ We are pleased that there is now a proposal for a reduction in height of the viaduct.

31. In the tunnel report HS2 had recognised that the original two tunnel proposal would have an impact on the local landscape and character.³⁰ Mitigations were proposed which included new planting and habitat creation.

32. The single tunnel option would be a 4 mile (6.4km) long twin-bored tunnel with porous portals.³¹ This would contain two shafts which would pass below the River Lea near to the point at which that river passes below the West Coast Main Line.³² If the single tunnel option was chosen as opposed to a viaduct over the West Coast Main Line, it would be possible to lower the profile of the tunnel to the south. This would enable the location

24 HS2 Whitmore Heath to Madeley Tunnel Report, 15 March 2018, para 1.1.2

25 HS2 Whitmore Heath to Madeley Tunnel Report, 15 March 2018, para 1.1.2

26 HS2 Whitmore Heath to Madeley Tunnel Report, 15 March 2018, para 5.1.1

27 HS2 Whitmore Heath to Madeley Tunnel Report, 15 March 2018 para 1.1.2

28 HC 927, Minutes of Evidence 27 March, 2018 Qq 304–318

29 Requested by Committee on 27 March 2018

30 HS2 Whitmore Heath to Madeley Tunnel Report, para 1.2.4

31 Porous portals are tapered entrances to the tunnels which allow for air pressure to escape thus reducing the level of noise as the train passes through. The entrance tunnel is larger, with holes in it allowing pressure to escape, so to reduce pressure when the train leaves the exit tunnel thus reducing the sound levels. HC 927, Minutes of Evidence, 27 March 2018 (afternoon) Q73

32 Whitmore Heath to Madeley Tunnel Report, para 1.3.1

of the southern porous portal to be moved to the south of the A53 and there would be no need to construct the A53³³ overbridge which had been required under the original two tunnel scheme.

33. The single tunnel option had been estimated by HS2 to add an additional net £176m to the overall cost of this section of the route.³⁴ With HS2's proposed adaptation to the original scheme, lowering the viaduct and extending the southern tunnel, the cost of the two-tunnel scheme would be reduced by £12.8m, resulting in an additional net cost of the single-tunnel option of £188.8m.

Petitions

Staffordshire County Council, Lichfield District Council and Newcastle-under-Lyme Borough Council (Petition Nos. 130, 108, 141)

34. We understand that the Councils had been speaking to HS2 about the potential lowering of the Kings Bromley viaduct, and HS2 had “provided a revised assurance last week [week commencing 16th April] and there have been significant further discussions and HS2 have today, [23rd April 2018] ... agreed to further revisions.”³⁵ HS2 has agreed to the inclusion of “a good faith provision in the draft assurance”,³⁶ and a provision relating to engagement.³⁷ Staffordshire County Council and Lichfield District Council were content with the assurance. We welcome this approach.

35. Those supporting the proposal for the single tunnel³⁸ challenged HS2's claims that additional costs for the single tunnel would be excessive: arguing that costs should be balanced against the harm to the local area which included the loss of six hectares³⁹ of ancient woodland⁴⁰ (‘a harm’ which national planning policy contains a strong presumption against).⁴¹ They accepted that both schemes would result in a visual impact,⁴² and an impact on local communities,⁴³ additional congestion on highways, likely road closures, construction traffic and noise. Furthermore, concern was expressed about the “heritage impact, the noise impact and the loss of some prime agricultural land through the construction on the land itself.”⁴⁴

36. Mr Miller, Head of Environment and Planning, HS2, said that these matters had been taken into consideration when undertaking preparatory work on the design of the railway. That the line would be sited in a cutting mitigated the impact on residents at Madeley Park Wood, which was a concern of the local council.

33 HS2 Whitmore Heath to Madeley Tunnel Report, para 1.3.2

34 HS2 Whitmore Heath to Madeley Tunnel Report, page 93

35 HC 927 Minutes of Evidence, 23 April 2018 (afternoon) Q10

36 HC 927, Minutes of Evidence, 23 April 2018 (afternoon) Q10

37 HC 927, Minutes of Evidence, 23 April 2018 (afternoon) Q10

38 HC 927 Minutes of Evidence, 23 April 2018, (afternoon) Q13

39 0.6 square km

40 The third proposal for the southern portal reduces this loss to 6.2 hectares, and the single tunnel option to 6.2 hectares, Q70

