

## Wendover Society

410. CHAIR: That brings me to AP5/20: Aylesbury Vale District Council. Not here. AP5/1: Wendover Society. Graham Watts. Do you want to begin?

411. MR BOB LEWIS: Should we start or Mr Strachan start, sir?

412. CHAIR: Mr Strachan, do you want to briefly introduce?

413. MR STRACHAN QC (DfT): Yeah. I think you know about the Wendover Society. Just to relocate you, we're dealing with Wendover again. By way of recap, you've heard obviously about the Hybrid Bill provisions. The Select Committee made some recommendations in one of its interim reports about the effects of the proposal on Wendover and the extension, potentially, to the green tunnel. And in consequence of that we considered various options and we put extensions to the green tunnels forward, along with additional noise mitigation proposed at both ends. And that is the proposal that's come forward in AP5. Those effects have the benefits of providing some further noise mitigation for the area and the green tunnel. It appears, clearly, that the proposals don't go far enough for some petitioners and that's clearly the case for Wendover Society.

414. The case for a longer tunnel, or a tunnel from South Heath further, or even an extended green tunnel, has already been considered by the Committee but I'll wait to see what the petitioners pursue now.

415. CHAIR: Petitioners?

416. MR BOB LEWIS: Good morning. My name is Bob Lewis. My colleague on my right is Graham Watts. We are treasury and secretary, respectively, of the Wendover Society. We were here before on 7 September and will follow the same pattern, if you don't mind, that Mr Watts will take you through the first half; and at half-time I will come on as a substitute and take you through from half-way to the end. And we'll both be available for any extra time that there might be.

417. CHAIR: Okay. Mr Watts?

418. MR WATTS: Okay. Can we have the next slide, please? Or slide number 2, in

fact. Yes, that's the one. Yes, we are the Wendover Society. We are now in our 50<sup>th</sup> year. We represent 500 individual members, plus a further 600 associate members. We are also representing the further people of Wendover who've listened to us when we've canvassed for opinion, and in addition we're representing both Mr Lewis and Mr Ball who have a 130-signature petition dated from last September.

419. Overall, we believe that AP5 is merely a token gesture. It's grudging. It's a minimalist attempt to cover up for what was in the Environmental Statement. It's clear to us certainly that the promoter does not care about the effect on Wendover. Indeed, at a meeting with them on 12 January, they said as much: 'AP5 represents all the mitigation that we intend to do for Wendover. We don't have to do anymore and we will not be doing anymore.' So all the promoter really wants is Royal Assent on its own terms. Then in that case the promoter will be both judge and jury over what is reasonably practicable and what might be a reasonable worse case. We contend that that is wholly unreasonable.

420. So our ask remains as it was before – next slide, please – that we would like a bored or mined tunnel past Wendover.

421. Next slide, please. Here's an overview of Wendover. On the right hand side, the London Road Group. We will defer to them concerning the specifics for the area south of Wendover up to Durham Farm. We're sure that they will have told you their views yesterday. They're still very badly affected. AP4 made things worse. AP5 did nothing and does nothing to improve matters. Then, in the middle group, we will equally defer to St Mary's Church Group concerning matters in the area near to the church and to the school. They will speak to you probably later this afternoon.

422. At this point it's efficient for us to say that we totally support additional mitigation for St Mary's Church. We also support Buckinghamshire County Council's position, namely that without a mined or bored tunnel at Wendover the promoter will have to pay to relocate the Wendover House School. We will speak for North Wendover over specifics and we'll speak generally for all of Wendover.

423. Our central issues with AP5, and indeed with HS2 generally, are with noise and disruption. Noise uncertainty is a particular concern, and the various anomalies and the noise figures that we've been presented with do nothing to engender confidence in the

promoter's evidence. For example, in P8161, they got north and south the wrong way round, which is a fairly elementary mistake, one would have thought. In SES4 they put the noise cloud over the pylons instead of over the noise barriers. There are differences in the noise tables when they compare one scheme with another. Our simple point is that if they can make mistakes over matters that are so easy to see, what else have they done over matters that we can't see and they won't discuss with us?

424. Next slide, please. These are the noise policy aims for England which I think we all accept and would quite happily go along with, were we to be allowed to.

425. Can we go on to slide 6, please? Thank you, yes. These are the so called LA<sub>max</sub> adverse impact. Noting that LA<sub>max</sub> isn't actually a maximum; it's sort of an average of maximums. So it's not a peak; it's an average of the peaks. So it's not what normal people would regard as a maximum.

