

MINUTES OF ORAL EVIDENCE

taken before the

HIGH SPEED RAIL BILL COMMITTEE

on the

HIGH SPEED RAIL (WEST MIDLANDS – CREWE) BILL

Monday 21 May 2018 (Afternoon)

In Committee Room 5

PRESENT:

James Duddridge (Chair)

Sandy Martin

Mrs Sheryll Murray

Martin Whitfield

Bill Wiggin

IN ATTENDANCE:

Timothy Mould QC, Lead Counsel, Department for Transport

WITNESSES:

William Murray

Mark Cooper (Woore Parish Council/Woore Primary and Nursery School)

Michael Cowey (Woore Parish Council)

IN PUBLIC SESSION

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(At 4.00 p.m.)

1. THE CHAIR: Thank you for coming to petition, Mr Murray. Thank you for coming back. It's a pleasure to hear you were coming back, you found a chink in the armour, an excuse to hear you again. As a quid pro quo, if you could make your case succinctly and I think succinctly probably means in this case about ten minutes and if you could get to your points quickly, we can then use the time to question you as we see fit. So, we're keeping an eye on time. Over to you, Mr Murray.

William Murray

Submissions by Mr Murray

2. MR MURRAY: Thank you Mr Chairman, lady and gentlemen. I'm Bill Murray, you've seen me before. If I can go straight in with slide A85(4). This is the safeguarding thing which I alluded to last time. I'm only going to briefly mention this because I want to move it on to other points that cause me problems and blight my house. I'll come back to that. A85(9), if I may please.

3. The point here that causes me concern is the note 17, 'The promoter has assessed the ground conditions below Whitmore Heath'. If I now go to A85(41), this is a letter that I wrote asking about the assessment. Perfectly straightforward, assess the ground conditions, please provide me with details of this assessment. The reply is P204(1) and P204(2). This letter causes me a load of trouble.

4. First of all, it's written by a gentleman in his capacity of director of hybrid Bill delivery at HS2 Ltd. He signs himself of as a director working for, 'High Speed Two (HS2 Ltd)'. Companies House does not recognise him as a director of either company. That causes me great concern.

5. I also feel under pressure with the paragraphs at the bottom of page 204 which is a clear wish that I withdraw my petition. That annoys me intensely; if I'm capable of petitioning, I should know how to withdraw a petition. That's putting me under undue pressure and I really do think that's wrong.

6. Anyway, the underlying ground conditions at Whitmore. I'll offer you an alternative to that letter and it runs like this: the letter is dated 15 May. On or around 16

April, work started on a trial bore hole at Treetops, Heath Rise, which is just above my house – my house is Windermere. The bore hole brought up 50 metres of sand, thereabouts. A second bore hole at Sandy Ridge is bringing up sand, and as such, is comparable. That is not hard conglomerate rock. That is sand and HS2 have been told and told and told again that the heath is sand. They will not believe it. That, Mr Chairman, changes everything. That tunnel will come down, the heath is unstable. Everything High Speed Two have done is predicated on hard conglomerate rock.

7. If I go to A85(12). That is from an email which went to my son, he's a hydro-graphic surveyor, he's been helping me. Hard conglomerate rock. Everything's predicated on hard conglomerate rock.

8. I now go to A85(15). These are notes of meetings when people from High Speed Two have come to see the people of Whitmore. I once was a parish councillor. I didn't stand for re-election just after High Speed Two was announced; I didn't think it was fair on the parish that I – because I'm so directly affected, it wasn't fair on the parish.

9. But there are a group of residents – most of the people on the heath are very elderly. I'm 69 in a week's time; I'm young. There are three of us, we're not representing, we are representative of, we are typical of the people and I'm one of them. It says there, 'Local concerns on the stability of Whitmore Heath, particularly steep sections in the middle, and the tunnelling effects'.

10. HS2 has known about this for five years. If I move to the next one, which is 16, the physical nature of Whitmore Heath, previously been stated by HS2 that Whitmore Heath is hard conglomerate rock, uniform, fairly level. HS2 technical staff were able to observe that the Heath is none of these at the remains of the well worked sand quarry.

11. I've produced old maps that describe it as a sand hole. These maps were rejected because they are old. This is deeply worrying that it's got this far. This directly affects me. My house will not survive this.

12. Now, my feelings about the railway have nothing to do with it. This railway will be finished after I'm dead.

13. THE CHAIR: I hope not. You're a young man as we've already established. I

don't mean to cut across you, but now I've interrupted you once, I'll carry on if that's okay. What do you want?

14. MR MURRAY: I want HS2 to recognise that my house is blighted. And I want the express purchase terms. I want the ability to go.

15. THE CHAIR: Right. Sheryll and then –?

16. MRS MURRAY: Could we see a map of –

17. THE CHAIR: A very good idea.

18. MRS MURRAY: – showing the location of Mr Murray's house?

19. THE CHAIR: So we can be reminded. Thank you.

20. MR MURRAY: If you –

21. THE CHAIR: Don't worry, HS2 will get that up, so there's some consistency.

22. MR MURRAY: That map, Mr Chairman, lacks credibility. It's asymmetric, it's got no contours on it, it shows none of the workings, it shows none of the railway.

23. THE CHAIR: We had a slightly better version last time we looked at this issue, in a bit more detail.

24. MR MURRAY: If you look –

25. MR MOULD QC (DfT): This is just a location plan, so it's a bit hard to criticise it for the things that it's –

26. THE CHAIR: Sorry, can we just have the slightly more detailed plan?

27. MR MOULD QC (DfT): P200.

28. THE CHAIR: Thank you. Is that to your satisfaction Sheryll?

29. MRS MURRAY: Yes. At least now I can –

30. THE CHAIR: Martin had a question.

31. MR WHITFIELD: You mentioned about a bore hole that had been cut; was that by HS2?
32. MR MURRAY: Yes.
33. MR WHITFIELD: And when was it again?
34. MR MURRAY: They started work on it on 16 April. It took, I would guess, a week at the most, 10 days.
35. MR WHITFIELD: So it's April this year?
36. MR MURRAY: Yes.
37. MR WHITFIELD: So presumably those results will be somewhere.
38. MR MURRAY: And that's why that letter has so angered me.
39. THE CHAIR: Sheryll and then Sandy.
40. MRS MURRAY: Mr Murray, using the mouse, could you show us where the bore hole is approximately please?
41. MR MURRAY: If I can get the mouse – if you – the one that's me, that one, that's Treetops.
42. MRS MURRAY: Yes. Right so the bore hole has been carried out further to where the tunnel will be, closer to the tunnel?
43. MR MURRAY: Yes. To put that into context if I may, there is – I could do with my son. If we follow through a series of photographs, I think first of all, if we can look at A85(30). That's the size of the tunnel. It is absolutely enormous. There's a figure in sight, stood there to show you what it is, it is colossal. And showing that as a piano wire on a map misses the point completely. I cannot find a tunnel of a comparable size in the United Kingdom. The nearest to it I can find is Woodhead, and Woodhead is a single bore, not a twin bore. I can't find anything that big anywhere.
44. THE CHAIR: Sandy, you wanted to come in, didn't you?