41 HC 927 Minutes of Evidence, 23 April 2018 (afternoon) Q15

42 HC 927 Minutes of Evidence, 23 April 2018 (afternoon) Q31

43 HC 927 Minutes of Evidence, 23 April 2018 (afternoon) Q75

44 HC 927 Minutes of Evidence, 23 April 2018 (afternoon) Q31

37. The petitioners also challenged the costs which would be incurred in the single tunnel scheme, arguing that they would be far smaller than had been identified by HS2.⁴⁵ HS2's costs had been based on a tunnel-boring technology, which had been chosen as most suitable for work in that geological area, at an assumed cost of £15m per machine.⁴⁶ The petitioner's witness, Mr Hindle, raised the risk posed by the Madeley glacial channel. He challenged HS2's choice of equipment, suggesting that savings could be made by using the cheaper alternative open shield boring technology.⁴⁷ HS2 said that to use this type of equipment increased the risk to the project because of the level of the water table.⁴⁸ Mr Smart, Chief Engineer HS2, defended HS2's choice of machine, saying that at least three faults show on geological maps, indicating fractures in the rock, which could allow water to migrate into the tunnelling area: the tunnel boring machines chosen by HS2, Closed Face Earth Pressure Balance Machines,⁴⁹ could tunnel in "closed" mode, reducing the risk of earth settlement and water migration. The machines would operate on 24 hours' continuous working schedules in order to minimise settlement, not allowing time for the ground to fully relax: these machines controlled settlement of the surrounding area and disturbed earth carefully.⁵⁰ To use a mechanised open-face shield machine increased the risk of settlement.⁵¹ Mr Smart said that controlling earth settlement was crucial when tunnelling underneath the West Coast Main Line. Additional funding⁵² for the tunnel boring machines had been budgeted for because of the known geology and the requirement to "depump" or remove water in that area.⁵³ HS2 said that it did not understand the petitioner's claims that £10m could be saved by an open face tunnelling method⁵⁴ and the Chief Engineer said that he "would rather spend an extra £10m or so on dealing with [it] appropriately with the correct tunnel boring machine" than trying to deal with removing water at a local level which he believed would cost more and have detrimental effects.⁵⁵

38. Staffordshire County Council argued that there could be a better design between Madeley and Whitmore.⁵⁶ For the single tunnel option, the disused Newcastle-under-Lyme to Market Drayton railway line could be used to feed a construction base. They said that this was perfectly positioned geographically at the centre of the tunnel.

39. The petitioners raised concerns about management of soil and earthworks. HS2's earthworks approach considers use of re-excavated earth to ensure that the distances earth is moved is kept to a minimum.⁵⁷

45 Mechanised open-face shield machines can be manufactured in the UK and cost approximately £5m per machine. The petitioners claimed that by using open-face shield machines the proposed scheme figures would be reduced by over £10m. Minutes of Evidence, 24 April 2018 (evening) Q160

46 HC 927, Minutes of Evidence, 23 April 2018, Q 140. Mr Smart, Chief Engineer, HS2 said that it was not possible to give precise figures for tunnel boring machines until speaking to the manufacturers about specific requirements. Minutes of Evidence, 24 April, Q151

47 HC 927, Minutes of Evidence, 23 April 2018 (evening) Q160

48 HC 927, Minutes of Evidence, 24 April 2018 (evening) Q166

49 Cost £15 to £25 million per machine.

50 P6(16)

51 HC 927, Minutes of Evidence, 23 April 2018, Q21

52 HC 927, Minutes of Evidence, 23 April 2018 Q24, EBRM tunnel boring machines typically cost £15-£25 million each (Qq146-147)

53 HC 927, Minutes of Evidence 23 April 2018, Q23

54 HC 927, Minutes of Evidence 23 April 2018, Q54

55 HC 927, Minutes of Evidence, 23 April 2018, Q24

56 HC 927, Minutes of Evidence, 23 April 2018, Q56

57 Costings are done using a "mass haul" calculation which is a mathematical methodology for calculating movement of soil and earthworks.

40. Further concerns were raised about the impact of construction traffic on the rural road network in their areas, as many roads were C-class classification or unclassified.⁵⁸ This matter was also raised by subsequent petitioners.