426. Just to pick out one line there; the second line down which has got two red rings around it. It is quite clear that the figure in the left-hand ring is quite high, and yet in the further column with the red ring round it it's labelled 'not adverse'. On the numbers presented there, clearly it's adverse. On our quick count out, there's be another 120 examples like that where the impacts would have to be notified within the CFA10, which I think is where those figures are from.

427. All these figures are free-field; that is before the effect of adding any façade adjustment that could be up to 3 dB onto the LA<sub>max</sub> levels. And in this situation, the second of the noise policy aims – that is to mitigate and minimise adverse impacts – need to be applied. But it's clear that that is not what the promoter is doing. And, further, if any upward variation of the LA<sub>max</sub> levels is experienced when the trains are operating, then the threshold will be breached by a substantial margin. And it's our great concern that the opportunity to do the right thing and mitigate at source would prove impossible, or impossibly intrusive, post-construction. And, indeed, the promoter has said it won't be doing anything about it anyway. So now is the time to have a proper tunnel, not to regret it at a later date when it would be too late to do that.

428. At that meeting in the London offices, HS2 Limited were of the opinion that they didn't need to do anymore mitigation than is described in SES4. In the event that train operations proved to generate higher levels of noise than they've estimated, they smugly

told us that as long as the LA<sub>max</sub> level did not exceed the SOAEL then we'd have to put up with it. This is completely contrary to the noise policy statements for England, especially that aim to mitigate and minimise.

429. We've twice requested in writing that the noise tables for the draft surface enclosure and the draft mined tunnel be released to us. There's been no response, as usual. We wonder if they've actually modelled these situations. If they have, as I hope they would have done – they seem to have done a lot of other modellings that get released at a very late stage – why are they so coy and shy about releasing the information?

430. These issues have all been caused because the promoter chose to route HS2 so close to around 9,000 people living in Wendover with no effective mitigation. There were plenty of alternatives but the promoter's choice of route caused the maximum possible damage to Wendover. And the HS2 route is very different to the HS1 route, on which a lot of the apparent mitigation and so on is apparently modelled. Unlike the HS1 route, there is no equivalent of the M20 motorway present in the Chilterns. There is likewise no comparable concentration of population like Wendover so close to the open HS1 route.

431. At the consultation stage, before the Bill was published, the promoter even tried to tell us that in Wendover we wouldn't hear the trains because the birds were singing so loudly. When they actually published the Bill, it gave a table of indicated noise well above acceptable limits in many areas of Wendover. The fundamental laws of physics do apply to HS2 trains as to everything else. It's an inescapable fact, given their weight and size, travelling at 360 and then up to 400 kilometres per hour, with steel runs running on a steel track and a pantograph at such a height, that HS2 trains will be exceedingly noisy. At trackside, in fact about 25 metres from the source, the noise level will be approaching 100 decibels. It could even be worse than this. And that's the risk to which the people of Wendover are being uniquely exposed.

432. Indeed – the next slide please – the Select Committee did recognise that, and in the middle of last year set the promoter the task of producing very convincing mitigation proposals, failing which one is minded to direct alternative and better mitigation. The proposals in AP5 and SES4 would be a welcome attempt to reduce noise levels if that is

what was achieved. The net result, however, is no better than what was published in the original Bill; namely that many areas of Wendover will still suffer unacceptable levels of noise. So either the original noise predictions were grossly underestimated or AP5 / SES4 proposals have no beneficial effect.

433. Next slide, please, which is a summary table for Wendover, only disclosed to us at our meeting on the 12 January. It does state at the top, Wendover. We rather think that it should be the whole of the CFA10.

434. Note that in Row 4, where the circled figures are presented, AP5 effects are worse than before AP5, more households affected. But note the row above that – the remarkable benefits in Row 3, going from the right hand side. We now earth is a good absorber of sound energy, so we can understand the mine tunnel would achieve a very good result, no houses affected. It's even possible to believe in the penultimate column that the concrete enclosures will do well. But the claims for the middle column, AP5, just look too good to be true.

435. MR BOB LEWIS: It's me again, Chairman. We asked the promoter for a breakdown of those cost figures quoted in Slide 8. Can I have Slide 9, please? This is what we got as a reply for a cost breakdown. Please note that this slide gives different information to the promoter's Petition Response document.