45. MR MARTIN: Yes, I was going to ask Mr Murray, your main contention is that the geology of Whitmore Heath –

46. ‘MR MURRAY: Is unstable.

47. MR MARTIN: – will not support a tunnel underneath it and the houses on top of it. I mean, is it your belief that HS2 should purchase all the houses on Whitmore Heath?

48. MR MURRAY: I think my belief that HS2 should do something it’s patently not done and that’s a proper ground survey.

49. THE CHAIR: And if HS2 were to express purchase your property, what would that mean in financial terms for you? Does that mean that you get the property at a particular price, at a premium? What money, what cash do you get?

50. MR MURRAY: Well the express purchase terms have been dictated by High Speed Two. So, I think it’s unreasonable that I pay stamp duty to move out of the house into another one when I really don’t want to move. So the express purchase terms include things like legal fees and removals and stamp duty.

51. It tries to put you in the kind of position you would have been in, either had you stayed, or had the railway not been built.

52. THE CHAIR: Can we go back to the map with contours. How close to the railway are your neighbours who are getting purchased, or are there any that are getting purchased on express purchase?

53. MR MURRAY: I have one, Mr Chairman, with contours on it, which has gone in with –

54. ‘THE CHAIR: This map’s fine, it’s just – if you can just answer the question; are there any nearby that have been given express purchase that you know of?

55. MR MURRAY: I can’t quite hear you.

56. THE CHAIR: Have any nearby been given express purchase?

57. MR MURRAY: Yes they have. If you look at the line shown there on the

railway, this one.

58. THE CHAIR: Yes.

59. MR MURRAY: That one's been bought. That one's been bought. That one's been bought, that one's been bought. That one's been bought, that one's been bought.

60. THE CHAIR: Anything south?

61. MR MURRAY: That one's been bought. I'm not quite sure which one it is – there's one here which I can't quite see on the map; that one's been bought. That one's been bought. As far as blight's concerned, that one's had the blight letter. So the houses around me, blight has been acknowledged.

62. THE CHAIR: I'm going to recommend we hear from HS2 now. I think that will – I think we're very clear what you want; it would be useful for –

63. MR MURRAY: Just before we can, can I refer to A85(31)?

64. THE CHAIR: Yes.

65. MR MURRAY: The Heath is very, very steep. HS2 claim it isn't.

66. THE CHAIR: Okay.

67. MR MURRAY: That is the tunnel through Whitmore Heath. Now HS2's perception of Whitmore Heath is best illustrated by looking at the flyby map on the video, and the flyby map –

68. THE CHAIR: I think I'm going to call Mr Mould now, I'm keen to hear evidence around your specific desire to get express purchase and understand what's happening that in the background. So Mr Mould, and Mr Murray, you will have a right to reply at the end.

69. MR MURRAY: Right.

70. THE CHAIR: Mr Mould.

Response by Mr Mould

71. MR MOULD QC (DfT): Can we go back to P202 please – 201, whichever the plan was? 201, there we are. First of all, a number of properties in Whitmore Heath either have been acquired or are in the process of having applications processed for acquisition under the need-to-sell scheme. There are also some properties that have been acquired under the now superseded exceptional hardship scheme, which was a scheme that ran from the date of the announcement of the Phase Two consultation back in 2012, 2013, and was superseded by the property package that’s been in place since 2015, of which I’ve already given you some details in previous meetings.

72. There is one outstanding application for purchase under the statutory blight regime. I don’t have details I’m afraid of that particular – oh, yes I do, it’s Mr and Mrs Wilkinson of Ravenswood in Snape Hall Road; that is outstanding.

73. MR MURRAY: It’s that one, Mr Chairman.

74. MR MOULD QC (DfT): So I need to explain to you, if I may, forgive me if this is going over ground that we’ve already heard from –

75. ‘THE CHAIR: I think it’s helpful to go over and remind us; I’m getting nods from colleagues, so take your time.

76. MR MOULD QC (DfT): The way I shall do this, if I may, is to ask that we put up R118 (11), and while we do that, what I’m showing you – I don’t know if you can turn it round – this is a table which is set out in the published guidance to HS2 property schemes, Phase 2A which, as I did yesterday, you can find at a click or two, if you go onto the gov.uk website. And what this does is, at a glance, it tells you the relationship between the various statutory and non statutory property purchase schemes that are in existence.

77. So, the top line relates to properties that are within the safeguarded area. And as you can see, note 2, they include the express purchase scheme, but that is a scheme that applies only in relation to properties that are within surface safeguarding, that is to say where land has been shown on the safeguarding maps for HS2, most recently published in September of 2017, as being required for the purposes of the railway.

78. Unless a property falls within that area, that surface safeguarding area, then the owner of that property is not able to serve a valid blight notice on the Secretary of State. So, if they wish the Secretary of State to consider purchasing their land, they have to find their way to that through one of the other schemes that are on the page in front of you.

79. The next scheme down is the rural support zone; that is the area, if you remember which extends up to 60 metres on plan either side of the centre line of the route. And the effect of that scheme is that any qualifying owner, a residential owner/occupier, is the obvious example, is able to call upon the Secretary of State, either to buy their property at its unblighted market value, or to claim a cash offer of 10% of the unblighted open market value of their property, up to a limit of £100,000.

80. The next geographically zoned scheme is the homeowner payment zone. That is not an acquisition scheme; that is a scheme under which those whose properties fall within one of the three relevant sub zones as you see on the page in front of you, at Royal Assent, are able to call on the Secretary of State to make a one off payment in the sum that you see shown on the page.

81. And then finally, there are the schemes that are without geographical limit and the principle scheme in terms of the purchase – indeed the only scheme that is without geographical limit which enables a residential owner/occupier to call on the Secretary of State to purchase their property, is the need-to-sell scheme. And the majority of those cases in Whitmore Heath, where, as Mr Murray says, householders have either secured an offer to purchase their property from the Secretary of State, or have made an application for the Secretary of State to make such an offer and that application is in process. The majority of them are applications that have been made under the need-to-sell scheme.

82. Now, it is open to Mr Murray to make an application for the Secretary of State to purchase his property under the need-to-sell scheme.