Sir William Cash MP (Stone) (No. 187)

41. Sir William said that the project was causing anxiety to his constituents and asked the Committee to be robust in its approach.⁵⁹ He queried the degree of consultation undertaken and raised concern about the total cost of the scheme.⁶⁰ His preference was for the longer tunnel option and he supported the plan in the original scheme to house the maintenance depot at Crewe rather than Stone.⁶¹

Whitmore Parish Council (No. 90) and Madeley Parish Council (No. 104)

42. Whitmore is a small parish, of about 20 square miles (52 km sq) on the borders of Newcastle-under-Lyme and Staffordshire with a population of about 1,050.⁶² People living in Whitmore use facilities offered by Madeley, travelling between the parishes using Manor Road.⁶³ Whitmore is mainly a green belt area and has some listed buildings, such as the Grade 1 listed Whitmore Hall.⁶⁴ The Parish is bisected by the A53 and the West Coast Main Line.⁶⁵ The roads in the Parish are generally sunken and have a low visual presence⁶⁶ and are narrow country lanes connecting to the A roads.⁶⁷ Concern was expressed that these roads will be used by construction traffic for a period of several years as Manor Road had been designated an official construction vehicle route under the Bill scheme and this would impact on the lives of the villagers.⁶⁸

43. Madeley is a predominately rural area in Newcastle-under-Lyme with a population of 4,200.⁶⁹ It is crossed by the M6 motorway and the West Coast Main Line. Madeley has a secondary school, two primary schools, a doctors' surgery, a pharmacy, a dentist and local shops⁷⁰ as well as many listed buildings.⁷¹ There is little employment in the local area and those working generally commute to other areas.

44. Increased traffic volumes during the construction phase were raised by both Parish Councils and their witness. For example, in Whitmore, the Parish Councils referred to the traffic survey in the Environmental Statement⁷² and observed that that A5182 Trentham Road, close to A53 and Junction 15, is currently a "pinch-point" at busy times with traffic backlogs. The planned increase in traffic levels according to HS2 baseline study, between

58 HC 927, Minutes of Evidence, 24 April 2018 (afternoon) Q77

59 HC 927, Minutes of Evidence, 24 April 2018 (evening) Q211

60 HC 927, Minutes of Evidence, 24 April 2018 (evening) Q207

61 HC 927, Minutes of Evidence, 24 April 2018 (evening) Q236

62 HC 927, Minutes of Evidence, 24 April (afternoon) Q9

63 HC 927, Minutes of Evidence, 24 April (afternoon) Q27

64 HC 927, Minutes of Evidence, 24 April (afternoon) Q10 & Q16

65 HC 927, Minutes of Evidence, 24 April (afternoon) Q11

66 HC 927, Minutes of Evidence, 24 April (afternoon) Q22

67 HC 927, Minutes of Evidence 24 April (afternoon) Q35

68 HC 927, Minutes of Evidence 24 April (morning) Q30

69 HC 927, Minutes of Evidence 24 April (morning) Q134

70 HC 927, Minutes of Evidence 24 April (morning) Q135

71 HC 927, Minutes of Evidence 24 April (morning) Q136

72 Exhibit 94(5)

the peak hours of 17.00 and 18.00, would increase the traffic figures from 577 two way traffic vehicles to 1,800 once HS2 construction becomes operational. The petitioners warned that there would be traffic jams.⁷³

45. HS2 confirmed that there would be an increase in traffic but the peak and busy period had been estimated to be 10 months;⁷⁴ the A525 Bar Hill Road would also be affected for the same amount of time.⁷⁵ We understand the residents' concern and agree that the cumulative effect, on a day-to-day basis will lead to frustration.

46. Madeley Parish Council told us that in the area of Bar Hill, the railway's Manor Road overbridge was planned to be one kilometre long and 30 metres high. The Parish Council said that 107 residents of Bar Hill would be affected during the construction phase;⁷⁶ and it was unhappy that the planned overbridge was located beside the cemetery.⁷⁷ Increased traffic would affect the Madeley Star Football Club, a busy and popular local facility which would need to relocate should the single tunnel proposal not be adopted;⁷⁸ local businesses, the golf club, the cricket club and local restaurants would also be affected⁷⁹ as would Baa Hill Farm which we understand will petition us separately.⁸⁰

47. The witness, Mr Smith, referred to problems of engagement between HS2 and the local community: many elderly residents did not have or use computers and found engaging with HS2 difficult. Uncertainty contributed to the distress felt by the community, as did the disconnect between HS2 and some residents.⁸¹ This was also of great concern to the Committee.