436. We've highlighted, in red, up here, they say, 'Six metres', but in the Petition Response document, they say, 'Six metres', but here it's, 'Up to six metres'. So, we wonder whether we can trust what they say. They masquerade as a government department, but they're more devious than the worst type of commercial developer.

437. The promoter issues two earlier papers as it worked towards publishing AP5. The DfT sent their second proposal to our MP and it was he who sent this proposal, called P8161 to us, and also to others for comment.

438. The Wendover Society canvassed opinion very widely on this proposal, and on the final AP5 proposal, so we held meetings. We consulted a lot of other people in the area. We showed the DFAT slides at these meetings, and we emailed the entire package to all of our membership. The way in which HS2 will be built is of huge importance to the people of Wendover, probably the most important challenge to Wendover during the

entire existence of the Wendover site in 50 years. The unanimous view of our membership, Chairman, and all the other interested parties is that we do not find the promoter's proposals to be very convincing, which is the threshold that your Committee has set. In fact, we don't think they're convincing at all. It will be for the select Committee to reach a decision, but the message from the people of Wendover, Chairman, is crystal clear: not one person – all these people we consulted – not one person found the promoter's proposal to be very convincing.

439. Slide 10, please. Here's an example of the kind of thing that's gone on. You can see that here, in the interim proposal, they promised huge improvements in green to the effect of noise and at minimal cost. But this was reversed under AP5, as you see over here, where the noise has gone back up again. Indeed, in those four bottom rows, it's gone back above the threshold. Now, in his letter to your committee, Chairman, on 29 of the 10<sup>th</sup>, Mr Hargreaves, and I quote, said, 'That improved noise results will be brought forward in AP5. Everything will be below 60 decibels LAmax low is what he promised, but as usual, they've not delivered.'

440. Slide 11, please. This shows item 11 of the Petition Response document. We're not convinced that the AP5 proposals mitigate and minimise noise levels as required by the Noise Policy Statement for England, and they don't do much to reduce noise to a level that will be acceptable to the people at Wendover. For example, we'd still like to enjoy our gardens after HS2 trains start running, and to be able to bury our dead in peace and tranquillity. Churchyards available for the internment of anyone who dies, whether they're a church attender, or not, and that is why the community, as a whole, donates money every year to maintain the churchyard, and many citizens volunteer physical help to help with that – keeping the churchyard in good order.

441. We don't see any intention by the promoter to tackle the huge risk of much higher noise levels due to inherent uncertainty of relying on mathematical modelling. Both Mr Watts and I, during our careers, have done a lot of mathematical modelling, so we understand precisely what the risks are. In addition, there's no said claim to technological improvements to noise will be achieved. This has been illustrated several times in the past, but can we just show you Slide 12 again?

442. These are the figures produced by the promoter which show what happened in

HS1 and from HS1, they derive the model for HS2. The calculated noise is on the vertical axis here, and the actual results are on the horizontal axis below. At these higher speeds and higher noises, you will see, Chairman, quite clearly that there's a deviation of six, or seven decibels increase from the mean blue line at higher speeds. That was HS1.

443. HS2 will travel at much higher speeds than HS1, so the risk is that HS2 trains will be significantly noisier than the promoter's management cares to admit. Here's a quote; 'Persistent over optimism and underestimation of technical challenges. That quote could be about HS2, but is in fact from the Commons Defence Committee, or colleagues on that Committee about the MoD, concerning type 45 destroyers. Another government department, but with a very similar mind set. It's worth repeating that quote, 'Persistent over optimism and underestimation of technical challenges' – that's what we think HS2 management are doing. We therefore invite, Chairman, your Committee to add 5 decibels to all the promoter's predictions to allow for this inherent uncertainty, and as a precedent, it was agreed at the House of Lords stage of Crossrail 19 February 2008, paragraph 216, 5 decibels was added, again, because of uncertainty.

444. We ask that you insist on better mitigation for Wendover, to include a line for this requested 5 decibel increase. We also would ask you to require HS2 to abide by the noise policy statement for England – second aim; and third aim: to minimise and mitigate all adverse impacts on health and quality of life that arise from LAeq, or LAmax levels exceeding the LOAEL level.