83. THE CHAIR: Can I just pause you – under the rural support zone or the – beyond?

84. MR MOULD QC (DfT): No, beyond. So his property neither falls within surface

safeguarding, nor indeed, for the sake of completeness, does it fall within subsurface safeguarding. Nor does it fall within the rural support zone. His property does fall within zone three of the homeowner payment zones, so at Royal Assent he will –

85. THE CHAIR: Can we focus on the sale, because that's what he's given.

86. MR MOULD QC (DfT): Exactly.

87. THE CHAIR: So I know he's not – the property is not within the express purchase scheme for the reasons you've stated.

88. MR MOULD QC (DfT): Yes.

89. THE CHAIR: But it is within the need-to-sell scheme beyond. But what is the difference financially between the two. Mr Murray mentioned stamp duty and some legal fees. Have you got a number, so we're just aware of how much he would get in a hypothetical situation where he was eligible for that which he wants.

90. MR MOULD QC (DfT): Were his property to fall within the safeguarded area and thus he become eligible to serve a blight notice, if accepted, he would sell his property to the Secretary of State at its full unblighted open market value, he would also receive all the costs he incurs – the reasonable costs he would incur in completing the sale, his moving costs, his conveyancing costs and he would also be eligible to receive a statutory payment, known as a home loss payment, which any residential owner/occupier who is displaced from their home by virtue of compulsory purchase of land for public works is entitled to receive under the Land Compensation Act 1973.

91. If he were to succeed in an application for the Secretary of State to purchase his property under the need-to-sell scheme, he would receive only the full unblighted market value of his home. He would not receive the statutory loss payment, he would not receive the costs of moving, he would not receive his conveyancing costs. And the rationale for the distinction between those two positions is that in the case of the former, land that is subject to compulsory purchase, effectively, that the statute deprives the owner of the choice whether to sell to the Secretary of State because his land is subject to compulsory purchase and deprives the owner of the choice as to the date on which he makes the sale. So it is a fully ex-proprietary act.

92. In the case of the need-to-sell scheme, the land is not required for the purposes of the railway, the owner is able to retain the land, to weather the process of the blighting effect of the scheme, which will diminish over time as the railway moves away from a proposition to a reality, and is able to make the choice, not only as to whether to move, but also as to when, because as I've told you, that scheme –

93. 'THE CHAIR: Sounds good. Sheryll then Martin.

94. MR MOULD QC (DfT): Can I just complete that point? That scheme remains open until a year after the railway has come into operation.

95. THE CHAIR: Okay. Sheryll.

96. MRS MURRAY: When I'm looking at this in front of me and I'm sure you've told us, Mr Mould, so I do apologise asking you to repeat because I've perhaps forgotten.

97. MR MOULD QC (DfT): Not at all.

98. MRS MURRAY: What does rent back mean?

99. MR MOULD QC (DfT): Rent back is a scheme, which applies, as you can see, across each of these various purchase options. And in a nutshell, the Secretary of State has said that where he has agreed to buy a qualifying owner/occupier's home, or in the case of a small business, a small business. He will be willing to consider renting the property back to the former owner/occupier, at a proper commercial rate until such time as the land is actually needed in order for the construction of the railway. And indeed, in the case of land that is not required, as I've said, for the construction of the railway, for an appropriate period, until the householder has made arrangements to complete their own personal needs.

100. MRS MURRAY: So in other words, in each of these cases, if the Secretary of State agreed to either buy, under any of these schemes, the amount of money that they would retain is reduced by commercial rent, am I correct, if they prefer to stay there until such time as they have to move?

101. MR MOULD QC (DfT): Well, that may be in a very general sense the result, but

I think it would be wrong to conflate those two. In the event that Mr Murray were to succeed in an application under the need-to-sell scheme and he were to receive and accept an offer from the Secretary of State to purchase his house for its full unblighted market value, he would receive that figure as the price for that purchase.

102. If Mr Murray then sought to take advantage of the rent back scheme, he would expect to pay a rent for as long as he took advantage of that scheme. But the two should be seen, in my submission, as separate elements of that transaction.

103. MRS MURRAY: Thank you.

104. THE CHAIR: Martin.

105. MR WHITFIELD: Thank you. This is not a deep tunnel for the purposes of the exemptions in any of this, is it? The Whitmore Heath tunnel.

106. MR MOULD QC (DfT): It is a bored tunnel and therefore it is subject to that provision in the need to sell guidance which says that the scheme, in deciding whether the locational criteria for the need-to-sell scheme is satisfied, regard will be had to the fact that the property in question is located in the vicinity of a deep tunnel. But here, Mr Murray would be able to say to the Secretary of State, although there is a twin bore tunnel through the ground at Whitmore Heath, 'My property is located relatively close to the northern portal of that tunnel', and as you've seen, sufficiently close that his property lies within the outmost of the homeowner payment zones.

107. MR WHITFIELD: Yes.

108. MR MOULD QC (DfT): And so he would be able to take the point in his application that that was a factor that ought to be set against the presence of the railway in deep tunnel here.

109. MR WHITFIELD: So the payment arises as a result of the geographical position of the house in relation to the portal, the exit of the tunnel, rather than the actual tunnel itself.

110. MR MOULD QC (DfT): That payment there – yes.

111. MR WHITFIELD: So Mr Murray would be entitled to the £7,500 on the point of

Royal Assent.

112. MR MOULD QC (DfT): He will.

113. MR WHITFIELD: And then that does not then prevent him from applying for the need to see scheme.

114. MR MOULD QC (DfT): That's right.

115. MR WHITFIELD: So even though the need-to-sell scheme is restricted in the compensation that HS2 or the Secretary of State will be paying, there is still additional £7,500 that should be envisaged within the calculation.

116. MR MOULD QC (DfT): Yes, and clearly the corollary for that is Mr Murray is not constrained to postpone any application under the need-to-sell scheme until after Royal Assent in order to give credit, if you will, for the £7,500. The two schemes operate – they are complementary to each other. He would need to make his application under the need-to-sell scheme no later than – during the year following the coming into operation of the railway.

117. MR WHITFIELD: Sure.

118. MR MOULD QC (DfT): If he were to make an application at any time between now and then, then he would, if an offer was made to him, have three years in which to accept it.

119. MR WHITFIELD: To accept it.

120. MR MOULD QC (DfT): The only qualification to that, which I need to make clear is that in the event that he were to succeed in an application under the need-to-sell scheme, and he had claimed his £7,500, then he would expect to give credit for that.

121. MR WHITFIELD: Ah right, so there is, in fact, no benefit.

122. THE CHAIR: Sandy?

123. MR MARTIN: Yes. That point has just now been cleared up, and the other point which I think needs to be cleared up is that if he were to make an application under the need-to-sell scheme, it is entirely possible that the Secretary of State would not grant it?