48. Mr Smith told us that “the construction of major works such as a rail viaduct and road flyover will cause traffic chaos on the A53 and take up to an hour each day from the lives of 15,000–20,000 motorists who use it. He also said that the environmental cost to flora, fauna and the people [could] be avoided with a longer deeper tunnel”.⁸²

49. The petitioners drew attention to the height of the proposed viaduct over the River Lea, which would alter the view of the area⁸³ but as noted HS2 had been in discussion with Staffordshire County Council about this matter (as well as about measures to reduce noise impact).

73 HC 927, Minutes of Evidence 24 April 2018 (morning) Q124

74 Trentham Road, 706 heavy goods vehicle movements per day; A525 Bar Hill Road, 522 HGV movements per day (and the single tunnel scheme is estimated at A53, 650 HGV movement a day peak construction period would be 18 months, as this would require a greater number of materials to be imported to and exported from site) Q128

75 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q128

76 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q12

77 A29(8)

78 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q14

79 HC 927, Minutes of Evidence 24 April 2018 (morning) Q 53

80 HC 927, Minutes of Evidence 24 April 2018 (morning) Q170; A29(18)

81 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q216. A particular example was Mr Coddington who, with both the proposed pump station and the proposed HS2 Whitmore Heath northern portal close to his house, was not sure how he would get out of his house. We understand that he has subsequently come to an agreement with HS2.

82 HC 927, Minutes of Evidence, 24 April 2018 Q254

83 The viaduct would be visible across the valley, and from Whitmore Wood.

50. The Code of Construction Practice⁸⁴ for HS2 construction will include detailed plans for construction routes and contain the parameters for operation of HGV traffic. We understand the petitioners' concerns and ask that HS2 give an assurance that they will revisit plans for proposed routes and the road networks in these areas and improve the design to accommodate and alleviate local concerns.⁸⁵ Furthermore we urge HS2 to give an assurance that local Parish Councils will be consulted during the detailed design phase of the project.

Joanna & Graham Hutton and 238 others (No. 44)

51. Mr Hutton petitioned on behalf of the Manor Road Community for the single tunnel option. He asked the Committee to direct HS2 to give an assurance that the southern part of Manor Road⁸⁶ would not be used for construction traffic, and that this be written into the nominated undertaker's contracts.⁸⁷ HS2 explained it would not be practical to do this as it would require entering into a contractual agreement with each individual resident on Manor Road.⁸⁸ Furthermore, following Royal Assent of the Bill, the Highways Authority will have Statutory powers over this road. We understand HS2's position and seek an assurance that HS2 will engage with the local community on the best way in which to manage access and speed limits for traffic.⁸⁹ We also ask that HS2 ensure that, as part of that engagement, an agreement is reached that contractors and sub-contractors do not use the southern part of Manor Road. Here and more widely, the Committee would like to be told how HS2 will engage with the local community, and their councils, when drawing up more detailed plans.

The Woodland Trust (No. 99)

52. The Woodland Trust petitioned for the single long tunnel to protect Whitmore Wood.

53. Whitmore Wood is an ancient semi-natural woodland.⁹⁰ It is an area of 19 (0.19 km sq) hectares of which 6.7 (0.067 km sq) hectares of ancient woodland would be destroyed under the current scheme.⁹¹ The Woodland Trust argued that HS2's proposal was not in line with Government policy on environmental issues.⁹²

54. The Woodland Trust stated that the value of ancient woodland was not only the species of tree but also the soil and habitat beneath the trees⁹³ as well as native bluebells and 11 plant species (all identified in HS2's Environmental Survey).⁹⁴ Living in the woodland were native deer, breeding birds, over wintering birds, bats, amphibians and badgers. The scheme proposes the 'translocation' of soil as part of the mitigation strategy for ancient

84 The Code of Construction practice outlines the how the nominated undertaker will manage the effects of construction on communities and the environment. HS2 Phase 2A Information Paper—D3: Code of Construction Practice

85 HC 927, Minutes of Evidence 24 April (morning) Q37

86 The northern part of the road running from the A525

87 HC 927, Minutes of Evidence 24 April (morning) Q295

88 HC 927, Minutes of Evidence 24 April (morning) Q294

89 The petitioners had requested a reduction of the speed limit on Manor Road from 40–30 miles per hour.

90 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q384.