445. Chairman, we no more believe the promoter's noise predictions than we believe their cost estimates. We believe that the select Committee should base its conclusions on independently verified estimates of both noise and cost. In our view, the promoter has lost all credibility. The promoter makes categorical statements. We point out obvious errors, but there's no dialogue. There's no transparency. They just ignore us. They hide behind a veneer of confidentiality and they consistently refuse to consider any change to their design. The minimum that we ask is that the Select Committee orders an extension of the cut and cover tunnel for the full distance to divide that going south; an extension to the north of several hundred meters. Slightly more mitigation than the Select Committee was minded to grant in July 2015, but we believe it to be necessary in order to address the noise issue in the north, which you've seen examples of.

446. Whilst this option is not perfect, it does address the noise issue, which is of fundamental importance to us. The appearance will not look good in an AONB, but the promoter has done its best to make its visualisation of such an extension look unsightly. We're confident that their design panel can do a much better job. They can start by taking advice from the Royal Air Force. The RAF have quite a few reinforced concrete structures, which they very effectively camouflage with acid etching, which is applied to the surface of the concrete. That's how they hide aircraft from the enemy.

447. However, it is interesting to note the extraordinary length that the promoter has gone to in an attempt to hide the six-metre high noise barriers in their photo montages of AP5. This is a wholly unequal portrayal, unashamedly slanted to the promoter's wishes, as always. Another big drawback of extending the cut and cover tunnel, Chairman, is it does nothing for the people living between Wendover and Durham Farm. We put on the early slide – it does nothing to help the hydro geological issues. In addition, it retains the two exceedingly ugly and unnecessary viaducts that we would like to see removed. We believe there is only one two effective way of dealing with noise, and all the other issues raised by the people of Wendover, and that one way has been put to you several times already. We need a proper tunnel. Either, Chairman, 3.95 km plus around 500 metres to the north. This would simply be the northern element to all the proper tunnel propositions. In effect, it would be the northern part of the CRAG T23I proposal. This tunnel could be mined, or bored, whatever is the best value for money.

448. There is no argument about the design, or about the benefits that will be achieved. It's simply an argument about perceived cost of creating holes in the ground. They say the extra costs – net costs – would be £275 million. We say that is probably grossly exaggerated, and that you should put the HS2 line in a tunnel anyway. We need HS2 to be in a tunnel to save our community from the inevitable misery that a surface route would bring.

449. Alternatively, Chairman, you could have a fully bored tunnel through Chilterns bored one way, as presented to you on 24 November. The technical expert, Colin McKenzie, who gave evidence for the petition, has estimated and built tunnels on time and within budget over the world. One wonders how many tunnels the promoter's staff have actually built. The evidence given show that it could be bored much faster than 80 metres a week, which is what the promoter assumes, and within programme, and so

without any cost penalty. On cost, the evidence shows that the promoter's cost for a bored tunnel were twice what has been achieved in practice – twice. These false assumptions by promoter totally eschews a rational determination on what is the best choice for Wendover. We believe that the promoter is conversely underestimating the true cost of a cut and cover tunnel. As we understand it, from the petition hearing, any effects that may be on the programme, entirely of the promoter's own making. They could and should have listened to affected parties at an earlier stage. So, we invite the Select Committee to tell the promoter to find a way of accommodating any programme effects, and to revisit the unit costs of tunnelling, to bring them into line with the infrastructure of UK work, which is done by the British Tunnelling Society.

450. It is response to the final submission by the Right Honourable Cheryl Gillan MP to you, on the 28 January, Mr [Tim] Mould, of all people, was incorrect in all of the points he raised about tunnels. His attempt to cast tunnel supporters like us as being – and I quote – ‘Constant denial of inescapable facts’ was frankly nonsense. Perhaps Mr Mould was thinking of another tunnel. If the tunnel is bored one way, there will not be, as he quote, ‘Enduring and large construction sites at the northern border of the AONB’. All of the spoil ends up at the other end – near the M2 and 25, which is precisely where his client, the promoter, has always proposed for the spoil. All of the proper tunnel options can remove the two viaducts, and the intervention gap is only half a kilometre.

451. MR HENDRICK: Sorry for the intervention. You are repeating a great deal of what has been...

452. MR BOB LEWIS: I'm sorry?

453. MR HENDRICK: You are repeating a great deal of what we've been over in the past. I thought you were particularly addressing your remarks to AP5.

454. MR BOB LEWIS: Mr Hendrick, it's inevitable that we're going to duplicate some of what's been said in the past in order to get our point over. We've been to enormous trouble to not have overlaps between different petitioners who are here today. We've done our very best to avoid that.