124. MR MOULD QC (DfT): It is entirely possible, yes. And the acid test, in my submission, for Mr Murray, is to make an application if he feels that he wishes to seek to persuade the Secretary of State to acquire his property in accordance with the terms and conditions of that scheme. And as others have done, as I have told you, a number of whom have been successful in this area, in circumstances that, on his evidence, he sees as being, as I understand it, essentially indistinguishable from his own circumstances, and to see what happens.

125. And if he were to make that application, is a matter for him, I'm not encouraging or discouraging him from doing anything, but if he were to make that application swiftly, then he could expect that the outcome of that application would be known whilst this Committee is still seized of this Bill, which would mean that I could report back the outcome, if that were his desire and that were your desire.

126. THE CHAIR: Thank you.

127. MR MOULD QC (DfT): Before you completed your work.

128. THE CHAIR: Mr Murray, have you got any final comments?

129. MR WHITFIELD: Sorry, just before you sum up, Mr Murray. The bore hole results from the April 18, are they available?

130. MR MOULD QC (DfT): I don't believe they are. No. If you find it helpful for me to ask Mr Smart briefly to explain – to give the answer to the point raised by Mr Murray, I can do so. The Chairman is nodding.

131. THE CHAIR: I think I was shaking my head. I think if you provide us with that information, that would be good. I don't think we need Mr Smart. I think we need to keep momentum and hear Mr Murray summarise.

132. MR MURRAY: If I may, Mr Chairman, A85(20), A85(21) in sand, that is between me and Treetops. That will fall down.

133. THE CHAIR: Okay, sorry, it's just to summarise, not to introduce points or repeat.

134. MR MURRAY: Well, it's quite simply, I'm not in the rural protection zone, I'm

outside it.

135. THE CHAIR: Yes, I understand that.

136. MR MURRAY: Secondly, the blight map is botched, it's asymmetric, it's out, it's wrong.

137. THE CHAIR: Yes.

138. MRS MURRAY: Thirdly, that letter that was sent to me tells me it's hard conglomerate rock and it is stable, it is none of those and the author should have known it when that letter was written. That letter is disgraceful. That letter basically sentences me to stay there till the house falls down. I don't qualify under the need to sell because the only reason I want to sell is to get away from HS2 and HS2 make it abundantly clear that that's unacceptable.

139. THE CHAIR: Sheryll Murray has got a final question here.

140. MRS MURRAY: I do apologise Mr Murray for asking this question; perhaps again, have you considered applying to HS2 under the need-to-sell scheme? Have you tried or are you just assuming that it's going to be turned down.

141. MR MURRAY: I assume that most of what I'm told is true, and I'm repeatedly told by High Speed Two that if you want to move because of High Speed Two, that stops you. I'm known to be vocal; I'm known to have problems. I will get nowhere with that application and I'm told that.

142. MRS MURRAY: Just to continue with that, do you understand what Mr Mould has just told us?

143. MR MURRAY: Yes.

144. MRS MURRAY: That you are able to submit an application?

145. MR MURRAY: But it's fundamentally wrong that I should be told it's hard rock when it is sand, it's fundamentally wrong that I should be given a blighted map, which is asymmetric and it's out. It's fundamentally wrong that HS2 won't do anything about either. I find that objectionable.

146. THE CHAIR: Okay, I'm calling this session to a close. Thank you very much, Mr Murray. We understand what you want and thank you for coming in.

147. MR MURRAY: Thank you. I'm sorry for feeling emotional. I'm the only person left in the family, it's me and two children, that's all that's left.

148. THE CHAIR: Sir, you have nothing to apologise for. Thank you very much for coming.

149. MR MURRAY: If I stay, I'll have the knock on the door to tell me it's going to fall down. One thing I will do is please, please, come and have a look. There's more than me. There's people in their 90s, they're absolutely desperate. We've had 10 funerals since HS2 was announced. There's a rather macabre game going on, and I'm number 11, apparently.

150. THE CHAIR: Thanks very much.

151. MR MURRAY: Thank you.

152. THE CHAIR: Thank you. Natalie, if you could arrange for the next witness to come in? Is the next witness here? Okay, I think it will be convenient to adjourn and we will come back at five o'clock. The Committee will remain and we'll sit in private. Thank you very much, if you could clear the room.

Sitting suspended.

On resuming –

153. THE CHAIR: Mr Cooper, thank you very much. Thank you for coming in petitioning. Feel free to take your jacket off if you feel more comfortable. It does get a little warm in here.

Woore Parish Council/Woore Primary and Nursery School

Submissions by Mr Cooper

154. MR COOPER: Thank you. My name's Mark Cooper. I don't live in Woore and my only connection with the parish is that I am the husband of the parish clerk. Somehow, it's been decided, quite on what basis, I'm not clear, that I should present the

petition today.

155. The parish council has an income from its precept to about £25,500. It has 10 councillors who, as you will appreciate, are laypeople. They have other jobs and responsibilities aside from being parish councillors. They're unpaid, and they have one part-time employee. The parish council thus does not have the expertise to challenge many of HS2's technical arguments on alternative routes, particularly in relation to alternative routes. We would be grateful if you'd bear with us if we struggle on some of that.

156. THE CHAIR: Could I just confirm that you're speaking on behalf of other parties as well?

157. MR COOPER: I've got two witnesses.

158. THE CHAIR: Parish council –

159. MR COOPER: And the school.

160. THE CHAIR: And the school, and you're wrapping those up together or separate?

161. MR COOPER: Well, we weren't planning to but we could quite easily.

162. THE CHAIR: Yes, wrap them up together, if that's okay. And are you intending on calling witnesses? There seems to be semi-confusion in my mind as to who you are calling.

163. MR COOPER: Right. We've got three witnesses. Mr Cowey, who is the chairman of the parish council; Mr Morris, who owns the Woore village and country store, who you heard from; and Mrs Janet Roberts from the school. The headmistress of the school would like to have been here today and sends her apologies, but in a small school, she has teaching responsibilities so couldn't be here.

164. The issues which we'd like to address are on page A86 and Mr Cowey will deal with A to G, inclusive on that list. Mr Morris will deal with the last item on that list, and then there is also a separate bundle for the school, and there are three issues, I think, on that list, which is on A105. Mrs Roberts will deal with those.

165. The petition presented by the school was very much, I'm afraid, rush job at the last minute and it raises a plethora of issues, which we don't think are particularly relevant and which we're not pursuing in the petition. So, A105 is a distillation of the points that we want to pursue. I apologise both to HS2 who may be scratching their heads at some of what's in that petition and to you if it's caused confusion.

166. THE CHAIR: You've got to appreciate the resource constraints, so crack on. Can we bring our first witness in? There's some water there if you want as well. Help yourself. Comfortable?