91 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q382

92 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q379

93 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q340

94 Environmental Statement, Volume 5, BID-EC- 004-000; page 34.

woodlands affected.⁹⁵ The Woodland Trust’s position was that ancient woodland was an irreplaceable habitat and impossible to recreate; it was a community of plants and animals and made a huge contribution to the historic heritage. The Trust said that many species were unable to tolerate disturbance.⁹⁶ The Trust said that translocation of ancient woodland soils is a modern technique and thus not common practice, so the effectiveness of this approach had not yet been demonstrated.⁹⁷ The Woodland Trust could not quantify how many species would be at risk from using this technique as there is not a sufficient body of research and evidence in this area of research.

55. The Scheme proposes translocation and planned wildlife and vegetation corridors.⁹⁸ this will include bat flight paths. Through translocation, the ancient woodland would lose its ancient status, which was a concern to the Trust.⁹⁹ Mr Miller, Environment Director of HS2, suggested that there was an area next to Whitmore Wood which might be “a good area for the soils’ translocation next to the ancient woodland itself”.¹⁰⁰

56. The Woodland Trust said that on the A2/M2 link, where translocation had taken place, monitoring was being undertaken, but the Trust’s resources were limited which hampered its ability to undertake this work.¹⁰¹ The Committee would require an undertaking from HS2 to fund a longer-term ongoing research monitoring exercise on the translocation of the ancient woodland: this should include soil monitoring reports on areas associated with this project.¹⁰² As the history of ancient woodland is measured in centuries rather than decades we would expect the monitoring period to take account of the long timescale. This should be an ongoing research project funded adequately to inform any future proposals for translocation of ancient woodland. This project presents a good opportunity to undertake such a study.

57. The Woodland Trust welcomed the assurance from HS2 that Noddy’s Oak will be retained.¹⁰³ This assurance was reiterated by HS2 in assurances given to Staffordshire County Council.¹⁰⁴

58. The Committee has to balance the cost of the tunnel compared with the cost to the environment which is always a difficult decision to make.

95 HC 927, Minutes of Evidence, 24 April Qq343–4; Translocation is collecting and moving the soils from areas of ancient woodland. Ancient woodlands are highly complex ecosystems and moving the soils from areas of ancient woodland is likely to be of value as it allows some of the Woodland’s seedbank, mycorrhiza, other fungi and invertebrates to be introduced to the receptor site. (p6 HS2—Ancient Woodland Strategy).

96 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q 340

97 HC 927, Minutes of Evidence, 24 April (morning) Q342

98 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q413—especially for bats

99 HC 927, Minutes of Evidence, 24 April 2018, (morning) Q407

100 HC 927, Minutes of Evidence, 24 April, 2018, (afternoon) Q35

101 The Woodland Trust employs fewer than 500 people and in 2017 had an income of around £45 million. Its *Woods Under Threat* team, is made up of five people, the budget for the trust’s HS2 work is £25,000 per year excluding salaries.

102 Clause 48 - Enforcement of Environmental covenants

103 HC 927, Minutes of Evidence, 24 April 2018 (morning) Q317 and Q329

104 HC 927, Minutes of Evidence, 8 May 2018 (morning) Q8

The Stone Infrastructure Maintenance Base-Railhead /Aldersey's Rough alternative

Stone Town Council and Chebsey Parish Council (No. 128)

59. The Bill scheme proposes building the Railhead (Infrastructure Maintenance Base-Railhead) at Stone and the petitioners made the case for the base to be located instead at Aldersey's Rough. The petitioners submitted a thorough assessment of the Bill scheme and provided a detailed petition explaining their alternative proposal.¹⁰⁵ They said that the proposed scheme would:

- restrict Staffordshire's ability to connect into the national rail network¹⁰⁶ and as part of the Northern Constellation Partnership, Staffordshire would be disadvantaged; and
- cause unacceptable traffic problems during construction especially:
 - (1) A34 junction with Yarnfield Lane,¹⁰⁷
 - (2) A34 junction with the A520 and B5026,
 - (3) A34 junction with A51 and Brooms Road,
 - (4) B5026 Eccleshall Road Junction with Pierhill Lane.¹⁰⁸

This petition echoed the concerns about specific routes already heard from other petitioners regarding road transport access. The roads are already congested and with increased levels of construction will become more so.

60. The petitioners told us that that Yarnfield Lane provides a connection between Yarnfield village and Stone. It is a narrow lane without footpaths for most of its length. The petitioners were concerned about the impact of HGV traffic and the junction with the A34. We were pleased to hear that Staffordshire County Council has received an undertaking that HS2 will “ensure that the M6 slips [roads] are put in place as soon as practicable and their use is maximised to reduce the use of Yarnfield Lane.”¹⁰⁹ This is welcome.