455. MR HENDRICK: That's by petitioners today, but then you're overlapping with what's been discussed at great length previously.

456. MR BOB LEWIS: You interrupted, if I may say, at the point when I'm pointing out that Mr Mould made these remarks unchallenged. I am now challenging what he said. I think that it's unfair that he can get away with these remarks, which are just untrue. So if I may, I'll conclude. The intervention gap – it's half a kilometre, not one kilometre as he says. And it's got two portals, one at each end.

457. His point about diminishing returns is the wrong way around. The expert witness pointed out the unit cost of tunnelling reduces with distance an operator expense, making...

458. MR HENDRICK: Again, we've been at this at great length. Could you confine your remarks, if you can, to AP5?

459. MR BOB LEWIS: Slide 13.

460. CHAIR: I'm thinking about suspending about 1 o'clock, Mr Lewis. How much longer have you got?

461. MR HENDRICK: He's got 40 slides. Sorry, one more.

462. MR BOB LEWIS: We're just one and a quarter pages through...

463. MR HENDRICK: Sorry, not 40 – 14.

464. CHAIR: Alright.

465. MR BOB LEWIS: The point of this slide and, yes, you've seen it before, is that – but it's highly relevant to what we're trying to say, professors stated that for distances above 1.6 to 2.4 kilometres, a bored tunnel comes cheaper than a cut and cover tunnel. The tunnel we're asking for is greater than that. But the promoter still claims that such a tunnel would be vastly more expensive than a cut and cover tunnel. And if they assume tunnelling costs twice of what can be achieved, that's the answer you're going to get. On the promoter's figures, a bored, or mined tunnel never comes out cheaper than a cut and cover tunnel. It's only when one factors in the lower fully bored tunnelling costs, and higher costs for cut and cover tunnels that Professor [Andrew] McNaughton's evidence make sense. What the Professor has stated is surely the truth because it accords with industry norms and it makes so much sense intuitively. It has to be right.

466. So, we come to the conclusion that – number 14, please – that only a proper tunnel would give Wendover the mitigation it needs. HS2 first estimated the next extra cost of a mined tunnel to be £150 million. We thought that was high enough. We pointed out a lot of offsetting savings. We don't need to have this extended cut and cover tunnel between £60 and £80 million. No hydrological issues - £20/25 million. Some people say, £80 million. No need to move the school - £20 million. No need to move electricity columns - £20 million, and so on. So, after we pointed that out, what does the promoter do but increase their estimate to £225 million, and then £275 million? They've increased the cost so much that a simple mined tunnel would now cost more than a bored tunnel. But of course, they're careful in that comparison you saw to make the comparison against a mined tunnel priced at the highest figure.

467. Mr Avery, of the church group, will expand on this cost issue later. Mr Avery is a very experienced surveyor and project manager. Without independent verification, we simply do not believe the promoter. Their track record has always been to oppose any other proposition, but their own, and they refuse to have any meaningful discussions about cost. Any amount of expenditure on the train and its rail system – the best that money can buy. No expense spared, as we see, on lawyers and staff. No expense spared on the public relations department who spin every aspect. It also appears, from an article in the *Telegraph* on 28 January that lots of money is going to be spent on the pattern for this, so that they – the article, which was undoubtedly brief by the PR department, waxed lyrical about the comfort and convenience to be afforded to that relatively small number of people who will travel on HS2 trains. But when it comes to the promoter spending money to reduce the misery affected on people like us, they want to spend nothing. They are simply not willing to volunteer, or spend the money required.

468. Now, Chairman, your Select Committee have approved the promoter's estimate of £47 million to save a relatively small number of houses in South Heath from the misery of HS2. Surely the 9,000 people of Wendover the not much greater net expenditure, as we see it, required to minimise the living hell of construction, and to be spared the very intrusive noise of the trains every one and a half minutes thereafter forever more.

469. CHAIR: Mr Strachan, how long will you need? Have you any idea?

470. MR STRACHAN QC (DfT): Well, I hope I could do it by 1 o'clock if...

471. CHAIR: Then we have a petitioner who will need to come back. How long will you need to respond when you come back?

472. MR BOB LEWIS: We don't know. Depends on what he says.

473. CHAIR: Okay. I think the best thing then – if Mr Bellingham's going to have to be away in five minutes, then we won't record it anyway. So, I think the best thing then is I suspend the Committee until 2 o'clock. Order, order.