Submissions by Mr Cowey

167. MR COWEY: Good afternoon. My name is Michael Cowey as has been mentioned. I've been the chairman of Woore Parish Council for the past seven days, but I was appointed Vice Chairman in May 2017. I've sat on the parish council since September 2015 and I've lived in Woore since 2010. Before then, I was a parish councillor in North Yorkshire for seven years, and I'm also a governor of Woore Primary and Nursery School, recently appointed.

168. The parish council has had a number of meetings with its parishioners covering what concerns they have about HS2's proposals and so I am confident that the parish council petition accurately sets out their principal concerns. I think that you will agree with that assertion because one of the reasons why you support the HS2 objection to the right to be heard by other parishioners from Woore's petition was because their objections were also in our petition and duplication of arguments needed to be avoided.

169. To explain, the parish is in the north east of Shropshire, close to the borders of Cheshire and Staffordshire. If I could ask you to look at document A89. Could I have A89, please?

170. At the top of the map, there's a sort of staggered junction where the purple A525 crosses over the green A51.

171. MR COOPER: It's slightly red, actually, on the A51.

172. MR COWEY: Yes, sorry. It's changed colour, hasn't it? If you head along the A52 west or the A51 north from the staggered junction, you will very quickly arrive in

Cheshire. If you head eastwards along the A525, you very quickly arrive in Staffordshire. If you head southward from the staggered junction, you will continue, depending on the routes you subsequently take, to be in Shropshire or you will move into Staffordshire. With your permission, I would like to show video of the A525 and A51 as they cross our parish.

173. MR WHITFIELD: Yes. Sorry to interrupt. Before we view that, will you tell me where the school is on that map?

174. MR COOPER: Yes, it's marked.

175. MR COWEY: See the cricket ground?

176. MR COOPER: Head south from the cricket ground.

177. MR WHITFIELD: It's just below there, yes. I see it, thank you.

178. MR COWEY: Just for your information, this is filmed from a car's dash-cam. The part I really want to show is not very long. It's actually about three and a half minutes' duration and I think it will allow you to appreciate what problems HS2 proposals will cause.

179. Before I show the video, I might be able to give you a rough idea of where the video starts. It begins on the A525 to the east of the staggered junction, so if you look again in document A89, we are further along past the red line farm there on that map.

180. MR COOPER: On the red road.

181. MR COWEY: On the red road.

182. MR COOPER: The red road going east.

183. THE CHAIR: Just in terms of timing, Mr Cooper, it may be convenient to have all of this done by five to six, although then there's going to be a break period, just in terms of timing. Certainly, do take the three minutes, but it will be unfortunate to have to come back for another five minutes. So, bat accordingly. I don't want to –

184. MR COWEY: Right. We have fast recorded the traffic.

185. MR COOPER: Right. There are bits where it's all speeded up.

186. MR COWEY: The key points that we want to point to –

187. THE CHAIR: Pass the popcorn.

188. MR COWEY: Many of the HS2 lorries will be coming from the construction compounds westward along the A525 to the staggered junction, with the A51, and it's that route from the east of the edge of the parish which our camera initially follows. Could you please begin the video two minutes 14, please?

189. You will not the narrowness of the road along which we have passed. It is along the section that HS2 proposed to put in a number of passing points and road modifications. If you could just stop it here please.

190. This is a junction that they will be passing and, approximately two years ago, a serious accident occurred at that junction. You can see that, again, a staggered junction and we just want to bring that to your attention. Could you start again, please, and stop at 3:13, please, if you would?

191. You will shortly see that there are some terraced houses on the left, which open straight onto the pavement. These are coming up very shortly. This point's starting a bit further on. From here now. We're coming up to the junction. If you stop it there, please. You see the narrowness of the pavements there and parking is usually carried out there. On the right is a pub, the Coopers Arms, which will have its parking spaces and while there is a traffic cone up the road, just a bit further down – if you could lunge it on a bit please, move it along – that there, thank you – that is where the village store is and post office. You'll get a better view of this later when arrived at the staggered junction there. Unfortunately, the video goes dark, but something went wrong with the dash-cam. The filming continued late in the night, so if we could just move it on please?

192. So, we're coming to the staggered junction now. This is the main crucial point. We're turning right here. And there's the other staggered junction. Stop there, please. This is the A525 that goes off, is not affected by modification, but this is the area where most of the work is going to be carried out by HS2.

193. MR COOPER: The road works. The modification will be to this junction. The road off to the left is not, as we understand it, being modified and it will not be a route for construction traffic, but straight ahead will be a route for construction traffic.

194. MR COWEY: And on the left, this white building is a Methodist chapel.

195. MR COOPER: Sorry, can I interrupt, just in case I haven't misled you, Mr Mould no doubt can explain whether or not the pavement on the left here that you can see is going to be modified.

196. THE CHAIR: Okay, well we'll come to Mr Mould at the end of the process.

197. MR COWEY: Okay, so if we could carry on, please? This white building on the right is St Leonard's Church and I'll come back to that one. On the left here is Swan Court. Could you stop the video just a bit further please? Now, where the video's stopped, you can see the road stops with banks on either side until you pass Cherry Tree Lane on the right. So, if you continue on, please? I'm trying to keep the speed in.

198. MR COOPER: Where the road narrows.

199. MR COWEY: Where the road narrows right down now. This is Cherry Tree Lane on the right. So, if you could carry on, please? The HGVs will continue along down here. Thank you.

200. MR COOPER: We've now left the parish and are just turning around at the bridge near Garden World, which is something that we'll be mentioning in some detail shortly. So, the construction traffic would carry on up that road.

201. THE CHAIR: We actually came through as a Committee in this direction and parked up for about five minutes overlooking these areas and walked down to the junction so we could see them for ourselves.

202. MR COOPER: We weren't aware of that, I apologise.

203. THE CHAIR: We did it on the way between A and B.

204. MR COWEY: If you could just stop it here, again, just a bit further, please. Thank you. This is the church. Now, you'll see here the footpaths and arrangements

here, but just so you're aware, the church doesn't have any car parking and when any funerals or anything of that nature takes place, they park on the road. There's no parking facilities whatsoever.

205. THE CHAIR: To the left of the sign was where we parked and there was parking there.

206. MR COOPER: Sorry, it was a car park to a pub. The pub is closed and is being converted to apartments.

207. THE CHAIR: Right.

208. MR COOPER: It is intended that what was a car park, and not a car park to the church – it was the pub car park – but that shall become redeveloped for housing.

209. MR COWEY: It's a private car park as such.

210. MR COOPER: Frankly, people parked there because the pub wasn't terribly busy, which is why it closed. Strictly, they were trespassers, and the parking on the right is public parking that you can see. The car park spaces on the right.

211. MR COWEY: We do have a hairdresser and a gallery.

212. THE CHAIR: Martin's got a question.

213. MR WHITFIELD: There isn't really a separate pavement as in a step up or anything. It's just flat onto the road, isn't it, there?