61. We recognise that there are existing problems at junctions within this area and understand that there will be an increase in traffic on the roads during the construction phase. We were not convinced by petitioner's claims future projections of traffic growth, as behaviours change over time and it is difficult to predict such changes with any certainty.¹¹⁰

105 Please see <https://www.parliament.uk/business/committees/committees-a-z/commons-select/high-speed-rail-west-midlands-crewe-bill-select-committee-commons/> for the petition and subsequent information provided.

106 HC 927, Minutes of Evidence, 25 April 2018 (morning) Q10; there is no stopping service between Stafford and Stoke-on-Trent Qq40–45.

107 HC 927, Minutes of Evidence, 25th April 2018 (afternoon) Q8–12: HS2's study had not allowed for 250 houses that are now completed.

108 HC 927, Minutes of Evidence, 25 April 2018 (afternoon) Q23–160 - sees the petitioner challenge the studies conducted by HS2 into traffic flow at junctions.

109 HC 927, Minutes of Evidence, 8 May 2018 (afternoon) Q3

110 HC 927, Minutes of Evidence, 25 April 2018, Q163

62. The Petitioners argued that Aldersey’s Rough was a better location for the railhead for maintenance services for both Phase 2a and 2b of HS2. They said it was a more central location, so better positioned¹¹¹ and that Stone could not cope with the work required as there were operational constraints there.¹¹²

63. HS2’s document “Phase 2A C862 Strategic Evaluation of Railhead and IMB-R Locations-post CP3 design” compares the two options, preferring Stone. The HS2’s Chief Engineer said that Stone had an easy connection to the freight-only railway adjacent to the site, which would continue to operate on a freight-only basis between 1am and 6am even after passenger services between Stafford and Stoke had commenced, leaving plenty of capacity for the maintenance depot operations at that time.¹¹³ During the five year construction period of Phase 2A there would usually be one or two trains per week but it could be up to seven.¹¹⁴ The route would not commence as a passenger line until after HS2 had been completed, and once open would not experience disruption from the very infrequent trains to the maintenance depot.¹¹⁵ The Committee notes the advantage of the Stone route.

64. We understand that the proposal from Stone and Chebsey Parish Councils would require rebuilding the bridge over the West Coast Main Line, before building the depot in which the materials for the bridge would be housed. The bridge would need to be double tracked and the scheme would involve major work and change to signalling for the West Coast Main Line¹¹⁶ which must remain operational throughout the construction period. Despite the hard work and enthusiasm of the petitioners and their commitment towards regeneration of the area we are unable to support their proposed scheme.

65. The Committee noted the enthusiasm for the potential to reopen part of the Newcastle-under-Lyme to Market Drayton railway, providing a rail link from Crewe to Newcastle, which is the largest town in the UK without a railway station.¹¹⁷ The Committee noted that the completion of the HS2 proposal would not render impossible any subsequent project to link Newcastle-under-Lyme to the West Coast Main Line via the disused Market Drayton line.

111 HC 927, Minutes of Evidence, 25 April 2018 (morning) Q414

112 HC 927, Minutes of Evidence, 25 April 2018 (morning) Q872

113 HC 927, Minutes of Evidence, 25 April 2018 (afternoon) Q662

114 HC 927, Minutes of Evidence, 25 April 2018 (afternoon) Q662

115 HC 927, Minutes of Evidence, 25 April 2018 (afternoon) Q669–670

116 HC 927, Minutes of Evidence, 25 April 2018 (afternoon) Q 723

117 It was noted that the construction phase of such a project, if started before HS2 was completed, would seriously disrupt the operation of the West Coast Main Line, would delay completion of HS2, and would not be a gain which could reasonably be linked to the delivery of HS2.

Community engagement

66. The Committee is not persuaded that HS2 had given adequate consideration to the local community. We would like to see HS2 consult the wider communities who will be disrupted by the proposed works and adequately mitigate the impact on petitioners. We want assurance that HS2 will contribute towards benefits for the local and wider community and ensure continued community involvement regarding the design of the Kings Bromley viaduct.¹¹⁸

67. The Committee would like an assurance that HS2 will conduct further work on road networks, traffic flow and conduct multi-junction analysis with Staffordshire County Council, Lichfield District Council and Newcastle-under-Lyme Borough Council as well as Highways England.¹¹⁹ This work should focus on finding solutions for existing traffic problems and propose improvements for local residents, businesses and the wider community in both the short and longer term. We expect HS2 to pay particular attention to the following areas:

- mitigating the risk of congestion for the communities affected;
- thinking creatively to resolve existing traffic issues in preparation for the construction period;
- bringing longer term benefits to the community to assist traffic congestion.