214. MR COOPER: Correct, yes.

215. MR COWEY: So, we will try and speed this on now. So, if we could move on again, please? Again, that's the A525 towards Audlem and on the left is the junction again. If you see the turning there, this is where the wagons will be coming up the A51 towards us and turning, as we look at it, right.

216. MR COOPER: Right. They will be turning in front of us and up the road where the –

217. MR COWEY: Car there. The village store, again, is just in the corner there, so

we can move on again, please. We'll try and keep this one going. If you stop at this point here, the entrance to the school, you'll see the lights there, there's a banner on the fence that is a right turn to the school. That's the entrance to the school and the narrow path. If you move on just a little bit further, please?

218. See, the road's narrowing down at this point. It winds down there. So, carry on, please, on this one. We can speed it up a little bit. This is a new housing estate that's just been developed on the left hand side.

219. MR COOPER: The only point that perhaps could be made is that a lot of the housing is on, as you've seen, is facing or abutting the road. There aren't little avenues off sideways with lots of houses on. The houses are on the road.

220. MR COWEY: So, on the right here, you'll see this car coming out to join the main A51. That is the road that goes off to Market Drayton in Shropshire and Loggerheads in Staffordshire. It's a busy junction most of the time, in peak hour time. So, I think that, really, we could go further down, but we'll control it at that point and say that's given you a bit of a vision of the parish. I appreciate that.

221. So, I'll move on now to the first issue on the council's list of main arguments; what we contend to be a failure by HS2 to have properly consulted with both us and Shropshire Council. Of what you've seen, there is 4.3 miles of roads in Shropshire that are all on HS2's route for construction traffic and all 4.3 miles are in our parish. It is our contention that for a very long time during the formulation of the proposals, HS2 either completely forgot about our existence, or failed to appreciate that the parish was not in Staffordshire and misunderstood where our parish boundaries lie.

222. THE CHAIR: I think Sheryll's got a question.

223. MRS MURRAY: Yes. Are you saying there hasn't been any consultation between your council and HS2 or Shropshire County Council and HS2? Because they're the principal highway authority, aren't they?

224. MR COWEY: As we have been led to be aware, there's been one official meeting with Shropshire Council, April 17.

225. MRS MURRAY: And just to clarify very quickly, has there been any dialogue

between your parish council and Shropshire County Council?

226. MR COWEY: Yes.

227. MRS MURRAY: Thank you.

228. MR COOPER: I think dialogue might be a bit of an exaggeration.

229. MRS MURRAY: Do they know of your petitions?

230. MR COOPER: We have been asking for help.

231. MR COWEY: We did write as a parish council or ask them if they would petition on our behalf and support us and, unfortunately, we didn't get the response that we wanted.

232. MRS MURRAY: Thank you very much. Sorry.

233. MR COWEY: And again, I'll use this when we're saying about the boundary lines, for example, many of the passing points intended for the A525, the first part we drove along there, are in our parish, but HS2 seem to say they are outside our parish. I wish to refer to page 62 of volume 2 of the environmental statement, which related to Whitmore Heath and Madeley. In table 4 there, HS2 give a list of mechanisms.

234. MR COOPER: Sorry, is it possible for page 62 of volume 2 of the environmental statement to be put up?

235. MR COWEY: Sorry, thank you. Right, thank you. Table 4. On there, it gives a list of mechanisms and a time line for engagement of consultation since the route's announcement. In November 2015, local authorities were briefed. We do not think that our local authority, Shropshire Council, was briefed. HS2 state that in December to September 2016, local authorities and parish councils were directly engaged to develop the proposed scheme and the EIA. Shropshire Council was not. We were not.

236. I could go on, but I think you're getting my drift. If we go to pages 65, 66 of the same document, there's a table of groups engaged there. On page 66 is Staffordshire County Council. All-important matters of which Staffordshire County Council were consulted are in the right-hand column. Shropshire Council is not in that table and so it

appears that it was not consulted about any of those matters.

237. Could I ask you to go to page 68, please? Sorry, I apologise. Again, on this list is HS2's list of groups, including parish councils with whom they have engaged at a more local level. Woore Parish Council is not listed.

238. I would like you to look at pages 8 and 9 of the petition response document, which produces part of our petition. Paragraphs 3 to 6 are irrelevant and I can read those if you'd like me to, or are you quite happy? Have you had a chance to look at that, could I ask, please?

239. MR COOPER: Pages 8 and 9, please?

240. MR COWEY: 8 and 9, please.

241. MR WHITFIELD: The thing about this is if the consultation hasn't taken place, your voice hasn't been heard in the input to both the environmental statement, the proposed traffic amendments and the construction route identification. Is that right?

242. MR COWEY: That's correct.

243. MR WHITFIELD: Okay, thank you.

244. MR COOPER: Put bluntly, yes.

245. MRS MURRAY: Can I just ask, has there been any dialogue since about any mitigation of the road problems that you envisage from HS2? Have they come in and acknowledged anything since then?

246. MR COWEY: Things have moved on. We've had conversations with HS2, yes. We've had meetings. We've had things taking place and I mentioned when we first started the dialogue with them.

247. MR COOPER: I think our point really is that, yes, there's been a dialogue about mitigation and an explanation –

248. THE CHAIR: I think we take a point that you assert there's been an output, consultation and dialogue. What I think the Committee are keen to hear from is what you want us to do by way of changes rather than historic problems. Does that capture,

Martin, what –

249. MRS MURRAY: Yes.

250. THE CHAIR: I'm receiving nods from the Committee, so tell us what you want us to do.

251. MR COOPER: Well, as regards engagement, what we've been presented with is a fait accompli. The decision, we think, to go down our roads, was made before there was any discussion whatsoever with either Shropshire Council or the parish council. We are where we are, but it's not good enough for HS2, we submit, to say that that is tough. There should be a dialogue, and I think, technically, we ask in our petition that there be a proper consultation about the route. Whether or not you're prepared to –

252. THE CHAIR: Are you looking for the traffic to go somewhere else or have you got a series of proposals, or have you got a proposal to mitigate?

253. MR COOPER: We are looking for traffic to go somewhere else. The great problem is, HS2 say for various reasons it can't go –

254. THE CHAIR: Have you got a map to show us where you want the traffic to go?

255. MR COOPER: Yes, we have.

256. THE CHAIR: And then maybe cover as well, if there is a case for it going through the parish, how one could mitigate that. Having listened to the point you've made about consultation, let's look at your alternative route and let's look at any mitigation.