68. The Committee understands that a considerable amount of work has been done by HS2 on the Environmental Statement. We expect to see more imaginative and creative proposals for habitat enhancement along the route; including additional funding for a long-term project to monitor the environmental impact of moving ancient woodland.

69. We would like an undertaking that the community should benefit from this scheme and receive longer term benefits drawing on the £5m extended community and environmental fund. We would like to see more details about this fund including evidence that £5m is an adequate and appropriate sum.

118 We heard that Staffordshire County Council and HS2 had positive discussions about the lowering of the viaduct.

119 Highways England operates, maintains and improves England's motorways and major A roads.

Safeguarding and compensation

70. A variety of compensation schemes are relevant to this project and are advertised on the website at www.gov.uk.¹²⁰ The DfT’s document, “Claim Compensation if your property is affected by HS2” gives information on eligibility and how to apply.

71. The Bill confers power on the Secretary of State to purchase compulsorily any land within the Bill limits that may be required for Phase 2A purposes, and provides that he will take no greater amount of land than appears to him to be reasonably required following the detailed design of the scheme.¹²¹ The Bill allows for compulsory purchase of land and property rights, including subsoil, to enable tunnel works and for temporary land use.¹²² The safeguarding directions (contained in HS2 document C7) enable the Secretary of State to ensure that the land likely to be required for the construction and operation of the railway is protected from proposed development for other purposes.¹²³

72. The safeguarding directions are also important for owners of property and land falling within the safeguarding area as they enable qualifying property owners to trigger statutory arrangements to serve a blight notice on the Secretary of State; this now includes, since 2016, qualifying owners of residential properties, small business premises and agricultural premises area. A new streamlined system called the “Express Purchase Scheme” has been introduced for Phase 2A.¹²⁴

73. This Bill is subject to the statutory land compensation code. That code is based on the principle of fair compensation or the ‘principle of equivalence’.¹²⁵ Having heard from Mr Miller, HS2 Environmental Specialist, that a particular holding is very badly affected and the relevant business may have to be wound up, the Committee will be taking a keen interest in how this matter is conducted by HS2.¹²⁶

74. The Committee over the coming weeks will be paying particular attention to the direct compensation given to individuals businesses and communities.

120 Department for Transport, Claim compensation if your property is affected by HS2. <https://www.gov.uk/claim-compensation-if-affected-by-hs2>

121 HC 927, Minutes of Evidence, 19 March 2018, Q30

122 HS2 Information Paper C3: paragraphs 3.3 and 3.4

123 HC 927, Minutes of Evidence, 19 March 2018, Q31 HS2 Information Paper C4

124 HC 927, Minutes of Evidence, 19 March 2018, Q31

125 HC 927, Minutes of Evidence, 19 March 2018, Q32

126 HC 927, Minutes of Evidence, 24 March 2018, Qq 59–76 in relation to Baa Hill Farm

Later stage of the Bill

75. We understand that Additional Provision 2 is currently scheduled for publication in December 2018. We would welcome an earlier publication so that we can begin consideration in the autumn. Earlier consideration of the Additional Provision could facilitate cost savings and we ask the Secretary of State to consider this proposal.

Annex: Summary of previous decisions of the Committee

Extract from the Minutes of Evidence Wednesday 28th March 2018

Right to challenge hearing: Mr Paul Holdcroft

THE CHAIR: Thank you for your patience. I'd like to draw everybody's attention to the document which talks about 'Should I petition?' In that document it states, 'Your petition is not likely to be considered by the Committee if,' and under point 4 there's, 'your concerns are general, for example they are to do with traffic congestion,' and it goes on to mention air pollution, 'which may be better represented by a parish council or local authority.' The Committee therefore have determined that Mr Holdcroft does not have the right to have his petition heard by the Committee.