257. MR COOPER: If you look at page A96 in the petitioner's exhibits, marked in red is the current proposed route from the Madeley building site, as it were, to the M6. You can see it's quite sequiturs. It goes back from Madeley to Woore and then southwards through Pipe Gate, Ireland's Cross, which is in the parish, Willoughbridge, which isn't in the parish and then carries on through Baldwins Gate, Whitmore and Acton. Pages 97 onwards are more direct routes that we have suggested. You can see particularly A98 is a very short route to the motorway in blue. 99 is a short route. A100 is a short route. Now, some of these routes involve perhaps the creation of temporary railway

lines and all of them, HS2 say aren't runners. Obviously, we can't really contradict their engineering reasons because we're not engineers, but what we would say is that some of the explanations they've given as to why are a bit vague.

258. THE CHAIR: We'll hear from them later as to why they think that can't happen. Is it worth moving to mitigation so if it does happen, there are mitigation plans?

259. MR COOPER: I'm sorry, sir. I didn't hear your point.

260. THE CHAIR: Is there also mitigation?

261. MR MARTIN: Gentlemen, before we move on to mitigation, can I just ask, most of the alternative routes that you've proposed involve starting at the Keele services. Does that include all of them?

262. MR COOPER: No.

263. MR COWEY: No, not all of them.

264. MR COOPER: Some start at junction 15.

265. MR COWEY: Which is where the proposed –

266. THE CHAIR: Junction 15 is –

267. MR COWEY: Behind church interchange at the top.

268. MR WIGGINS: Near Madeley, is it?

269. MRS MURRAY: It's at the bottom.

270. MR MARTIN: Oh, yes, right. Because there isn't a junction at Madeley, is there? There isn't a junction on the M6 at Madeley?

271. MR COWEY: No, no. The next junction up is junction 16, which is the A500 Stoke North and Crewe.

272. MR MARTIN: Yes, got you.

273. THE CHAIR: I think we've got the point. We just need to hear from HS2 on

those routes.

274. MR COOPER: We will come to mitigation issues or what the problems are in detail in terms of going through the village, but before we do that, I think we need to attack the basis upon which HS2 have said that it's a good idea to go through our village. That goes beyond physical matters relating to the roads. It goes to how they have calculated that they won't cause problems in terms of traffic numbers etc when they do go along those roads.

275. THE CHAIR: If that's what you want to do, let's go for it.

276. MR COOPER: Well, Mr Cowey will deal with that.

277. MR COWEY: I think we've jumped a little bit and moved around, but picking up on your point, madam, the first meeting between HS2 and us was on 14 November 2016. The purpose of the consultation, again, to create a dialogue. You want to move that one?

278. MR COOPER: We've done the consultation, but I think you need to go on to –

279. MR COWEY: So you want to go onto the traffic surveys?

280. MR COOPER: Yes.

281. MR COWEY: Right. With the surveys, this was undertaken in the winter of 2016/17 and if I can refer to document A90, please, in our exhibits. This is the minutes of the meeting of the parish council of 14 November at which HS2 were in attendance, and this is the first point of consultation, which I referred to a moment ago. At the very bottom of page 1 and page 2, the minutes record that Mr Johnston, who was from HS2 said that work to establish the impact of construction traffic on our area. We already think the decision had been taken, but Mr Johnston said that traffic surveys were expected to be completed by the spring of 2017. Further down page 2, the minutes record that it was pointed out that traffic surveys carried out in the winter would not take into account the much higher number of agricultural vehicle movements that take place at other times of the year. Notwithstanding that advice, HS2 proceeded to carry out their own surveys in the winter. We think that they did so only because they had left assessing the effects of the proposals on Woore so late that they could not afford to be

doing traffic surveys any longer if they were to meet deadlines for the preparation of their documentation.

282. THE CHAIR: Sheryll Murray's got a question.

283. MRS MURRAY: Just very quickly, it does go on to say that some local authorities are using HS2 as a way of seeking funding for highway improvements. Have you had any indication from Shropshire Council – because they are mentioned here – whether they have asked for any financial contribution for highways improvements in and around your village?

284. MR COOPER: As far as we know, no.

285. MRS MURRAY: Okay, thank you.

286. MR COOPER: In fact, HS2 didn't meet with Shropshire Council till April.

287. MR COWEY: April.

288. MRS MURRAY: And has your local representative on Shropshire Council reported back to you? Because you do have a democratically elected councillor. Have they reported back to you on whether they know anything?

289. MR COWEY: We've had to put pressure on Shropshire Council to get copies of the minutes they had with HS2. They weren't very forthcoming whatsoever, if I'll be honest.

290. MRS MURRAY: Okay, thank you.

291. MR COOPER: And they don't say anything in the minutes.

292. MR COWEY: The minutes are just one liners with nothing.

293. MR COOPER: There aren't minutes. There's one person's note of the meeting. It is completely uninformative.

294. MRS MURRAY: Thank you.

295. MR COWEY: The second area in our petition is that the winter traffic surveys

failed to take into account the heavy spring, summer and autumn traffic generated by Bridgemere Garden World. Bridgemere claims to be the largest garden centre in Britain and one of the largest in Europe. You'll remember the driver's dash-cam video showed earlier turned his car round at the entrance to Bridgemere. Bridgemere is located on the A51 and the sole point of access and exit from it is respectively from and to the A51. The location of Bridgemere is shown on document A91. If I could get it again, please. You can see it there, close to the top there. You can all see top of the A51, London Road, right to the top. It is marked in blue. It is actually just outside the parish and if you could show a photograph of the document A91, please.

296. This is an aerial photo of the Bridgemere site, an exhibit just to show its large size. It covers 52 acres and there's 11 gardens, children's attractions, crazy golf and four restaurants. Wikipedia says that, 'Back in the first decade of this century, Bridgemere had 1.8 million visitors.' Visitors to Bridgemere, like the visits of HS2 lorries to one of their construction compounds, generate two vehicle movements: one arriving, one going. We say that visitor numbers to Bridgemere now are likely to exceed figures of 1.8 million because in the past few years, Bridgemere, in addition to being a garden centre, has also become, in effect, a shopping village. Bridgemere have told us there are now 23 other businesses operating there, mostly home, clothing and lifestyle shop concessions. There is, for example –

297. THE CHAIR: Sorry, just to be clear, I'm unclear what the point is here. There's going to be more traffic anyway and it's being underestimated.

298. MR COOPER: Yes. Doing a traffic survey in the winter for a garden centre does not take into account –

299. THE CHAIR: Now I get the point. Less is more.

300. MR COOPER: Okay, sorry.

301. THE CHAIR: It's pithy. For us to help you, by as pithy as possible around your points and what you want us to do. You have just been so. I understand now.

302. MR COOPER: If I can interrupt because it may be quicker, the scale of the place, there's 1,000 car parking spaces, so it's a big place. Now, HS2 have done their traffic

surveys in the winter, in the morning, before Bridgemere opens. So, even if Bridgemere – well, they simply miss Bridgemere completely. They might catch a few employees going to and from the stores before they open. The main point is, in the summer, Bridgemere generates a lot of traffic through the village.

303. THE CHAIR: Great, message understood. Let's move on to the next point.

304. MR COOPER: Okay, I'll do the other one very quickly. There's another, much smaller tourist attraction. Bridgemere is, of course, a shopping village, but it's got these public gardens. So, it's a tourist attraction garden centre plus a shopping village. We've got another open garden to the south of the village to the A51.

305. THE CHAIR: I think, to be honest, the detail doesn't matter. The point you're asserting is the traffic surveys don't take into account seasonality and there's excessive seasonality. We can take that point away and that point is not added to if there are further examples.

306. MR COOPER: Fine, so we'll move on.

307. THE CHAIR: Thank you.

308. MR COWEY: Sorry, start at 4, right. Now, we contend that the way the Bridgemere traffic survey figures is unreliable is dwarfed by another, much more significant factor. That is the smart motorway works, which Highways England plan to carry out to junctions 13 to 15. The main works are due to start in June 2018 and the plan is that they will be completed by March 2022. I believe you heard last week from Mr Jeremy Lefroy MP, that premium works for the smart motorway are already causing chaos in his constituency. And I am sure you will know, the M6 and the junction to the east of the parish. Smart motorway works are being undertaken already on the junctions higher up the M6. Anecdotally, I can tell you that they have caused chaos on adjoining roads. There are drivers using their satnavs to go off motorway routes so as to avoid the traffic jams on the motorway caused by smart motorway works. I can also tell you that ignoring the smart motorway works planned for junction 13 to 15, if ever an accident currently occurs, blocking lanes on either the southbound or northbound stretch of that motorway, drivers use the A51 as a rat run to avoid jams on the motorway. It always seems to happen on a Friday afternoon and causing massive congestion in Woore. It is

our submission that this combination of smart motorway works and the extra traffic generated by HS2 construction work will make every day, Monday to Saturdays at least, like a Friday afternoon.

309. Heading north on the M6, drivers will leave the M6 and use the A34 to drop on to the 51 and then go through the parish up to Nantwich and then they head back on to the M6 at junction 15. Yes, I think we've got that one.

310. THE CHAIR: Yes, we've got the drift that they use it as a rat run. How they do it, I don't think we need to go into.

311. MR COOPER: We raise the point about the smart motorway works selfishly because we don't want HS2's traffic through the parish, but it also works to the detriment of HS2 if their lorries are going to be caught up in traffic jams because of the smart motorway works, and that's what we say will inevitably occur.

312. Now HS2, if I can help here, say on page 7 of their exhibits, 'Traffic surveys undertaken in neutral months and traffic survey methodology was adopted for consistency across the route'. And they also say that the base year for construction traffic assessment is after completion is after completion of the smart motorway works. I'm afraid I don't know what neutral months means, but no doubt that can be explained later.

313. I appreciate they want to apply a consistent methodology, but that does not justify, in my submission, ignoring as massive an issue as the smart motorway works. They're not, as far as I can see, mentioned in HS2's environmental statement. If I'm wrong on that, no doubt I'll be correct.

314. MR MOULD QC (DfT): The reason for that is on the slide.

315. MR COOPER: Well the reason, Mr Mould can no doubt address why that is in due course.

316. THE CHAIR: Well, Mr Mould speaks at the end. Carry on with your –

317. MR COOPER: Essentially, we accept it's difficult the effect of the smart motorway works in numerical terms, but to quote somebody else, it's an unknown, but it

is a known unknown.

318. THE CHAIR: We've looked at this issue already, so this isn't a one crack at the issue. I don't want to repeat, for the record, a rehearsal of the arguments, but we are very aware of it and we understand.

319. MR COOPER: Right. What I do need just to say is that HS2 say that the works will be completed before their construction works and as the flow of their construction vehicles reaches their peak. So the smart works motorways will be over before peak HS2 construction activity. But we all know that large construction projects overrun. There's no guarantee that the smart motorway works will be completed before HS2 peak construction times and there's quite a possibility that HS2's own project may take longer than expected, in which case, it's quite possible that traffic peaks will coincide with summer months, with Bridgemere and there'll just be huge quantities of traffic on the road.

320. Now, if HS2's traffic assessments are wrong, all the other things that they do in their environmental statement, based in relation to noise pollution etc, all are based on traffic figures. Essentially, we are off-route and the environmental impact of construction traffic depends on traffic numbers.

321. THE CHAIR: Okay. I think you've made that point. I'm conscious we've got four minutes before we break and we've made very slow progress and we're only on the first witness.

322. MR COOPER: Well, I apologise for that, but we did give a time estimate of 35 to 40 minutes to your clerk.

323. THE CHAIR: Well we've been a lot longer than that already. All, I'm saying is we need to be brief or we need to move on. I don't really want to have a talk on timings.

324. MR COOPER: Okay. Cherry Tree Lane, the road is narrow. You can't widen it. Well, you could widen it, but it's not easy to widen because there's big banks on either side. Anybody who lives in Woore will tell you that they see lorries there not able to get past one another. HS2 don't propose any road widening for that. It will cause some

congestion inevitably.

325. Can we just see the pedestrian crossing lights that you saw on your video?

326. MR COWEY: That's the document in that file.

327. MR COOPER: Yes, the black dot there is the location of the crossings. You'll see a red dot and a blue dot. HS2, on 16 February, came to meet with the parish council and representatives of both sides were all standing at the point marked with the blue dot thereabouts looking at the A51 northwards. We all saw two lorries. One heading north and one south unable to pass one another. It was the subject of jocular remarks from HS2's staff that we've staged it, and we hadn't. That is a regular occurrence. Lorries mount the pavement quite frequently in the area and we think the A51 there isn't actually significantly narrower than lots of places on the A51. So, we think the problem will occur in other places along there and there are no proposals for street modifications or passing bays etc along that route.

328. Now, could we just look at A94? That's the pedestrian crossing outside the school. You can see the crossing light on the left. It juts out. It's been hit. We can show it in other photos. I'm trying to rush, so forgive me, but if you look at subsequent photos, you can see that it's been skewed round. We think it's been skewed round by the wing mirrors or more substantial bits of passing lorries. That's outside the school where you can see the pavements are narrow. There are more photos showing it on the other side of the road as well, where it's been hit, but because you want me to hurry, I won't go there.

329. Parking is another problem in the village. There's no public car park.

330. THE CHAIR: I'm sorry. We've now come to the end of this first session. I'll ask you to have a discussion with the clerks around timing. I don't want to disadvantage you. We haven't made as much progress as we need to and I don't want you leaving today without having made all the points and having made one or two points several times over. I really do want to help. Please do sit down with the clerks and the team. We are here to get the best evidence we can from you. We'll be back at seven.