28. Mr Holdcroft, I appreciate this decision may be a disappointment to you. However the petitioning process exists to protect the rights of individuals and organisations whose property and other interests are directly and, crucially this word, specially affected by the Bill. This Committee is sympathetic and very aware of construction traffic issues and look at the parish council, the county council and HS2 to ensure individuals are aware of this process. Specifically Whitmore Parish Council are petitioners. We would urge them to contact you if they haven't already and represent other members of the parish generally around these issues so we consider them fully. It is open to them to call you, Mr Holdcroft, to the Committee as a witness so you could come again through that process if it is appropriate.

29. The Private Bill Office did also publish guidance in December on the types of hearing. At this state it quotes, 'Your petition is not likely to be considered by the Committee if the concerns are general, for example,' as I said before, 'traffic congestion, air pollution, which may be better represented by a parish or a local authority.' Which is why, I'm afraid, your petition falls into this category and the reason we've not allowed it. We do hope that this decision will provide guidance to other petitioners with similar petitions who may be considering whether to challenge the Secretary of State's objection of their right to be heard. Thank you all for attending today. The Committee will now adjourn until its next meeting on Monday 16 April at 4 pm. I wish you all a very happy Easter.

Extract from the Minutes of Evidence 23 April 2018

Right to challenge hearings: Woore Parish Action Group, Celia and John Gollins, Mr and Mrs Morris, Amanda Jones, Alan Melvin and the Carter family.

THE CHAIR: Before I start the main proceedings, I'd just like to say a few words. Last week the Committee completed its rights to appear challenge hearings and I'd like to announce the Committee's decision in relation to those hearings, in relation to Woore

Parish Action Group, Celia and John Gollins, Mr and Mrs Morris, Amanda Jones, Alan Melvin and the Carter family. The Committee has determined that these petitioners do not have the rights to have their petitions heard by the Committee.

2. I am conscious the petitioners will be disappointed by this news, but the petition process exists to protect the rights of individuals and organisations whose property or other interests are directly and specially affected by the Bill. The Private Bill Office published guidance in December on the types of petitions for which the Committee would not be likely to grant a hearing and it stated, ‘Your petition is not likely to be considered by the Committee if your concerns are general, for example, if they’re to do with traffic congestion or air pollution, which may be better represented by a parish or local council group or authority.’ All of these petitions fall into this category, which is why we have not allowed them through and we would encourage petitioners to make representations through their parish council, or local authority.

3. In relation to the Woore Parish Action Group, Celia and John Gollins and Mr and Mrs Morris of Woore Country Store and Mr Clark, we would specifically ask them to make representations through their parish and county councils. In relation to the concerns of Mr Jones and Mr Melvin, regarding any encroachment of construction traffic onto their adjoining access areas during works, we are sympathetic to this concern and hope that HS2 can give an assurance that this will not happen.

4. We also hope that HS2 will implement a robust reporting method for communication to local residents, should any such problems arise. We hope that these decisions the Committee have made will provide guidance to future petitioners, with similar petitions, who may be considering whether to challenge the Secretary of State’s rights to be heard, going forward.

5. In relation to Additional Provision 1, I’d like to remind everyone that the petitioning window for individuals and organisations who are specifically affected by AP1 is due to close on Friday, 27 April, at 1.00 p.m. Information about how to petition is available on our website, or through speaking to the Private Bill Office.

6. That ends some preliminary words which I wanted to put on the record. I welcome everyone to the first week of the formal petition hearings. Today we are going to hear from Staffordshire County Council, Lichfield District Council, Newcastle-under-Lyme Borough Council and Sir William Cash. Just at the beginning of sessions, I’d like to just put down a marker to everyone on what the Committee are looking for. We’re looking for short submissions; we are much more likely to favour those. We are not looking for repetitive arguments. We are not particularly, having read out a statement, interested in people reading out statements. Apologies for the dual standards, but we do have a tight deadline and it’s imperative that we keep to this and, in fairness to everybody involved in the process, I will, after warning people, curtail them from speaking at great length, but welcome you all here as part of the process, with those provisos.

Formal minutes

Monday 21 May 2018

Members present:

James Duddridge, in the Chair

Mrs Sheryl Murray

Martin Whitfield

Sandy Martin

Bill Wiggin

Draft Report (*High Speed Rail (West Midlands - Crewe) Bill Select Committee: First Special Report*), proposed by the Chair, brought up and read.

Ordered, that the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 75 read and agreed to.

Summary agreed to.

Annex agreed to.

Resolved, that the Report be the First Special Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

[The Committee adjourned.]